



Human Tissue (Scotland) Act 2006

2006 asp 4

PART 1

TRANSPLANTATION ETC.

[^{F1}Pre-death procedures relating to transplantation]

[^{F1}16J Meaning of “health worker”

- (1) In sections 1 to 16K, “health worker” means—
 - (a) a registered medical practitioner,
 - (b) a registered nurse,
 - (c) a person (or person within a description) in so far as that person is (or persons of that description are) authorised by a person listed in subsection (2) to exercise the functions of a health worker under sections 6A to 16I.
- (2) The persons are—
 - (a) a registered medical practitioner,
 - (b) a registered nurse,
 - (c) a Health Board,
 - (d) a Special Health Board,
 - (e) the Common Services Agency for the Scottish Health Service.
- (3) An authorisation under subsection (1)(c) may, in particular—
 - (a) authorise a person (or description of person) to exercise some or all of the functions of a health worker under sections 6A to 16I,
 - (b) authorise a person (or description of person) to exercise functions in relation to particular cases or classes of case,
 - (c) authorise different persons (or descriptions of person) to exercise different functions.
- (4) An authorisation under subsection (1)(c) may be given only if the person listed in subsection (2) considers that the person (or the description of person) has the appropriate skills, qualifications or experience to carry out the functions in respect of which the authorisation is given.

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

- (5) An authorisation under subsection (1)(c) may be revoked—
- (a) in the case of an authorisation given to a description of person by a person other than a registered medical practitioner or a registered nurse, by the person who gave that authorisation, and
 - (b) in any other case, by any person listed in subsection (2).
- (6) The Scottish Ministers may give directions (of a general or specific nature) to persons listed in subsection (2) in relation to authorisations under subsection (1)(c).
- (7) A person listed in subsection (2) must comply with any direction given to the person under subsection (6) when authorising a person (or description of person) under subsection (1)(c).
- (8) The Scottish Ministers may by regulations—
- (a) modify the list in subsection (1),
 - (b) modify the list in subsection (2),
- so as to add to, amend or remove any entry on the list.]

Textual Amendments

- F1** S. 16J inserted (26.3.2021) by [Human Tissue \(Authorisation\) \(Scotland\) Act 2019 \(asp 11\)](#), **ss. 27(2)**, **29(2)**; [S.S.I. 2021/108](#), **reg. 2**

Changes to legislation:

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