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7 October 2015

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Minister for Health and Social Services, one of
the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 9 of the Human Transplantation (Wales) Act 2013. This section applies where a living adult lacks capacity to consent to organ donation and no decision is in force.

These Regulations make provision as to the circumstances in which that living adult who lacks capacity is deemed to consent to the storage and use for transplantation of relevant material that has come from a human body. The circumstances in which consent is deemed to have been given are where storage and use are in the best interest of the living adult who lacks capacity.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained at the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff CF10 3NQ.