



# Human Tissue (Scotland) Act 2006

## 2006 asp 4

### PART 3

#### TISSUE SAMPLE OR ORGANS NO LONGER REQUIRED FOR PROCURATOR FISCAL PURPOSES

#### **48 Use of organ removed before day on which section 40 comes into force**

- (1) An organ removed from the body of a deceased person during an examination of the body carried out before the day on which section 40 comes into force for the purposes of the functions, or under the authority, of the procurator fiscal and held immediately before that day for use for the purposes of existing approved research (whether or not held immediately before that day also for the purposes of the functions of the procurator fiscal) may be retained and used for the purposes of the existing approved research or for the purposes of education, training or new approved research (whether or not it is retained and used also for the purposes of the functions of the procurator fiscal).
- (2) In subsection (1)—
- (a) “existing approved research” means research approved before the day on which section 40 comes into force;
  - (b) “new approved research” means research approved on or after that day, by such persons (or persons), or group (or groups) of persons, as the Scottish Ministers may specify by order under this section.

#### **Commencement Information**

- I1** S. 48(1) in force at 1.9.2006 by [S.S.I. 2006/251, art. 3](#)
- I2** S. 48(2) in force at 1.9.2006 in so far as not already in force by [S.S.I. 2006/251, arts. 2, 3, Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Human Tissue (Scotland) Act 2006, Section 48.