

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations specify medical procedures which may be carried out on a person for the purpose of increasing the likelihood of successful transplantation of a part of the person's body after the person's death and which are not for the primary purpose of safeguarding or promoting the physical or mental health of the person, known under the Human Tissue (Scotland) Act 2006 ("the Act") as "pre-death procedures" (see section 16A inserted by section 23 of the Human Tissue (Authorisation) (Scotland) Act 2019).

These Regulations specify the "Type A procedures". Type A procedures are those pre-death procedures which Ministers consider are appropriate to be carried out in accordance with section 16E of the Act without the need for further conditions or restrictions on their performance such as only in specified circumstances or following further authorisation.

A pre-death procedure may only be carried out on a person if it has been specified as either a Type A procedure or Type B procedure (see section 16D of the Act).

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.