



Human Fertilisation and Embryology Act 2008

2008 CHAPTER 22

PART 1

AMENDMENTS OF THE HUMAN FERTILISATION AND EMBRYOLOGY ACT 1990

Grant, revocation and suspension of licences

18 Revocation and variation of licence

For section 18 of the 1990 Act (revocation and variation of licence) substitute—

“18 Revocation of licence

- (1) The Authority may revoke a licence on application by—
 - (a) the person responsible, or
 - (b) the holder of the licence (if different).
- (2) The Authority may revoke a licence otherwise than on application under subsection (1) if—
 - (a) it is satisfied that any information given for the purposes of the application for the licence was in any material respect false or misleading,
 - (b) it is satisfied that the person responsible has failed to discharge, or is unable because of incapacity to discharge, the duty under section 17,
 - (c) it is satisfied that the person responsible has failed to comply with directions given in connection with any licence,
 - (d) it ceases to be satisfied that the premises specified in the licence are suitable for the licensed activity,

Status: This is the original version (as it was originally enacted).

- (e) it ceases to be satisfied that any premises which are relevant third party premises in relation to a licence are suitable for the activities entrusted to the third party by the person who holds the licence,
- (f) it ceases to be satisfied that the holder of the licence is a suitable person to hold the licence,
- (g) it ceases to be satisfied that the person responsible is a suitable person to supervise the licensed activity,
- (h) the person responsible dies or is convicted of an offence under this Act, or
- (i) it is satisfied that there has been any other material change of circumstances since the licence was granted.

18A Variation of licence

- (1) The Authority may on application by the holder of the licence vary the licence so as to substitute another person for the person responsible if—
 - (a) the application is made with the consent of that other person, and
 - (b) the Authority is satisfied that the other person is a suitable person to supervise the licensed activity.
- (2) The Authority may vary a licence on application by—
 - (a) the person responsible, or
 - (b) the holder of the licence (if different).
- (3) The Authority may vary a licence without an application under subsection (2) if it has the power to revoke the licence under section 18(2).
- (4) The powers under subsections (2) and (3) do not extend to making the kind of variation mentioned in subsection (1).
- (5) The Authority may vary a licence without an application under subsection (2) by—
 - (a) removing or varying a condition of the licence, or
 - (b) adding a condition to the licence.
- (6) The powers conferred by this section do not extend to the conditions required by sections 12 to 15 of this Act.”