

**2006 No. 343**

**HUMAN TISSUE**

**The Adults with Incapacity (Removal of Regenerative Tissue for Transplantation) (Form of Certificate) (Scotland) Regulations 2006**

<i>Made</i> - - - -	<i>8th June 2006</i>
<i>Laid before the Scottish Parliament</i>	<i>9th June 2006</i>
<i>Coming into force</i> - -	<i>1st September 2006</i>

The Scottish Ministers, in exercise of the powers conferred by section 18(2) of the Human Tissue (Scotland) Act 2006(a), and all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Adults with Incapacity (Removal of Regenerative Tissue for Transplantation) (Form of Certificate) (Scotland) Regulations 2006 and shall come into force on 1st September 2006.

**Form of certificate**

2. The form of certificate prescribed for the purposes of section 18(1) of the Human Tissue (Scotland) Act 2006 (meaning of adult with incapacity for purposes of section 17(1)(c) and (2)(c)) is the form of certificate set out in the Schedule to these Regulations.

*LEWIS MACDONALD*  
Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
8th June 2006

SCHEDULE

Regulation 2

Certificate of Incapacity for the purposes of section 18(1) of the Human Tissue (Scotland) Act 2006 (Removal of Regenerative Tissue from an Adult with Incapacity)

Opinion of the Scottish Ministers as to incapacity of adult

We, the Scottish Ministers, hereby certify that we are of the opinion that-

..... (name)

of.....(address) ...../...../..... (date of birth)

is incapable within the meaning of section 1(6) of the Adults with Incapacity (Scotland) Act 2000 in relation to a decision about the removal from \*him/her of the following regenerative tissue for transplantation

.....  
.....

Note on nature of incapacity .....

.....  
.....

This certificate of incapacity in relation to the removal of the regenerative tissue described above shall remain in force until ...../...../....., being a date which does not exceed one year, or until such earlier date as this certificate is revoked.

Authorised to sign by the Scottish Ministers

Date .....

\*delete as appropriate

## **EXPLANATORY NOTE**

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

These Regulations prescribe, for the purposes of section 18(1) of the Human Tissue (Scotland) Act 2006 (“the Act”), the form of certificate to be issued by the Scottish Ministers in accordance with section 18(2) of the Act that they are of the opinion that the adult is incapable in relation to a decision about the removal from the adult of regenerative tissue for transplantation (regulation 2 and the Schedule). The certificate may subsist for a period of up to 1 year.

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