



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.
- [^{F1}(5) For the purposes of this Act, sperm is to be treated as partner-donated sperm if the donor of the sperm and the recipient of the sperm declare that they have an intimate physical relationship.^{F1}]

Status: Point in time view as at 25/05/2007. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 1. (See end of Document for details)

Textual Amendments

- F1** S. 1(5) inserted (25.5.2007 for certain purposes, otherwise 5.7.2007) by [The Human Fertilisation and Embryology \(Quality and Safety\) Regulations 2007 \(S.I. 2007/1522\)](#), [regs. 1](#), {4}

Modifications etc. (not altering text)

- C1** S. 1(1) applied (1.4.2005 for certain purposes, 20.10.2005 for certain further purposes, 7.4.2006 for certain further purposes, 31.7.2006 for certain further purposes and 1.9.2006 otherwise) by [Human Tissue Act 2004 \(c. 30\)](#), [s. 54\(6\)](#) (with transitional provisions in [s. 58](#)); S.I. 2005/919, {art. 3}, Sch. (with transitional provisions in art. 2); S.I. 2005/2792, [art. 2\(d\)](#); S.I. 2006/404, [art. 3\(3\)](#), Sch. (subject to [art. 4](#)); S.I. 2006/1997, [art. 2\(1\)\(2\)](#), 3(1)(2), Sch. (subject to [arts. 4, 7, 8](#)) (as that S.I. is amended by S.I. 2006/2169, art. 2)
- C2** S. 1(4) applied (1.4.2005 for certain purposes, 20.10.2005 for certain further purposes, 7.4.2006 for certain further purposes, 31.7.2006 for certain further purposes and 1.9.2006 otherwise) by [Human Tissue Act 2004 \(c. 30\)](#), [s. 54\(6\)](#) (with transitional provisions in [s. 58](#)); S.I. 2005/919, {art. 3}, Sch. (with transitional provisions in art. 2); S.I. 2005/2792, [art. 2\(d\)](#); S.I. 2006/404, [art. 3\(3\)](#), Sch. (subject to [art. 4](#)); S.I. 2006/1997, [art. 2\(1\)\(2\)](#), 3(1)(2), Sch. (subject to [arts. 4, 7, 8](#)) (as that S.I. is amended by S.I. 2006/2169, art. 2)

Commencement Information

- I1** S. 1 wholly in force at 1.8.1991 see [s. 49\(2\)](#) and [S.I. 1991/1400](#), [art. 2\(2\)](#)

Status:

Point in time view as at 25/05/2007. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 1.