

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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Amendments of Human Fertilisation and Embryology Act 1990

Section 23: Code of Practice

141. Section 25 of the 1990 Act requires the HFEA to maintain a Code of Practice giving guidance about the conduct of licensable activities. In particular the Code must provide guidance to clinics about the account to be taken of the welfare of children who may be born as a result of treatment services (including a child's need for a father) and of other children who may be affected by such births.
142. [Section 23\(2\)](#) amends section 25(2) of the 1990 Act to replace the reference to "a child's need for a father" with a reference to "a child's need for supportive parenting".
143. [Section 23](#) also inserts new section 25(2A) into the 1990 Act to require the HFEA to provide guidance in the Code of Practice about the giving of a suitable opportunity to receive proper counselling and the provision of such relevant information as is proper, as required by the licence conditions for clinics under new section 13(6) and (6A) of the 1990 Act.