

*These notes refer to the Human Fertilisation and Embryology Act 2008 (c.22) which received Royal Assent on 13 November 2008*

# HUMAN FERTILISATION AND EMBRYOLOGY ACT 2008

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1: Amendments of Human Fertilisation and Embryology Act 1990**

##### *Section 12: General conditions of licences*

71. **Section 12** sets out general conditions that apply to every licence granted under the 1990 Act. The 2007 Regulations amended section 12 to except non-medical fertility services from the ambit of Schedule 3 to the 1990 Act. Neither the remit of the EU Directive or the powers under which it was implemented allowed for the consent provisions in Schedule 3 to the 1990 Act about the use and storage of gametes and embryos to be applied in the case of persons providing gametes for the purpose of the provision of non-medical fertility services. This section amends section 12 of the 1990 Act to rectify that situation.
72. **Section 12** also amends section 12 of the 1990 Act to ensure that no money or other benefit can be given or received for the supply of human admixed embryos (unless authorised by directions) and that if human admixed embryos are supplied to a person to whom another licence applies they must be provided with any information that the HFEA may specify in conditions. These amendments ensure that any research licence granted in connection with human admixed embryos will be subject to the same relevant licence conditions as for embryos or gametes.