

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 42: Women in civil partnership at time of treatment

179. **Section 42** makes provision not found in the 1990 Act which brings the provision for female civil partners into line with that which applies to married couples. Where a female civil partner gives birth to a child conceived as a result of donor insemination (anywhere in the world), she is the mother of the child and her civil partner will automatically be the other parent, unless the other civil partner did not consent to the mother's treatment. The terminology is different, but otherwise the legal provisions are the same as for married couples.