



# Human Fertilisation and Embryology Act 2008

## 2008 CHAPTER 22

### PART 1

#### AMENDMENTS OF THE HUMAN FERTILISATION AND EMBRYOLOGY ACT 1990

##### *Licence conditions*

#### **15 Conditions of storage licences**

(1) Section 14 of the 1990 Act (conditions of storage licences) is amended as follows.

(2) In subsection (1)—

(a) for “authorising the storage of gametes or embryos” substitute “ authorising the storage of gametes, embryos or human admixed embryos ”,

(b) for paragraph (a) substitute—

“(a) that gametes of a person shall be placed in storage only if—

(i) received from that person,

(ii) acquired in circumstances in which by virtue of paragraph 9 or 10 of Schedule 3 that person's consent to the storage is not required, or

(iii) acquired from a person to whom a licence or third party agreement applies,

(aa) that an embryo taken from a woman shall be placed in storage only if—

(i) received from that woman, or

(ii) acquired from a person to whom a licence or third party agreement applies,

(ab) that an embryo the creation of which has been brought about *in vitro* otherwise than in pursuance of that licence shall be

**Changes to legislation:** Human Fertilisation and Embryology Act 2008, Section 15 is up to date with all changes known to be in force on or before 19 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

- placed in storage only if acquired from a person to whom a licence or third party agreement applies,
- (ac) that a human admixed embryo the creation of which has been brought about *in vitro* otherwise than in pursuance of that licence shall be placed in storage only if acquired from a person to whom a licence under paragraph 2 or 3 of Schedule 2 applies,”
- (c) after paragraph (b) insert—
- “(ba) that human admixed embryos shall not be supplied to a person unless that person is a person to whom a licence applies,” and
- (d) in paragraph (c), for “or embryos” substitute “ , embryos or human admixed embryos ”.
- (3) In subsection (4), for “five years” substitute “ ten years ”.
- (4) After subsection (4) insert—
- “(4A) The statutory storage period in respect of human admixed embryos is such period not exceeding ten years as the licence may specify.”
- (5) In subsection (5)—
- (a) for “or (4)” substitute “ , (4) or (4A) ”, and
- (b) omit “ or, as the case may be, five years ”.

#### Commencement Information

- II** [S. 15](#) partly in force; [s. 15](#) not in force at Royal Assent see [s. 68](#); [s. 15\(3\)\(5\)](#) in force for certain purposes at 6.4.2009 by [S.I. 2009/479](#), [art. 5\(a\)](#) (with [Sch.](#)); [s. 15](#) in force at 1.10.2009 otherwise by [S.I. 2009/2232](#), [art. 2\(e\)](#)

**Changes to legislation:**

Human Fertilisation and Embryology Act 2008, Section 15 is up to date with all changes known to be in force on or before 19 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.

[View outstanding changes](#)

**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\(b\)](#)