

HUMAN TISSUE (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT – AN OVERVIEW

Part 7: General

Section 58 – Ancillary provisions

144. [Section 58](#) enables the Scottish Ministers to make further provision, by order, which is incidental to or consequent on the Act and to allow transitional or savings provisions as required in implementing the Act's provisions.

Section 59 – Regulations or orders

145. Subsection (1) provides that powers to make orders or regulations in the Act are to be exercisable by statutory instrument. Subsection (2) provides that except where otherwise provided, the statutory instruments containing such orders or regulations shall be subject to negative procedure in the Scottish Parliament. Subsection (3) provides that regulations under section 55, an order under section 58 which contains provisions which alter the text of an Act and regulations under section 17(3), (4) or (5) are to be the subject of affirmative resolution.

Section 60 – Interpretation

146. [Section 60](#) defines terms used throughout the Act.

Section 61 – Repeals

147. [Section 61](#) introduces schedule 1 (which contains consequential repeals).

Section 62 – Short title and commencement

148. This section provides for the short title of the Act. Further, section 62 allows the Scottish Ministers to bring the provisions of the Act (except sections 52, 59, 60 and 62) into force by order and to set different dates to commence different provisions. The section provides for sections 52, 59, 60 and 62 to come into force on Royal Assent.

Parliamentary History

The following table sets out, for each Stage of the proceedings in the Scottish Parliament on the Act for this Act, the dates on which the proceedings at that Stage took place, the references to the Official Report of those proceedings and the dates on which Committee Reports and other papers relating to the Act were published, and references to those Reports and other papers.

<i>Proceedings and Reports</i>	<i>Reference</i>
Introduction	

*These notes relate to the Human Tissue (Scotland) Act 2006
(asp 4) which received Royal Assent on 16 March 2006*

<i>Proceedings and Reports</i>	<i>Reference</i>
3 June 2005	Act as Introduced (SP Act 42)
17 th Meeting 2005 (Session 2) – Preliminary Discussion	7 June, Col 2019 & Minutes
Stage 1	
<i>(a) Health Committee</i>	
19 th Meeting 2005 (Session 2)	21 June Col 2086 & Minutes
20 th Meeting 2005 (Session 2)	8 Sep Cols 2091 - 2112 & Minutes
21 st Meeting 2005 (Session 2)	13 Sep Cols 2128 - 2164 & Minutes
23 rd Meeting 2005 (Session 2)	27 Sep Cols 2223 - 2256 & Minutes
24 th Meeting 2005 (Session 2)	3 Oct Cols 2261 - 2281 & Minutes
25 th meeting 2005 (Session 2)	25 Oct Cols 2301 - 2327 & Minutes
22 November 2005:	Stage 1 Report
19th Report 2005 (Session 2): Stage 1 Report on Human Tissue (Scotland) Act	
<i>(b) Subordinate Legislation Committee</i>	25 Oct Cols 1239 - 1243 & Minutes
28 th Meeting 2005 (Session 2)	25 Oct Col 1239 - 1243 & Minutes
29 th Meeting 2005 (Session 2)	1 Nov Cols 1278 - 1281 & Minutes
<i>(c) Finance Committee</i>	
18th Meeting 2005 (Session 2)	8 Sep Cols 2746 - 2747 & Minutes
<i>(d) Consideration by Parliament</i>	
Stage 1 debate 30 November 2005	30 Nov Cols 21232 - 21279
Stage 2	
<i>(a) Health Committee</i>	
32nd Meeting 2005 (Session 2)	20 December 2005, Cols 2431 - 2458 & Minutes
2nd Meeting 2006 (Session 2)	17 January 2006, Cols 2475 - 2492 & Minutes
Act (as Amended at Stage 2)	Act as amended (SP 42A)
Stage 3	
<i>Consideration by Parliament</i>	
Stage 3 debate, 2 February 2006	2 February 2006, Cols 22960 - 23007
Act passed, 2 February 2006	Act as passed (SP Act 42B)
Royal Assent	
16 March 2006	Human Tissue (Scotland) Act 2006 (asp4)