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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The Civil Partnership (Opposite-sex Couples) Regulations 2019**

**PART 4**

**Parenthood**

**Parental status of civil partners in cases of assisted reproduction**

- 16.**—(1) The Human Fertilisation and Embryology Act 2008 is amended as follows.
- (2) In section 35(1)—
- (a) in the heading, after “married to” insert “, or civil partner of”;
  - (b) in subsection (1)—
    - (i) in paragraph (a), after “marriage with a man” insert “or a civil partnership with a man”;
    - (ii) in paragraph (b) and in the words after that paragraph, after “marriage” insert “or civil partnership”.
- (3) In section 38(2)—
- (a) after “common law” insert “or section A1(2) of the Legitimacy Act 1976(2)”;
  - (b) after “marriage” insert “or civil partnership”.
- (4) In section 40(3)—
- (a) in the heading, for “husband etc” substitute “male spouse, civil partner or intended parent”;
  - (b) in subsection (1)—
    - (i) in paragraph (b), after “marriage with a man” insert “or a civil partnership with a man”;
    - (ii) in paragraphs (c), (d) and (e), after “marriage” insert “or civil partnership”.
- (5) In section 42(1)(4), after “a civil partnership” insert “with another woman”.
- (6) In section 45(2)—
- (a) after “common law” insert “or section A1(2) of the Legitimacy Act 1976”;
  - (b) after “marriage” insert “or civil partnership”.
- (7) In section 46(5)—
- (a) in the heading, for “civil partner or wife or intended female parent” substitute “female spouse, civil partner or intended parent”;

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(1) Section 35 was amended by the Marriage (Same Sex Couples) Act 2013, Schedule 7, paragraph 38, and by [S.I. 2014/3229](#).  
(2) [1976 c. 31](#). Section A1 is inserted by S.I. 2019/\*\*\*  
(3) Section 40(1) was amended by the Marriage (Same Sex Couples) Act 2013, Schedule 7, paragraph 39 and by [S.I. 2014/3229](#).  
(4) Section 42(1) was amended by the Marriage (Same Sex Couples) Act 2013, Schedule 7, paragraph 40 and by [S.I. 2014/3229](#).  
(5) Section 46 was amended by the Marriage (Same Sex Couples) Act 2013, Schedule 7, paragraph 41 and by [S.I. 2014/3229](#).

- (b) in subsection (1)(b), for “or marriage with another woman” substitute “with a woman or a marriage with a woman”.
- (8) In section 48(6)(b), after “party to a” insert “marriage or”.