

# 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**

##### **Births and Deaths Registration (Northern Ireland) Order 1976**

236. Paragraph 60 of Schedule 6 amends Article 10 of the Birth and Deaths Registration (Northern Ireland) Order 1976 to provide that the references to 'father' in Article 10(3) and (4) apply when a child who was conceived by assisted conception has a parent who is the civil partner of her mother, or has a second female parent because a parenthood agreement was in place at the time of the effective assisted conception treatment.
237. Paragraph 61 makes provision for the various ways in which a birth may be registered, where a mother and second female parent under section 43 have a child through assisted conception in a licensed clinic, are not civil partners but a parenthood agreement is in place. The registration may be made either by the couple together or separately, with appropriate formal declarations if the other party is not present, including as appropriate the provision of the parenthood agreement.
238. Paragraph 62 provides for the registration of a birth where a civil partner or intended female parent with a parenthood agreement in place dies before the fertility treatment which results in the birth of a child.
239. Paragraphs 63 and 64 provide for the re-registration of births where a child is born as a result of assisted conception to female civil partners, or to a female couple where a parenthood agreement is in place, and there is no other person who is, in law, the father or parent of the child.
240. Paragraph 66 amends Article 37 of the 1976 Order by extending the definition of "qualified applicant" to include a second female parent in cases where the second female parent has parental responsibility for the child whether or not she is the civil partner of the child's mother.