

Statutory Document No. 20XX/XXXX



Human Tissue and Organ Donation Act 2021

HUMAN TISSUE AND ORGAN DONATION (APPROPRIATE STATEMENT) REGULATIONS 2025

Approved by Tynwald:

Coming into Operation:

The Cabinet Office, after consulting with the Department of Health and Social Care in accordance with section 75 of the Human Tissue and Organ Donation Act 2021, makes the following Regulations under section 69 of, and paragraph 4(5) of Schedule 4 to, the Human Tissue and Organ Donation Act 2021.

1 Title

These Regulations are the Human Tissue and Organ Donation (Appropriate Statement) Regulations 2025.

2 Commencement

If approved by Tynwald, these Regulations come into operation on [insert date]¹.

3 Interpretation

In these Regulations, “**the Act**” means the Human Tissue and Organ Donation Act 2021.

4 Appropriate statement

- (1) In this regulation, a reference to a paragraph is to the relevant paragraph of Schedule 4 (powers of inspection, entry, search and seizure) to the Act.
- (2) In this regulation —
 - “**appropriate statement**” means a statement given under paragraph 4(3)(b)(ii) or 4(4)(b)(ii); and
 - “**investigator**” means a person who is a duly authorised person for the purposes of paragraph 3 (entry and search in connection with

¹ Tynwald procedure – approval required further to section 72 of the Human Tissue and Organ Donation Act 2021.

suspected offence) and who is executing a warrant issued under paragraph.

- (3) An appropriate statement must contain the following information —
- (a) a statement that the investigator has been authorised by the Department for the purposes of paragraph 3 (entry and search in connection with suspected offence);
 - (b) a statement that the investigator's rights of entry and search are subject to his producing evidence of his entitlement to exercise them, if required;
 - (c) a statement that the investigator is entitled, if need be, to enter the premises by force;
 - (d) a description of the investigator's powers under paragraph 5(2) to (4) of inspection and seizure of property;
 - (e) a description of the requirement under paragraph 5(5) for the investigator to leave a statement giving particulars of what he has seized and stating that he has seized it;
 - (f) a description of the powers of the investigator —
 - (i) under paragraph 6(1), to bring with the investigator such other persons and equipment as the investigator considers necessary;
 - (ii) under paragraph 6(2), to inspect equipment and inspect and take copies of records, and in the case of premises in respect of which a licence is in force to observe the carrying on of licensed activity;
 - (g) a description of the investigator's obligations under paragraph 6(5) to prepare a written report of the search and, if requested to do so by the appropriate person, give the appropriate person a copy of the report;
 - (h) a statement that a person commits an offence under paragraph 7 if—
 - (i) that person fails without reasonable excuse to comply with a requirement under paragraph 6(3), or
 - (ii) that person intentionally obstructs the exercise of any right under Schedule 4 to the Act.

MADE

DAVID ASHFORD
Minister for the Cabinet Office

Pre-AGCC Draft

*EXPLANATORY NOTE**(This note is not part of the Regulations)*

These Regulations are made as a consequence of the provisions introduced by the Human Tissue and Organ Donation Act 2021.

Regulation 2 prescribes the information to be included in an appropriate statement to be given to an occupier when entering and searching premises in accordance with a warrant under paragraph 4 of Schedule 4 to the Act. Such information includes a statement of authorisation, a statement of the duly authorised person's rights, powers and obligations under the Act and a statement of the offence under paragraph 8 of Schedule 4 to the Act.