



# Human Fertilisation and Embryology Act 1990

## 1990 CHAPTER 37

### *Principal terms used*

#### **1 Meaning of “embryo”, “gamete” and associated expressions**

- (1) In this Act, except where otherwise stated—
  - (a) embryo means a live human embryo where fertilisation is complete, and
  - (b) references to an embryo include an egg in the process of fertilisation, and, for this purpose, fertilisation is not complete until the appearance of a two cell zygote.
- (2) This Act, so far as it governs bringing about the creation of an embryo, applies only to bringing about the creation of an embryo outside the human body; and in this Act—
  - (a) references to embryos the creation of which was brought about *in vitro* (in their application to those where fertilisation is complete) are to those where fertilisation began outside the human body whether or not it was completed there, and
  - (b) references to embryos taken from a woman do not include embryos whose creation was brought about *in vitro*.
- (3) This Act, so far as it governs the keeping or use of an embryo, applies only to keeping or using an embryo outside the human body.
- (4) References in this Act to gametes, eggs or sperm, except where otherwise stated, are to live human gametes, eggs or sperm but references below in this Act to gametes or eggs do not include eggs in the process of fertilisation.

#### **2 Other terms**

- (1) In this Act—

“the Authority” means the Human Fertilisation and Embryology Authority established under section 5 of this Act,

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*Status: This is the original version (as it was originally enacted).*

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“directions” means directions under section 23 of this Act,

“licence” means a licence under Schedule 2 to this Act and, in relation to a licence, “the person responsible” has the meaning given by section 17 of this Act, and

“treatment services” means medical, surgical or obstetric services provided to the public or a section of the public for the purpose of assisting women to carry children.

- (2) References in this Act to keeping, in relation to embryos or gametes, include keeping while preserved, whether preserved by cryopreservation or in any other way; and embryos or gametes so kept are referred to in this Act as “stored” (and “store” and “storage” are to be interpreted accordingly).
- (3) For the purposes of this Act, a woman is not to be treated as carrying a child until the embryo has become implanted.