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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 420**

**The Human Tissue (Scotland) Act 2006  
(Human Organ Transplants Act 1989  
Transitional and Savings Provisions) Order 2006**

**Transplants involving a live donor between persons who are not genetically related**

- 2.—(1) This article applies where, before 1st September 2006—
- (a) a registered medical practitioner has referred a case to the Unrelated Live Transplant Authority (“ULTRA”) in accordance with regulation 3 of the Human Organ Transplants (Unrelated Persons) Regulations 1989(1); and
  - (b) ULTRA has received that reference.
- (2) Where this article applies, the provisions set out in paragraph (3) shall continue to have effect as if those provisions had not been repealed by the 2006 Act.
- (3) The provisions referred to in paragraph (2) are—
- (a) sections 2, 4 and 7 of the 1989 Act;
  - (b) the Human Organ Transplants (Unrelated Persons) Regulations 1989; and
  - (c) the Human Organ Transplants (Establishment of Relationship) Regulations 1998(2).
- (4) Where this article applies, for regulation 3(1)(a) of the Human Organ Transplants (Unrelated Persons) Regulations 1989 substitute—
- “(a) that no payment has been made, or is to be made, before 1st September 2006 in contravention of section 1 of the Act and on or after 1st September in contravention of section 20 of the Human Tissue (Scotland) Act 2006(3);”
- (5) Where this article applies, section 17(1)(a) and (b) and (2)(a) and (b) of the 2006 Act (restrictions on transplants involving a living child or living adult) do not have effect.

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(1) S.I.1989/2480.  
(2) S.I. 1998/1428.  
(3) 2006 asp 4.