



Human Tissue (Scotland) Act 2006

2006 asp 4

PART 7

GENERAL

58 Ancillary provision

- (1) The Scottish Ministers may by order make such incidental, supplemental, consequential, transitional, transitory or saving provision as they consider necessary or expedient for the purposes, or in consequence, of this Act.
- (2) An order under this section may—
 - (a) make different provision for different purposes;
 - (b) modify any enactment, instrument or document.

Commencement Information

- II** S. 58 in force at 1.9.2006 in so far as not already in force by [S.S.I. 2006/251](#), arts. 2, 3, [Sch.](#)

59 Regulations or orders

- (1) Any power conferred by this Act on the Scottish Ministers to make regulations or orders—
 - (a) must be exercised by statutory instrument;
 - (b) may be exercised so as to make different provision for different purposes.
- (2) A statutory instrument containing an order or regulations made under this Act (except an order under section 62(2)) is, subject to subsection (3), subject to annulment in pursuance of a resolution of the Parliament.
- (3) A statutory instrument containing—
 - (a) regulations under section 55 or an order under section 58 containing provisions which add to, replace or omit any part of the text of an Act;
 - ^[F1](aa) regulations under section 2D(1);
 - ^[F2](ab) regulations under section 6D(5);

Changes to legislation: There are currently no known outstanding effects for the Human Tissue (Scotland) Act 2006, Part 7. (See end of Document for details)

[^{F3}(ac) regulations under section 10C(1);]

[^{F4}(ad) regulations under section 16B(1) or 16C(1);]

[^{F5}(ae) regulations under section 16J(8);]

(b) regulations under section 17(3), (4) or (5),

is not to be made unless a draft of the instrument has been laid before, and approved by resolution of, the Parliament.

Textual Amendments

- F1** S. 59(3)(aa) inserted (26.3.2021) by Human Tissue (Authorisation) (Scotland) Act 2019 (asp 11), **ss. 3(3), 29(2)**; S.S.I. 2021/108, reg. 2
- F2** S. 59(3)(ab) inserted (11.10.2019 for specified purposes, 26.3.2021 in so far as not already in force) by Human Tissue (Authorisation) (Scotland) Act 2019 (asp 11), **ss. 7(3), 29(2)**; S.S.I. 2019/305, reg. 2(b); S.S.I. 2021/108, reg. 2
- F3** S. 59(3)(ac) inserted (26.3.2021) by Human Tissue (Authorisation) (Scotland) Act 2019 (asp 11), **ss. 19(3), 29(2)**; S.S.I. 2021/108, reg. 2
- F4** S. 59(3)(ad) inserted (11.10.2019 for specified purposes, 26.3.2021 in so far as not already in force) by Human Tissue (Authorisation) (Scotland) Act 2019 (asp 11), **ss. 23(2), 29(2)**; S.S.I. 2019/305, reg. 2(c); S.S.I. 2021/108, reg. 2
- F5** S. 59(3)(ae) inserted (26.3.2021) by Human Tissue (Authorisation) (Scotland) Act 2019 (asp 11), **ss. 27(3), 29(2)**; S.S.I. 2021/108, reg. 2

60 Interpretation

- (1) In this Act unless the context otherwise requires—
- “adult” means a person who is 16 years of age or over;
 - “child” means a person who is under the age of 16 years;
 - “local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39);
 - “parental responsibilities” has the meaning given by section 1(3) of the Children (Scotland) Act 1995 (c. 36);
 - “parental rights” has the meaning given by section 2(4) of that Act;
 - “post-mortem examination” has the meaning given by section 23;
 - “tissue” includes skin, a cornea and bone marrow;
 - “tissue sample” includes any derivative of skin.
- (2) In this Act, references to transplantation are to transplantation into a human body; and references to “transplant” or to “transplants” are to be construed accordingly.

61 Repeals

The enactments specified in column 1 of the schedule are repealed to the extent specified in column 2.

Commencement Information

- I2** S. 61 in force at 1.9.2006 by S.S.I. 2006/251, **art. 3**

62 Short title and commencement

- (1) This Act may be cited as the Human Tissue (Scotland) Act 2006.
- (2) The provisions of this Act, except this section and sections 52, 59 and 60, come into force on such day as the Scottish Ministers may by order appoint.
- (3) Different days may be appointed under subsection (2) for different purposes.

Changes to legislation:

There are currently no known outstanding effects for the Human Tissue (Scotland) Act 2006, Part 7.