

*These notes relate to the Human Tissue (Scotland) Act 2006  
(asp 4) which received Royal Assent on 16 March 2006*

# **HUMAN TISSUE (SCOTLAND) ACT 2006**

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## **EXPLANATORY NOTES**

### **THE ACT – AN OVERVIEW**

#### **Part 3: Tissue Sample Or Organs No Longer Required for Procurator Fiscal Purposes**

##### *Section 41 – Notice under section 38(2) or 40(2)(a): further provisions*

104. **Section 41** sets out the formalities associated with the notification which the fiscal is to send indicating that tissue samples or organs are no longer required for the purposes of the functions of the fiscal. Subsection (1) provides for the ways in which notification may be sent and subsections (2) and (3) provide a definition of the manager of an establishment for the purposes of section 38(2) or 40(2)(a).