
STATUTORY INSTRUMENTS

2009 No. 1582

**The Human Fertilisation and Embryology (Statutory
Storage Period for Embryos and Gametes) Regulations 2009**

PART 2

Embryos

Extension of statutory storage period for premature infertility

3.—(1) For the purpose of this regulation—

“relevant period” means ten years from the date that—

- (a) the embryo in question was first placed in storage; or
- (b) if later, the most recent previous written opinion was given under sub-paragraph (b) of paragraph (3).

(2) In the circumstances specified in paragraph (3), the statutory storage period for an embryo under section 14(4) of the Act⁽¹⁾ (conditions of storage licences) shall, subject to paragraph (4), be the period beginning with the date on which the embryo was first placed into storage and ending ten years after the date of the most recent written opinion given under sub-paragraph (b) of paragraph (3).

(3) The circumstances referred to in paragraph (2) are that—

- (a) the relevant persons have consented in writing to the embryo in question being stored for a period in excess of ten years for the provision of treatment services; and
- (b) on any day within the relevant period a registered medical practitioner has given a written opinion that one of the relevant persons, or, where they are not one of those persons, the person to be treated, is prematurely infertile or is likely to become prematurely infertile.

(4) Where the statutory storage period calculated in accordance with paragraph (2) would be greater than fifty five years, the statutory storage period for the purpose of that paragraph shall be fifty five years.

⁽¹⁾ Section 14(4) was amended by section 15(3) of the 2008 Act.