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DRAFT STATUTORY INSTRUMENTS

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**2015 No.**

The Human Fertilisation and Embryology  
(Mitochondrial Donation) Regulations 2015

PART 3

Related modifications and amendments

**Modification of paragraph 4 of Schedule 3 to the Act**

**16.** In a case where this regulation has effect, paragraph 4 of Schedule 3 to the Act applies as if—

(a) after sub-paragraph (1) there were inserted—

“(1A) Sub-paragraph (1B) applies to a case where an egg is used in the process set out in regulation 4 of the Human Fertilisation and Embryology (Mitochondrial Donation) Regulations 2015 (and “egg A” and “egg B” have the same meanings in this paragraph as in that regulation).

(1B) The terms of the consent to that use of egg A or egg B cannot be varied, and such consent cannot be withdrawn, once all the nuclear DNA of egg B which is not polar body nuclear DNA is inserted into egg A.”,

(b) in sub-paragraph (2), for “sub-paragraph (3)” there were substituted “sub-paragraphs (3) to (3B)”, and

(c) after sub-paragraph (3) there were inserted—

“(3A) Sub-paragraph (3B) applies to a case where an embryo is used in the process set out in regulation 7 of the Human Fertilisation and Embryology (Mitochondrial Donation) Regulations 2015 (and “embryo A” and “embryo B” have the same meanings in sub-paragraph (3B) as in that regulation).

(3B) The terms of the consent to that use of embryo A or embryo B cannot be varied, and such consent cannot be withdrawn, once all the nuclear DNA of embryo B which is not polar body nuclear DNA is inserted into embryo A.”.