



Human Tissue (Scotland) Act 2006

2006 asp 4

PART 1

TRANSPLANTATION ETC.

Use of part of body of deceased person for transplantation, research etc.

16 Offences: removal or use of part of body of deceased person for transplantation, research etc.

- (1) A person commits an offence if the person removes, after the day on which section 3 comes into force, a part of the body of a deceased person for any of the purposes referred to in section 3(1) or uses after that day any part so removed for any such purpose and—
- (a) the removal or, as the case may be, the use for the purpose in question is not authorised in accordance with section 6, [^{F1}6D, 6E, 6F, 6G, 6H, 8, 8D, 10 or, as the case may be, 10A]; or
 - (b) any of the requirements in section 11(1) or (4)(a) is not satisfied as respects the part.

^{F2}(2)

- (3) A person guilty of an offence under subsection (1) is liable—
- (a) on summary conviction, to—
 - (i) imprisonment for a term not exceeding 12 months;
 - (ii) a fine not exceeding the statutory maximum; or
 - (iii) both;
 - (b) on conviction on indictment, to—
 - (i) imprisonment for a term not exceeding 3 years;
 - (ii) a fine; or
 - (iii) both.

Changes to legislation: There are currently no known outstanding effects for the Human Tissue (Scotland) Act 2006, Section 16. (See end of Document for details)

Textual Amendments

- F1** Words in s. 16(1)(a) substituted (26.3.2021) by [Human Tissue \(Authorisation\) \(Scotland\) Act 2019](#) (asp 11), **ss. 28(3)(d)**, 29(2); S.S.I. 2021/108, reg. 2
- F2** S. 16(2) repealed (26.3.2021) by [Human Tissue \(Authorisation\) \(Scotland\) Act 2019](#) (asp 11), **ss. 27(5)(c)**, 29(2); S.S.I. 2021/108, reg. 2

Commencement Information

- I1** S. 16 in force at 1.9.2006 by [S.S.I. 2006/251](#), **art. 3**

Changes to legislation:

There are currently no known outstanding effects for the Human Tissue (Scotland) Act 2006, Section 16.