



# Human Tissue (Authorisation) (Scotland) Act 2019

2019 asp 11

## PART 2

### DUTIES OF THE SCOTTISH MINISTERS

#### **2 Information and awareness about authorisation of transplantation and about pre-death procedures**

- (1) In section 1 of the 2006 Act, at the end of paragraph (c), insert “;
  - (d) promote information and awareness about how transplantation may be authorised (including, in particular, how authorisation of transplantation may be deemed to be given);
  - (e) promote information and awareness about the nature of pre-death procedures, when they may be carried out and how they may be authorised”.
- (2) The text of section 1 so amended becomes subsection (1).
- (3) After subsection (1) so formed, insert—
  - “(2) The duty under subsection (1)(d) must be carried out at least once in every calendar year.
  - (3) The Scottish Ministers must, in carrying out the duty under subsection (1)(d), have regard to the need to—
    - (a) provide information to the public about—
      - (i) how authorisation of transplantation may be deemed to be given,
      - (ii) how to give an express authorisation or make an opt-out declaration,
    - (b) provide information in health care settings about—
      - (i) how authorisation of transplantation may be deemed to be given,

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*Status: This is the original version (as it was originally enacted).*

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- (ii) how to give an express authorisation or make an opt-out declaration.
- (4) In subsection (3)(b), “health care settings” means any place where a service is provided for or in connection with the prevention, detection or treatment of illness, other than an independent health care service (within the meaning of section 10F of the National Health Service (Scotland) Act 1978).”.