
STATUTORY INSTRUMENTS

1991 No. 1781 (C.49)

HUMAN FERTILISATION AND EMBRYOLOGY

**The Human Fertilisation and Embryology Act
1990 (Commencement No. 4 — Amendment
of Transitional Provisions) Order 1991**

Made - - - - *31st July 1991*

In exercise of powers conferred by section 49 of the Human Fertilisation and Embryology Act 1990(1), and of all other powers enabling me in that behalf, I hereby make the following Order:

Citation

1. This Order may be cited as the Human Fertilisation and Embryology Act 1990 (Commencement No. 4 — Amendment of Transitional Provisions) Order 1991.

**Amendment to Article 4 of the Human Fertilisation and Embryology Act 1990
(Commencement No. 3 and Transitional Provisions) Order 1991**

2. Article 4 of the Human Fertilisation and Embryology Act 1990 (Commencement No. 3 and Transitional Provisions) Order 1991(2) is amended as follows—

- (a) paragraph (3)(d) and the word “and” immediately preceding it omitted,
- (b) for paragraph (4) there is substituted—
 - “(4) No relevant gametes or embryo shall be used for any purpose unless—
 - (a) in relation to any consent given on or after the appointed day, the provisions of Schedule 3 to the Act apart from paragraph 8 have been complied with, and
 - (b) in relation to any consent given before the appointed day, the provisions of paragraphs 5 to 7 of that Schedule as modified by paragraph (5) below have been complied with.”, and
- (c) in paragraph (5), for “Paragraphs 5 to 8” there is substituted “Paragraphs 5 to 7”, and for “paragraphs (4)(a)(ii) and (4)(b)” there is substituted “paragraph (4)(b)”.

(1) 1990 c. 37.

(2) S.I.1991/1400 (C.38).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

31st July 1991

William Waldegrave
One of Her Majesty's Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends one of the transitional provisions contained in the Human Fertilisation and Embryology Act 1990 (Commencement No. 3 and Transitional Provisions) Order 1991, made on 16th June 1991.

This Order relaxes the requirements relating to consent to the storage of gametes and embryos already in store on 1st August 1991, when the principal provisions of the 1990 Act come into force.

As a result of the amendment, it will not be necessary to have the consent of the donor of gametes already in store on 1st August 1991 to their continued storage on or after that date. Neither will it be necessary to have the consent of each person whose gametes were used to bring about the creation of an embryo already in store on 1st August 1991 to the continued storage of the embryo on or after the date.

The requirements relating to consent to the use (as opposed to storage) of gametes and embryos already in store on 1st August 1991 are not affected by this Order.