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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides for the coming into force of provisions of the Human Tissue Act 2004 (c. 30) on 1 April 2005. The provisions brought into force enable the Human Tissue Authority (“the Authority”) to be established, confer certain functions upon it and deal with certain consequential amendments.

Article 2 makes transitional provision to the effect that the Authority is not under any duty by virtue of provisions brought into force by this Order in relation to activities carried on before provisions of the Act regulating those activities come into force.

Article 3 of this Order brings into force –

section 13, which provides for the establishment of the Authority, and Schedule 2, which makes further provision about it;

section 14, which specifies the Authority’s remit, and sections 39 and 40 to the extent that they qualify section 14;

section 15, which confers general functions upon the Authority, and sections 36, 38 and 42 , which confer further powers and duties upon it;

sections 26 to 29, which confer powers and duties on the Authority to make codes of practice in relation to certain matters and which make provision relating to such codes;

section 35, which enables agency arrangements to be made in respect of the Authority’s functions;

section 52, which makes provision about regulations and orders under the Act, to the extent that it is relevant to the provisions brought into force by this Order;

section 55, which makes financial provisions;

paragraph 6 of Schedule 6, which makes an amendment to the Enterprise Act 2002 consequential upon the establishment of the Authority.

Interpretation provisions in sections 41, 53 and 54, to the extent relevant to the provisions brought into force, and Schedule 1, defining ‘scheduled purposes’, are also brought into force.