

*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 2: Parenthood in Cases Involving Assisted Reproduction**

#### ***Section 56: Amendments relating to parenthood in cases involving assisted reproduction***

##### **Amendments in Part 2 of Schedule 6**

Registration of Births, Deaths and Marriages (Scotland) Act 1965

224. [Paragraph 42](#) of Schedule 6 amends section 14 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 (“the 1965 Act”) so that the provisions regarding the obligation to provide information relating to a birth extend to include a woman who is the second female parent of a child by virtue of section 42 of the Act.
225. [Paragraph 43](#) substitutes existing section 18ZA of the 1965 Act (which governs circumstances in which a man is treated as the father if fertility treatment took place after his death) with a new provision which deals with both fathers and second female parents in that situation.
226. [Paragraph 44](#) inserts new section 18B into the 1965 Act to apply equivalent provisions to those which deal with registration of a birth by an unmarried father to a person who is the second female parent by virtue of section 43 of the Act.
227. [Paragraph 45](#) of Schedule 6 amends section 20 of the 1965 Act to accommodate within Scottish registration law the new category of second female parent created by section 43 of the Act.