
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for embryos to be stored in certain circumstances for longer than the period of 5 years laid down by section 14(4) of the Human Fertilisation and Embryology Act 1990.

Both of the persons whose gametes are used to create the embryos to be stored are required to confirm in writing that they do not object to extended storage for the purposes of future treatment. The woman in whom any such embryo may be placed must be under 50 when storage commences.

Where, in the opinion of two medical practitioners, the woman in whom the embryo may be placed, or, where she is not one of the persons whose gametes are used to create the embryo, one of those persons, is, or is likely to become, completely infertile prematurely, the storage period is extended until that woman is 55.

Where in the opinion of a single medical practitioner, the woman in whom the embryo may be placed, or, where she is not one of the persons whose gametes are used to create the embryo, one of those persons, has or is likely to have significantly impaired fertility or has a significant genetic defect, the storage period is extended to 10 years, or until that woman is 55, whichever period is the shorter.