

*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 14: Conditions of licences for treatment***

##### **Embryo testing**

114. [Section 14\(4\)](#) contains a provision that relates to the provisions on embryo testing (see note on section 11). New sections 13(8) to (11) amend the 1990 Act to make it a condition of a treatment licence that embryos that are known to have an abnormality (including a gender-related abnormality) are not to be preferred to embryos not known to have such an abnormality. The same restriction is also applied to the selection of persons as gamete or embryo donors. This would prevent assisted reproduction technology being used to select an embryo with a view to increasing the chance of giving birth to a child that had or would develop a serious medical condition, or to select a donor to increase the chance of a child having a serious medical condition.