

SCHEDULES

SCHEDULE 3

CONSENTS TO USE ^{F1}OR STORAGE OF GAMETES, EMBRYOS OR HUMAN ADMIXED EMBRYOS ETC

Textual Amendments

- F1** Words in Sch. 3 heading substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008](#) (c. 22), s. 68(2), [Sch. 3 para. 2](#); [S.I. 2009/2232](#), art. 2(w)

Commencement Information

- I1** Schedule 3 wholly in force at 1.8.1991 see s. 49(2) and [S.I. 1991/1400](#), [art. 2\(2\)](#)

^{F1}Interpretation

Textual Amendments

- F1** Sch. 3 para. 22 and cross-heading inserted (1.10.2009) by [Human Fertilisation and Embryology Act 2008](#) (c. 22), s. 68(2), [Sch. 3 para. 15](#); [S.I. 2009/2232](#), art. 2(w)

- 22 (1) In this Schedule references to human cells are to human cells which are not—
- cells of the female or male germ line, or
 - cells of an embryo.
- (2) References in this Schedule to an embryo or a human admixed embryo which was used to bring about the creation of an embryo (“embryo A”) or a human admixed embryo (“human admixed embryo A”) include an embryo or, as the case may be, a human admixed embryo which was used to bring about the creation of—
- an embryo or human admixed embryo which was used to bring about the creation of embryo A or human admixed embryo A, and
 - the predecessor of that embryo or human admixed embryo mentioned in paragraph (a), and
 - the predecessor of that predecessor, and so on.
- (3) References in this Schedule to an embryo or a human admixed embryo whose creation may be brought about using an embryo or a human admixed embryo are to be read in accordance with sub-paragraph (2).
- (4) References in this Schedule (however expressed) to the use of human cells to bring about the creation of an embryo or a human admixed embryo include the use of human cells to alter the embryo or, as the case may be, the human admixed embryo.
- (5) References in this Schedule to parental responsibility are—

Changes to legislation: *There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Paragraph 22. (See end of Document for details)*

- (a) in relation to England and Wales, to be read in accordance with the Children Act 1989,
 - (b) in relation to Northern Ireland, to be read in accordance with the Children (Northern Ireland) Order 1995, and
 - (c) in relation to Scotland, to be read as references to parental responsibilities and parental rights within the meaning of the Children (Scotland) Act 1995.
- (6) References in this Schedule to capacity are, in relation to England and Wales, to be read in accordance with the Mental Capacity Act 2005.
- (7) References in this Schedule to the age of 18 years are, in relation to Scotland, to be read as references to the age of 16 years.]

Modifications etc. (not altering text)

- C1** Sch. 3 para. 22 applied (with modifications) (29.10.2015) by [The Human Fertilisation and Embryology \(Mitochondrial Donation\) Regulations 2015 \(S.I. 2015/572\)](#), regs. 1, **17**

Changes to legislation:

There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Paragraph 22.