

Changes to legislation: Human Fertilisation and Embryology Act 2008, Paragraph 28 is up to date with all changes known to be in force on or before 21 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

SCHEDULES

SCHEDULE 6

AMENDMENTS RELATING TO PARENTHOOD IN CASES INVOLVING ASSISTED REPRODUCTION

PART 1

GENERAL

Children Act 1989 (c. 41)

- 28 (1) Section 12 of the Children Act 1989 (residence orders and parental responsibility) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) Where the court makes a residence order in favour of a woman who is a parent of a child by virtue of section 43 of the Human Fertilisation and Embryology Act 2008 it shall, if that woman would not otherwise have parental responsibility for the child, also make an order under section 4ZA giving her that responsibility.”
- (3) In subsection (4)—
- (a) after “(1)” insert “ or (1A) ”,
 - (b) after “4” insert “ or 4ZA ”, and
 - (c) for “father” substitute “ parent ”.

Commencement Information

- II** Sch. 6 para. 28 wholly in force at 1.9.2009; Sch. 6 para. 28 not in force at Royal Assent see s. 68; Sch. 6 para. 28 in force for certain purposes at 6.4.2009 and at 1.9.2009 otherwise by S.I. 2009/479, art. 6(1)(e){(2)} (with Sch.)

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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\(b\)](#)