

*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 3 of Schedule 6**

#### **Legitimacy Act (Northern Ireland) 1928**

234. **Paragraph 57** of Schedule 6 amends section 1 of the Legitimacy Act (Northern Ireland) 1928 to provide for the legitimation of a person born to a woman as a result of assisted conception if the woman had a parenthood agreement in place with a second female parent at the time of the effective treatment in a licensed clinic, and she was not, at the time the child was born, in a civil partnership with that woman, but subsequently enters a civil partnership with her, provided that the second female parent is domiciled in Northern Ireland. The legitimation takes effect from the date of the formation of the civil partnership.
235. **Paragraph 58** amends section 8 of the Legitimacy Act (Northern Ireland) 1928 so that where a child is born as a result of assisted conception in a licensed clinic and a parenthood agreement is in place between the child's mother and a second female parent, and the couple are not civil partners at the time of the child's birth, but subsequently enter a civil partnership, and the second female parent who becomes a civil partner is domiciled outside Northern Ireland, and the law of her country of domicile legitimises that child, the child, if living, shall, in Northern Ireland, be legitimated from the date of the formation of the civil partnership.