



House of Commons

Wednesday 12 September 2018

PUBLIC BILL COMMITTEE

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

ORGAN DONATION (DEEMED CONSENT) BILL

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.

Mr Geoffrey Robinson
Jackie Doyle-Price

1

Clause 1, page 1, line 16, leave out “relevant” and insert “permitted”

Member’s explanatory statement

Amendments 1 to 3 replace references in new subsection (6A) of section 3 of the Human Tissue Act 2004 to “relevant material” with references to “permitted material” which is defined in the provision inserted by Amendment 4.

Mr Geoffrey Robinson
Jackie Doyle-Price

2

Clause 1, page 1, line 19, leave out “relevant” and insert “permitted”

Member’s explanatory statement

See the explanatory statement for Amendment 1.

Mr Geoffrey Robinson
Jackie Doyle-Price

3

Clause 1, page 1, line 20, leave out “relevant” and insert “permitted”

Member’s explanatory statement

See the explanatory statement for Amendment 1.

Organ Donation (Deemed Consent) Bill, continued

Mr Geoffrey Robinson
Jackie Doyle-Price

4

Clause 1, page 2, line 10, at end insert—

““permitted material” means relevant material other than relevant material of a type specified in regulations made by the Secretary of State.”

Member’s explanatory statement

This amendment defines “permitted material”, which will be used in new subsection (6A) of section 3 of the Human Tissue Act 2004 as a result of Amendments 1 to 3. The definition has the effect that the new provision about deemed consent will not apply in relation to relevant material of a type specified in regulations made by the Secretary of State. “Relevant material” is defined in section 53 of the Human Tissue Act 2004.

Mr Geoffrey Robinson
Jackie Doyle-Price

5

Clause 1, page 2, line 11, after “of” insert “the definition of “excepted adult” in”

Member’s explanatory statement

This amendment is consequential on Amendment 4.

Mr Geoffrey Robinson
Jackie Doyle-Price

6

Clause 2, page 2, line 36, at end insert—

- “() In section 52 (orders and regulations), in subsection (3) (statutory instruments to which negative procedure does not apply), after “1(11),” insert “3(9),”.
- () In section 52, in subsection (4) (statutory instruments to which affirmative procedure applies), after “no regulations under section” insert “3(9),”.
- () In section 52, in the list in subsection (10) (requirement to consult), after “section 1(11)” insert—
“section 3(9);”

Member’s explanatory statement

This amendment is consequential on Amendment 4 and produces the result that the regulation-making power conferred by the provision inserted by that amendment will be subject to the affirmative procedure in Parliament and to a requirement to consult such persons as the Secretary of State considers appropriate before the power is exercised.

Organ Donation (Deemed Consent) Bill, *continued*

Mr Geoffrey Robinson
Jackie Doyle-Price

7

Title, line 1, leave out from beginning to end of line and insert “Make amendments of the Human Tissue Act 2004 concerning consent to activities done for the purpose of”

Member’s explanatory statement

This amendment replaces much of the existing long title so as to introduce reference to the making of amendments of the Human Tissue Act 2004.
