

These notes refer to the Human Transplantation (Wales) Act 2013 (c.5) which received Royal Assent on 10 September 2013

HUMAN TRANSPLANTATION (WALES) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 15: - Codes of practice

49. The Human Tissue Authority (the Authority) is required to issue a code of practice which includes practical guidance and standards. The provisions relating to the Code of Practice set out in the Human Tissue Act 2004 (the 2004 Act) have not been replicated or restated in the Act as there is only one Authority and one Code. This section therefore amends the 2004 Act to reflect the Welsh legislation. This includes a power for Welsh Ministers to amend by statutory instrument the ranking of those in a qualifying relationship to the deceased and a requirement for the Code to give guidance on how a relative or friend of the deceased can object to deemed consent on the basis of the deceased's wishes (see section 4).
50. The amendments to the 2004 Act also mean that the Authority may not issue a code which relates to activities caught by the Welsh legislation unless a draft has been approved by both Welsh Ministers and the National Assembly for Wales (the latter subject to affirmative resolution).