



Human Fertilisation and Embryology Act 2008

2008 CHAPTER 22

PART 1

AMENDMENTS OF THE HUMAN FERTILISATION AND EMBRYOLOGY ACT 1990

Mitochondrial donation

26 Mitochondrial donation

After section 35 of the 1990 Act insert—

“Mitochondrial donation

35A Mitochondrial donation

- (1) Regulations may provide for any of the relevant provisions to have effect subject to specified modifications in relation to cases where—
- (a) an egg which is a permitted egg for the purposes of section 3(2) by virtue of regulations made under section 3ZA(5), or
 - (b) an embryo which is a permitted embryo for those purposes by virtue of such regulations,
- has been created from material provided by two women.
- (2) In this section “the relevant provisions” means—
- (a) the following provisions of this Act—
 - (i) section 13(6C) (information whose provision to prospective parents is required by licence condition),
 - (ii) section 31 (register of information),
 - (iii) sections 31ZA to 31ZE (provision of information), and

Changes to legislation: Human Fertilisation and Embryology Act 2008, Cross Heading: Mitochondrial donation is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (iv) Schedule 3 (consents to use or storage of gametes, embryos or human admixed embryos etc.), and
- (b) section 54 of the Human Fertilisation and Embryology Act 2008 (parental orders).”

Commencement Information

- II** [S. 26](#) wholly in force at 6.4.2010; [s. 26](#) not in force at Royal assent see [s. 68](#); [s. 26](#) in force for certain purposes at 6.4.2009 by [S.I. 2009/479](#), [art. 5\(h\)](#) (with [Sch.](#)); [s. 26](#) in force for certain further purposes at 1.10.2009 by [S.I. 2009/2232](#), [art. 2\(m\)](#); [s. 26](#) in force at 6.4.2010 otherwise by [S.I. 2010/987](#), [art. 2\(b\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 55(3)(e) and word inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 75\(b\)](#)