

*Draft Order laid before the Scottish Parliament under section 59(3) of the Human Tissue (Scotland) Act 2006, for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2008 No.**

**HUMAN TISSUE**

**The Human Tissue (Scotland) Act 2006  
(Consequential Amendment) Order 2008**

*Made* - - - - 2008  
*Coming into force* - - 2008

The Scottish Ministers make the following Order in exercise of the powers conferred by section 58(1) and (2) of the Human Tissue (Scotland) Act 2006(1) and all other powers enabling them to do so.

In accordance with section 59(3) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Human Tissue (Scotland) Act 2006 (Consequential Amendment) Order 2008 and comes into force on the day after the day on which it is made.

(2) This Order extends to Scotland only.

**The Human Tissue (Scotland) Act 2006: consequential amendment**

2. In section 4(4)(b) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004(2) (trafficking people for exploitation), for “the Human Organ Transplants Act 1989 (c. 31)” substitute “Part 1 of the [Human Tissue \(Scotland\) Act 2006 \(asp 4\)](#)”.

St Andrew’s House,  
Edinburgh  
2008

A member of the Scottish Executive

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(1) 2006 asp 4.  
(2) 2004 c. 19.

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Human Tissue (Scotland) Act 2006 (Consequential Amendment) Order 2008 No. 259

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes an amendment to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (“the 2004 Act”), which is considered to be necessary in consequence of the Human Tissue (Scotland) Act 2006 (“the 2006 Act”). The 2006 Act repealed the Human Organ Transplants Act 1989 (“the 1989 Act”) in so far as it has effect in Scotland to make replacement provision for Scotland with regard to transplantation. As a consequence, the reference in section 4(4)(b) of the 2004 Act to offences committed under the 1989 Act is replaced with a reference to the 2006 Act.