

SCHEDULES

SCHEDULE 6

AMENDMENTS RELATING TO PARENTHOOD IN CASES INVOLVING ASSISTED REPRODUCTION

PART 1

GENERAL

Legitimacy Act 1976 (c. 31)

17 In section 3 of the Legitimacy Act 1976 (legitimation by extraneous law), renumber the existing provision as subsection (1) of the section and at the end insert—

“(2) Subject to the following provisions of this Act, where—

- (a) a person (“the child”) has a parent (“the female parent”) by virtue of section 43 of the Human Fertilisation and Embryology Act 2008 (treatment provided to woman who agrees that second woman to be parent),
- (b) at the time of the child’s birth, the female parent and the child’s mother are not civil partners of each other,
- (c) the female parent and the child’s mother subsequently enter into a civil partnership, and
- (d) the female parent is not at the time of the formation of the civil partnership domiciled in England and Wales but is domiciled in a country by the law of which the child became legitimated by virtue of the civil partnership,

the child, if living, shall in England and Wales be recognised as having been so legitimated from the date of the formation of the civil partnership notwithstanding that, at the time of the child’s birth, the female parent was domiciled in a country the law of which did not permit legitimation by subsequent civil partnership.”