



Human Transplantation (Wales) Act 2013

2013 anaw 5

General

19 Interpretation

(1) In this Act—

“adult” (*“oedolyn”*) means a person who has attained the age of 18 years;

“child” (*“plentyn”*) means a person who has not attained the age of 18 years;

“parental responsibility” (*“cyfrifoldeb rhiant”*) has the same meaning as in the Children Act 1989;

“relevant material” (*“deunydd perthnasol”*) has the meaning given in section 18; and “excluded relevant material” (*“deunydd perthnasol a eithrir”*) has the meaning given in section 7;

“transplantation activities” (*“gweithgareddau trawsblannu”*) has the meaning given in section 3.

(2) For the purposes of sections 6, 7 and 8 a child is competent to deal with the issue of consent if it would appear to a reasonable person that the child has sufficient understanding to make an informed decision.

(3) The following are qualifying relationships for the purpose of this Act—

- (a) spouse, civil partner or partner;
- (b) parent or child;
- (c) brother or sister;
- (d) grandparent or grandchild;
- (e) child of a brother or sister;
- (f) stepfather or stepmother;
- (g) half brother or half sister;
- (h) friend of long standing.

(4) For the purposes of this Act, a person is another’s partner if the two of them (whether of different sexes or the same sex) live as partners in an enduring family relationship.

(5) The Welsh Ministers may by order amend subsection (3).

Status: This is the original version (as it was originally enacted).

- (6) In this Act—
- (a) references to material from the body of a living person are to material from the body of a person alive at the point of separation,
 - (b) references to material from the body of a deceased person are to material from the body of person not alive at the point of separation, and
 - (c) references to express consent include consent given before the coming into force of this Act.
- (7) In this Act, references to transplantation are to transplantation to a human body and include transfusion.
- (8) For the purposes of this Act, material is not to be regarded as from a human body if it is created outside the human body.