

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 16: Consequential and incidental amendments to the Human Tissue Act 2004

51. This section makes a number of amendments to the Human Tissue Act 2004 (the 2004 Act) which are consequential or incidental to this Act. As a consequence section 1(1) of the 2004 Act will no longer apply to consent for transplantation activities carried out in Wales.
52. Other amendments disapply sections of the 2004 Act which have been restated for Wales in this Act, for example, sections 6 (adults who lack capacity), and section 43 (preservation for transplantation).
53. Amendments are also made so that the general functions of the Human Tissue Authority (the Authority) and its annual report take account of this Act. The Authority's powers of inspection, entry, search and seizure are also amended so as to incorporate situations covered by the Act.
54. The effect of Schedule 11 to the Government of Wales Act 2006 was to change references to the “National Assembly for Wales” to ““Welsh Ministers”. This section actually amends the text of 2004 Act to make this change, so as to assist the reader. New requirements for Welsh Ministers to lay documents before the National Assembly for Wales have also been added to reflect the new constitutional arrangement post the Government of Wales Act 2006 (so that they replicate the provisions for the Northern Ireland Assembly and the UK Parliament).