

*These notes refer to the Human Fertilisation and Embryology Act 2008 (c.22) which received Royal Assent on 13 November 2008*

# HUMAN FERTILISATION AND EMBRYOLOGY ACT 2008

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1: Amendments of Human Fertilisation and Embryology Act 1990**

##### *Section 10: Power to delegate and establish committees*

45. [Section 10](#) inserts new section 9A into the 1990 Act. Subsection (1) of section 9A provides that the HFEA may delegate its functions to a committee or a member of the Authority, or to the Authority's staff. Subsection (2) provides that the HFEA may establish committees and sub-committees which may, in accordance with subsection (3), include people who are not members of the Authority. This provision replaces that in section 9 of the 1990 Act requiring licence committees to be comprised only of members of the Authority. These new provisions enable the HFEA to delegate any function, apart from those which can only be exercised by members, to its staff or to a committee. These functions can include licence decisions and development of the Code of Practice.