

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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Parenthood in Cases Involving Assisted Reproduction

Section 54: Parental orders

188. In section 54 there are new provisions extending the categories of couples who can apply for a parental order where a child has been conceived using the gametes of at least one of the couple, and has been carried by a surrogate mother. Under the new provisions, civil partners are able to apply, as can unmarried opposite-sex couples or same-sex couples not in a civil partnership. The other provisions relating to parental orders remain the same as the existing provisions of the 1990 Act. A single person remains unable to apply for a parental order.