
STATUTORY INSTRUMENTS

1991 No. 1645

**MEDICAL PROFESSION
NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

The Human Organ Transplants and the United
Kingdom Transplant Support Service Authority
(Miscellaneous Amendments) Regulations 1991

Made - - - - *18th July 1991*
Laid before Parliament *24th July 1991*
Coming into force - - *1st September 1991*

In exercise of powers conferred by sections 13, 18(1) and 128(1) of the National Health Service Act 1977(1) and by section 3(1) of the Human Organ Transplants Act 1989(2) and of all other powers enabling me in that behalf I hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Human Organ Transplants and the United Kingdom Transplant Support Service Authority (Miscellaneous Amendments) Regulations 1991 and shall come into force on 1st September 1991.

Amendment of 1989 Regulations

2. –

(1) The Human Organ Transplants (Supply of Information) Regulation 1989(3) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1(2) there shall be inserted after the definition of “health service hospital” the following definition–

(1) 1977 c. 49. Sections 13 and 18 were amended by the Health Services Act 1980 (c. 53), Schedule 1, paragraph 33 and paragraphs 38 and 92 respectively, and section 18 was modified by the Family Practitioner Committees (Consequential Modifications) Order 1985 (S.I. 1985/39), article 7(2); section 128(1), which is cited for the definition of “regulations”, was amended by the National Health Service and Community Care Act 1990, section 26(2);

(2) 1989 c. 31.

(3) S.I. 1989/2108, as amended by S.I. 1991/408.

““NHS trust” means a National Health Service trust, in relation to England and Wales, established in pursuance of section 5 of the National Health Service and Community Care Act 1990(4) and, in relation to Scotland, established in pursuance of section 12A of the National Health Service (Scotland) Act 1978(5);”

(3) The following sub-paragraph shall be substituted for sub-paragraphs (a) and (b) of regulation 2(1)–

- “(a) Where the removal of the relevant organ was carried out in England or Wales–
- (i) except where the removal was carried out in a hospital managed by a special health authority or an NHS trust, to the District Health Authority for the district in which the removal of the relevant organ was carried out,
 - (ii) where the removal was carried out in a hospital managed by a special health authority or an NHS trust, to that authority or trust;
- (b) where the removal of the relevant organ was carried out in Scotland–
- (i) except where the removal was carried out in a hospital managed by an NHS trust, to the Health Board for the area in which the removal of the relevant organ was carried out, or
 - (ii) where the removal was carried out in a hospital managed by an NHS trust, to that trust.”

(4) The following sub-paragraph shall be substituted for sub-paragraphs (a) and (b) of regulation 2(2)–

- “(a) where the relevant organ was received in England or Wales–
- (i) except where the organ was received in a hospital managed by a special health authority or an NHS trust, to the District Health Authority for the district in which the relevant organ was received, or
 - (ii) where the organ was received in a hospital managed by a special health authority or an NHS trust, to that authority or trust;
- (b) where the relevant organ was received in Scotland–
- (i) except where the organ was received in a hospital managed by an NHS trust, to the Health Board for the area in which the organ was received, or
 - (ii) where the organ was received in a hospital managed by an NHS trust, to that trust.”

(5) In paragraph 1 of Part I and of Part II to the Schedule there shall be inserted in each case–

- (a) after the word “authority” the words “or NHS trust”;
- (b) after the word “or”, in the second place where it appears, the words “the name of the authority”.

(6) In paragraph 5(c) of Part I of the Schedule after the word “number” insert “, if any,”.

(7) In Part I of the Schedule there shall be added after paragraph 7:

“8. The date and time of the removal of the organ.”

(8) For paragraph 5 of Part II of the Schedule there shall be substituted the following paragraph:

“5. The full names and the hospital case note number of the recipient, and the date and time of carrying out the transplant.”.

(9) In paragraph 6(c) of Part II of the Schedule after the word “number” insert “, if any,”.

(4) 1990 c. 19.

(5) 1978 c. 29. Section 12A was inserted by section 31 of the National Health Service and Community Care Act 1990.

Amendment of 1991 Regulations

3. In regulation 2(1) of the United Kingdom Transplant Support Service Authority Regulations 1991(6) for the words “the provisions of the Act” there shall be substituted “the enactments”.

Revocation of regulation 10(2)(b) of the 1991 Regulations

4. Regulation 10(2)(b) of the United Kingdom Transplant Support Service Authority Regulations 1991 is hereby revoked.

18th July 1991

William Waldegrave
One of Her Majesty’s Principal Secretaries of
State

(6) S.I. 1991/408. This Statutory Instrument is made partly to correct errors in S.I. 1991/408 and is being issued free of charge to all known recipients of that Statutory Instrument.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make two minor corrections to the United Kingdom Transplant Support Service Authority Regulations 1991, and make various amendments to the Human Organ Transplants (Supply of Information) Regulations 1989. In the case of the 1989 Regulations these are mainly consequential upon the establishment of National Health Service trusts but include minor corrections to the details of information to be supplied by practitioners about transplant operations and add requirements to provide the date and time of the removal of an organ the time when a transplant was carried out and the hospital case-note number of the recipient. This Statutory Instrument is made partly to correct errors in S.I. [1991/408](#) and is being issued free of charge to all known recipients of that Statutory Instrument.