***Changes to legislation:** Human Fertilisation and Embryology Act 2008, Cross Heading: Human Fertilisation and Embryology Act 1990 (c. 37) is up to date with all changes known to be in force on or before 27 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 7

MINOR AND CONSEQUENTIAL AMENDMENTS

Human Fertilisation and Embryology Act 1990 (c. 37)

2 In section 2 of the 1990 Act (other terms)—

(a) in subsection (1), in the definition of "store", for "or embryos" substitute " , embryos or human admixed embryos ", and

(b) in subsection (2), for "or gametes" substitute " , gametes or human admixed embryos ".

3 In section 7 of the 1990 Act (reports to Secretary of State) for subsection (1) substitute—

"(1) The Authority shall prepare—

(a) a report for the period beginning with the 1 August preceding the relevant commencement date (or if that date is a 1 August, beginning with that date) and ending with the next 31 March, and

(b) a report for each succeeding period of 12 months ending with 31 March.

(1A) In subsection (1)(a) "the relevant commencement date" means the day on which paragraph 3 of Schedule 7 to the Human Fertilisation and Embryology Act 2008 comes into force.

(1B) The Authority shall send each report to the Secretary of State as soon as practicable after the end of the period for which it is prepared."

4 Omit section 10 of the 1990 Act (licensing procedure).

5 In section 13A of the 1990 Act (conditions of licences for non-medical fertility services), omit subsection (4).

6 In section 14A of the 1990 Act (conditions of licences: human application), in subsection (1)—

(a) omit the "and" at the end of paragraph (a), and

(b) at the end of paragraph (b) insert ", and

(c) every licence under paragraph 3 of that Schedule, so far as authorising activities in connection with the derivation from embryos of stem cells that are intended for human application."

7 In section 15 of the 1990 Act (conditions of research licences) after subsection (4) insert—

"(5) If by virtue of paragraph 20 of Schedule 3 (existing cells or cell lines) qualifying cells, as defined by paragraph 20(2) of that Schedule, of a person

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("P") are used to bring about the creation *in vitro* of an embryo or human admixed embryo without P's consent, steps shall be taken to ensure that the embryo or human admixed embryo cannot subsequently be attributed to P."

8 Omit section 22 of the 1990 Act (temporary suspension of licence).

9 In section 23 of the 1990 Act (directions: general)—

(a) in subsection (5), for paragraph (a) substitute—

"(a) in respect of any licence (including a licence which has ceased to have effect), by serving notice of the directions on the person—

(i) who is the person responsible or the holder of the licence, if different, or

(ii) who was the person responsible or the holder of the licence, if different,", and

(b) omit subsection (6).

10 (1) Section 31A of the 1990 Act (the Authority's register of licences) is amended as follows.

(2) In subsection (1)—

(a) omit the "and" at the end of paragraph (a), and

(b) at the end of paragraph (b) insert ", and

(c) every licence under paragraph 3 of Schedule 2 authorising activities in connection with the derivation from embryos of stem cells that are intended for human application.".

(3) In subsection (2)(c), for ", if applicable, the nominal licensee" substitute " the name of the holder of the licence (if different) ".

11 In section 32 of the 1990 Act (information to be provided to Registrar General), in subsection (3), for "33" substitute " 33A ".

12 In section 34 of the 1990 Act (disclosure in the interests of justice), in subsection (1), for "section 31(2)(b)" substitute " section 31(2)(c) to (e) ".

13 In section 47 of the 1990 Act (index)—

(a) in the first column, after "embryo" insert " (except in section 4A or in the term "human admixed embryo") ",

(b) in the first column, after "gametes, eggs or sperm", insert " (except in section 4A) ",

(c) in the first column, in the entry relating to "store", after "embryos" insert " , human admixed embryos ",

(d) at the appropriate places insert—

"Appeals committee	Section 20A(2)"
"Human admixed embryo	Section 4A(6)"
"Nuclear DNA (in relation to an embryo)	Section 2(1)", and

(e) omit the entries relating to "licence committee" and "nominal licensee".

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14 In section 48 of the 1990 Act (application to Northern Ireland) for "sections 33(6)(h) and" substitute " sections 33A(2)(r) and ".

15 In Schedule 1 to the 1990 Act (the Authority: supplementary provision)—

(a) in paragraph 9(1), for "The" substitute " Subject to any provision of this Act, the ",

(b) in paragraph 10(3), omit "or any licence committee", and

(c) after paragraph 14, insert—

"Application of Statutory Instruments Act 1946

15 The Statutory Instruments Act 1946 applies to any power to make orders or regulations conferred by an Act on the Authority as if the Authority were a Minister of the Crown."

Commencement Information

I1 Sch. 7 para. 15 wholly in force at 1.10.2009; Sch. 7 para. 15 not in force at Royal Assent see s. 68; Sch. 7 para. 15(c) in force for certain purposes at 6.4.2009 by S.I. 2009/479, **art. 5(g)** (with Sch.); Sch. 7 para. 15 in force at 1.10.2009 otherwise by S.I. 2009/2232, **art. 2(y)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 55(3)(e) and word inserted by 2022 c. 18 (N.I.) Sch. 3 para. 75(b)