

HUMAN FERTILISATION AND EMBRYOLOGY ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Amendments of Human Fertilisation and Embryology Act 1990

Section 11: Activities that may be licensed

Purposes for which embryo research may be undertaken

59. A research licence may not authorise any activity unless the HFEA considers it to be necessary or desirable for one of the specified research purposes.
60. The list of permitted research purposes was extended by the [Human Fertilisation and Embryology \(Research Purposes\) Regulations \(SI 2001/188\)](#) (“the 2001 Regulations”), which allowed embryos to be created and used for research into stem cell therapies and the treatment of serious disease. New paragraph 3A brings together all the research purposes listed in the 1990 Act and the 2001 Regulations. It also makes three significant changes to the previous position on licensable research using embryos.
61. The list of purposes for which research may be licensed has been expanded in new paragraph 3A(2)(a) to include research which is undertaken to increase knowledge, not only about serious diseases, but also about other serious medical conditions. This includes conditions such as neural trauma or other tissue damage, which would not be considered to be diseases and therefore would not previously have been permitted.
62. New paragraph 3A(2)(b) allows for research into the development of treatments for other serious medical conditions, as well as for serious disease. Research may lead to an understanding of how to change stem cells into particular tissues, which may have the potential to regenerate or repair tissue damage caused by disease or trauma.
63. New paragraph 3A(1)(b) extends an existing provision, to give the HFEA power to not only issue licences where it is necessary or desirable for one of the principal purposes, but also where the research will increase knowledge about serious disease or other serious medical conditions, or develop treatments for them.
64. The 2001 Regulations have been superseded and are therefore revoked by Part 2 of Schedule 8 to the Act.