



# Human Tissue (Scotland) Act 2006

## 2006 asp 4

### PART 1

#### TRANSPLANTATION ETC.

*Use of part of body of deceased person for transplantation, research etc.*

#### **6 Authorisation: adult**

- (1) An adult may authorise the removal and use of a part of the adult's body after the adult's death for one or more of the purposes referred to in section 3(1).
- (2) Authorisation by virtue of subsection (1)—
  - (a) must be—
    - (i) in writing; or
    - (ii) expressed verbally;
  - (b) subject to subsections (3) and (4), may be withdrawn in writing.
- (3) If the adult is blind or unable to write, withdrawal of authorisation by virtue of subsection (2)(b) may be signed by another adult (a "signatory") on the adult's behalf and if it is so signed it must be witnessed by one witness.
- (4) Withdrawal of authorisation which is signed by a signatory on behalf of an adult by virtue of subsection (3) must contain a statement signed by both the signatory and the witness in the presence of the adult and of each other that the adult, in the presence of them both, expressed the intention to withdraw the authorisation and requested the signatory to sign the withdrawal on behalf of the adult.
- (5) Nothing in subsection (3) prevents an adult who is blind from withdrawing, in accordance with subsection (2)(b), any authorisation by virtue of subsection (1).
- (6) In subsection (2)(a)(i), "writing" includes, in relation to the requirement there for authorisation to be in writing, representation of a character in visible form.