
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

**The Human Tissue (Authorisation) (Specified
Type B Procedures) (Scotland) Regulations 2021**

Circumstances in which Type B procedures may be carried out

- 3.—(1) A Type B procedure may be carried out only if—
- (a) in the view of two registered medical practitioners, the conditions in paragraph (2) are met, and
 - (b) the procedure is authorised in accordance with regulation 4.
- (2) The conditions referred to in paragraph (1)(a) are that—
- (a) the requirements of section 16E(2)(c), (d) and (e) of the 2006 Act are met, and
 - (b) no Type A procedure could provide the necessary information for either of the purposes described in section 16E(3) of the 2006 Act.
- (3) For the purposes of paragraph (1)(a)—
- (a) one of the registered medical practitioners must be the health worker primarily responsible for the person's medical treatment, and
 - (b) neither registered medical practitioner may be a member of the clinical team or teams primarily responsible for carrying out the removal and use of a part of the person's body after the person's death for transplantation.
- (4) The views of the registered medical practitioners referred to in paragraph (1)(a) must be recorded in writing.