

Your guide to consent and organ donation

This leaflet, produced by the Human Tissue Authority: the regulator for human tissue and organs, explains how your decision about organ donation – recorded on the NHS Organ Donor Register – is managed under the Human Tissue Act 2004.

Registering your decision to donate

Donating your organs after your death can help those in need of a transplant. The NHS Organ Donor Register operates throughout the UK and allows you to record your decision about donating your organs. It allows you to say whether you wish to donate all of your organs, some of your organs, or none of your organs. It also allows you to nominate a representative to make this decision on your behalf.



What your consent means

The Human Tissue Act is the law which governs consent for organ donation in England and Northern Ireland. At the heart of the law is the principle that the decision to use your organs for transplantation rests first and foremost with you. If your decision to donate, or not to donate, is registered on the Organ Donor Register, then as long as no one forced you to make the decision, you were aware of your actions, and had the information you needed, your decision is legally valid.

If you registered on the Organ Donor Register to be an organ donor and donation is a possibility when you die, then a dedicated nurse specialising in organ donation will support your family, let them know of your decision, and help to honour it. If donation is a possibility when you die and you have not made a decision or nominated a representative, the law allows family members to make this decision on your behalf.

Talking to your family about your decision

There is no legal right for your family to override your decision to become an organ donor, but their support will be needed to fulfil your wish. It is important that you talk to your family so that they are aware of your decision before they are approached by hospital staff, at what will undoubtedly be an upsetting time for them. Your family will be asked for information which will help to establish whether your organs are suitable for transplantation. Sharing your decision with them will help them prepare to have these conversations.



Organ donation can often bring comfort to families who have lost a loved one; with the knowledge that other lives may have been saved. Please do discuss your decision with your family.

If you have any questions, please contact enquiries@hta.gov.uk.

The law is changing in Wales from 1 December 2015. For more information, please go to www.organdonationwales.org.