

# Human Tissue (Authorisation) (Scotland) Bill

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## Marshalled List of Amendments selected for Stage 3

The Bill will be considered in the following order—

Sections 1 to 29

Long Title

Amendments marked \* are new (including manuscript amendments) or have been altered.

### Section 2

#### Joe FitzPatrick

- 1 In section 2, page 2, line 2, leave out from first <in> to end of line 10 and insert <under subsection (1)(d) must be carried out at least once in every calendar year.
- (3) The Scottish Ministers must, in carrying out the duty under subsection (1)(d), have regard to the need to—
    - (a) provide information to the public about—
      - (i) how authorisation of transplantation may be deemed to be given,
      - (ii) how to give an express authorisation or make an opt-out declaration,
    - (b) provide information in health care settings about—
      - (i) how authorisation of transplantation may be deemed to be given,
      - (ii) how to give an express authorisation or make an opt-out declaration.
  - (4) In subsection (3)(b), “health care settings” means any place where a service is provided for or in connection with the prevention, detection or treatment of illness, other than an independent health care service (within the meaning of section 10F of the National Health Service (Scotland) Act 1978).”.>

### Section 3

#### Joe FitzPatrick

- 2 In section 3, page 4, leave out lines 7 to 21

## After section 11

**Lewis Macdonald**

**Supported by: David Stewart**

**3** After section 11, insert—

**<Review of section 1(1)(d) and (e) and sections 6(1A), 6B and 6D of the 2006 Act**

After section 6H of the 2006 Act insert—

**“6I Review of section 1(1)(d) and (e) and sections 6(1A), 6B and 6D**

- (1) The Scottish Ministers must, as soon as practicable after the end of the 5 year period—
  - (a) carry out a review of—
    - (i) the Scottish Ministers’ duty under section 1(1)(d) and (e), and
    - (ii) the operation of sections 6(1A), 6B and 6D,
  - (b) set out the conclusions of the review in a report, and
  - (c) publish the report.
- (2) The report must in particular set out—
  - (a) the objectives intended to be achieved by section 6D,
  - (b) an assessment of the extent to which those objectives have been achieved, and
  - (c) an assessment of—
    - (i) the support in relation to donation for transplantation provided to relatives of persons who have authorised, or who have been deemed to have authorised, the removal of a part of the person’s body for transplantation (both before and after transplantation), and
    - (ii) whether further support should be provided.
- (3) In subsection (1), “the 5 year period” means the period of 5 years beginning with the day on which sections 5 to 7 of the Human Tissue (Authorisation) (Scotland) Act 2019 come fully into force.”.>

## Section 27A

**Lewis Macdonald**

**Supported by: David Stewart**

**4** Leave out section 27A

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