



Organ Donation (Deemed Consent) Act 2019

2019 CHAPTER 7

2 Consequential amendments

- (1) The Human Tissue Act 2004 is further amended as follows.
- (2) In section 1 (authorisation of activities for scheduled purposes), after subsection (9B) insert—
 - “(9C) Subsection (1) does not apply in relation to the following activities done in Northern Ireland in relation to relevant material that was removed from a human body in England—
 - (a) the storage for use for the purpose of transplantation of the relevant material;
 - (b) the use for the purpose of transplantation of the relevant material.”
- (3) In section 1, in subsection (10)(c), for “or (9B)(b)” substitute “, (9B)(b) or (9C) ”.
- (4) In section 27 (provision with respect to consent), after subsection (8) insert—
 - “(8ZA) The duty under section 26(3) shall also have effect, in particular, to require the Authority to give practical guidance on the circumstances in which the person concerned is to be deemed to have consented under section 3(6)(ba).
 - (8ZB) In giving practical guidance by virtue of subsection (8ZA), the Authority must, in particular, give guidance about the provision of information of the type described in section 3(6B) by a person who stood in a qualifying relationship to the person concerned immediately before death.”
- (5) In section 52 (orders and regulations), in subsection (3) (statutory instruments to which negative procedure does not apply), after “1(11),” insert “ 3(9), ”.
- (6) In section 52, in subsection (4) (statutory instruments to which affirmative procedure applies), after “no regulations under section” insert “ 3(9), ”.

Changes to legislation: There are currently no known outstanding effects for the Organ Donation (Deemed Consent) Act 2019, Section 2. (See end of Document for details)

- (7) In section 52, in the list in subsection (10) (requirement to consult), after “section 1(11)” insert— “ section 3(9); ”.

Commencement Information

- I1** S. 2(1) in force at 1.10.2019 for specified purposes by S.I. 2019/1262, **reg. 2(c)**
I2 S. 2(1) in force at 6.2.2020 for specified purposes by S.I. 2020/86, **reg. 2(a)**
I3 S. 2(1) in force at 20.5.2020 in so far as not already in force by S.I. 2020/520, **reg. 2(b)**
I4 S. 2(2)(3) in force at 20.5.2020 by S.I. 2020/520, **reg. 2(b)**
I5 S. 2(4) in force at 6.2.2020 by S.I. 2020/86, **reg. 2(b)**
I6 S. 2(5)-(7) in force at 1.10.2019 by S.I. 2019/1262, **reg. 2(d)**

Changes to legislation:

There are currently no known outstanding effects for the Organ Donation (Deemed Consent) Act 2019, Section 2.