



# Human Transplantation (Wales) Act 2013

2013 anaw 5

## *General*

### **13 Preservation for transplantation**

- (1) Where part of a body of a deceased person lying in a hospital, nursing home or other institution in Wales is or may be suitable for use for transplantation, it is lawful for the person having the control or management of the institution—
  - (a) to take steps for the purpose of preserving the part for use for transplantation, and
  - (b) to retain the body for that purpose.
- (2) Authority under subsection (1)(a) extends only to—
  - (a) the taking of the minimum steps necessary for the purpose mentioned in that provision, and
  - (b) to the use of the least invasive procedure.
- (3) Authority under subsection (1) ceases to apply once it has been established that express consent making removal of the part for transplantation lawful has not been, and will not be, given and that consent is not deemed to be given.
- (4) Authority under subsection (1) extends to any person authorised to act under the authority by—
  - (a) the person on whom the authority is conferred by that subsection, or
  - (b) a person authorised under that subsection to act under that authority.
- (5) An act done with authority under subsection (1) is to be treated as not being an activity to which section 3 applies.