

A young man with dark hair and a serious expression is sitting at a table. He is shirtless, and a prominent vertical surgical scar is visible on his chest. He is looking slightly upwards and to the left. The background shows a window with a view of a building and some greenery. The lighting is soft and natural.

ORGAN
DONATION
SCOTLAND

The law around organ
and tissue donation
is going to change.

This factsheet explains your choices.

Why is the law around donation changing in Scotland?

In Scotland, more than 550 people are waiting for an organ transplant at any time, so it's important that we do all we can to save and improve the lives of those on the transplant waiting list.

In 2018, over 58,000 people died in Scotland but less than 1% would have died in circumstances or from conditions that mean that their organs could be considered for transplantation.

What is changing?

The law is changing to introduce a new system of 'deemed authorisation' for transplantation purposes. This is commonly referred to as an 'opt out' system.

This means that if you have not confirmed whether you want to be a donor – for example by recording a decision on the [NHS Organ Donor Register](#) the law will assume you are willing to donate your organs and tissue when you die and your authorisation for donation may be deemed to have been given.

Who will this change affect?

It will apply to most adults in Scotland, however it will not apply to these groups:

- People under 16.
- People who lack capacity to understand the new arrangements and take the necessary action.
- People who have lived in Scotland for less than 12 months before their death. If a person in one of these groups dies in circumstances where they could donate and they haven't opted in or opted out, then a family member will be asked whether they wish to authorise donation.

What do I have to do?

If you haven't already, you should make a decision about donation, record this decision on the [NHS Organ Donor Register](#) and make it known to your family and friends as they can help to ensure it is honoured.

If you are willing to donate your organs and tissue

You can record your decision on the NHS Organ Donor Register.

Online at: www.organdonationscotland.org/yes

Or call: 0300 303 2094

If you are not willing to donate your organs and tissue

You can opt out now by registering your decision not to be a donor on the NHS Organ Donor Register.

Online at: www.organdonationscotland.org/no

Or call: 0300 303 2094

If you are already registered and want to...

- Update your details
- Reaffirm your decision
- Or have decided that you now want to opt out

You can do this at: www.organdonationscotland.org/update

Or call: 0300 303 2094

What happens if I do nothing?

Once the new system comes into effect, if you are not in one of the excluded groups and you die in circumstances where you could donate but have not recorded a decision, it will be assumed that you are willing to become a donor. Whatever your decision and whether you record it or not, it is important to let your family know what you want.

If you have specific instructions about which organs or tissue you would or would not like to donate, you should provide this information when you record your donation decision on the [NHS Organ Donor Register](#).

Will my organs and tissue become the property of the Government if I don't opt out?

No. Organ and tissue donation remains an act of great generosity. Checks are built into the system which will help to ensure that donation doesn't go ahead where it would be against your wishes.

What role will your family have if you haven't made a decision about donation?

The family of a potential donor will always be approached to discuss the option of organ and tissue donation. This helps to make sure that any decision recorded on the [NHS Organ Donor Register](#) is your latest known decision.

If you haven't recorded a decision, your family will be asked about your views to ensure donation doesn't proceed if it would be against your wishes.

Can my decision be overturned by my family?

Whatever your decision it will be respected and it cannot be overturned by your family. Your family or close friends will always be asked about your latest views in case you have changed your mind.

What are the medical tests that might take place before organ donation can happen?

As organ donation has to take place quickly after death, certain tests are routinely carried out to check that transplantation is likely to be safe for the recipient and to increase the chances of success.

These typically include blood tests, urine tests and x-rays.

Find out more about organ and tissue donation and your choices
at organdonationscotland.org

If you can't find what you need on the website or if you are
still unsure and can't decide, please call the helpline for
more information.

0300 303 2094