



Human Transplantation (Wales) Act 2013

2013 anaw 5

Offences

10 Prohibition of activities without consent

- (1) A person commits an offence if the person does, without consent, a transplantation activity in Wales.
- (2) But a person does not commit an offence under subsection (1) if—
 - (a) the person reasonably believes—
 - (i) that he or she does the activity with consent, or
 - (ii) that what he or she does is not a transplantation activity;
 - (b) section 3(3) (imported material) applies;
 - (c) section 13(1) (preservation for transplantation) applies.
- (3) A person (“P”) commits an offence if, in Wales—
 - (a) P falsely represents to a person whom P knows or believes is going to, or may, do a transplantation activity—
 - (i) that there is consent to the doing of the activity, or
 - (ii) that the activity is not a transplantation activity, and
 - (b) P knows that the representation is false or does not believe it to be true.
- (4) A person guilty of an offence under this section is liable—
 - (a) on summary conviction to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment—
 - (i) to imprisonment for a term not exceeding 3 years, or
 - (ii) to a fine, or
 - (iii) to both.
- (5) In this section “consent” means the consent required by virtue of section 3.