

SCHEDULES

SCHEDULE 3

CONSENTS TO USE [F1OR 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

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

Variation and withdrawal of consent

- 4 (1) The terms of any consent under this Schedule may from time to time be varied, and the consent may be withdrawn, by notice given by the person who gave the consent to the person keeping the gametes[F1, human cells, embryo or human admixed embryo] to which the consent is relevant.
- (2) [F2Subject to sub-paragraph (3), the] terms of any consent to the use of any embryo cannot be varied, and such consent cannot be withdrawn, once the embryo has been used—
- (a) in providing treatment services,
 - [F3(aa) in training persons in embryo biopsy, embryo storage or other embryological techniques, or]
 - (b) for the purposes of any project of research.
- [F4(3) Where the terms of any consent to the use of an embryo (“embryo A”) include consent to the use of an embryo or human admixed embryo whose creation may be brought about *in vitro* using embryo A, that consent to the use of that subsequent embryo or human admixed embryo cannot be varied or withdrawn once embryo A has been used for one or more of the purposes mentioned in sub-paragraph (2)(a) or (b).
- (4) Subject to sub-paragraph (5), the terms of any consent to the use of any human admixed embryo cannot be varied, and such consent cannot be withdrawn, once the human admixed embryo has been used for the purposes of any project of research.
- (5) Where the terms of any consent to the use of a human admixed embryo (“human admixed embryo A”) include consent to the use of a human admixed embryo or embryo whose creation may be brought about *in vitro* using human admixed embryo A, that consent to the use of that subsequent human admixed embryo or embryo cannot be varied or withdrawn once human admixed embryo A has been used for the purposes of any project of research.]

Changes to legislation: There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Paragraph 4. (See end of Document for details)

Textual Amendments

- F1** Words in Sch. 3 para. 4(1) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), s. 68(2), **Sch. 3 para. 6(2)**; S.I. 2009/2232, art. 2(w)
- F2** Words in Sch. 3 para. 4(2) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), s. 68(2), **Sch. 3 para. 6(3)(a)**; S.I. 2009/2232, art. 2(w)
- F3** Sch. 3 para. 4(2)(aa) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), s. 68(2), **Sch. 3 para. 6(3)(b)**; S.I. 2009/2232, art. 2(w)
- F4** Sch. 3 para. 4(3)–(5) inserted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), s. 68(2), **Sch. 3 para. 6(4)**; S.I. 2009/2232, art. 2(w)

Modifications etc. (not altering text)

- C1** Sch. 3 para. 4 applied (with modifications) (29.10.2015) by [The Human Fertilisation and Embryology \(Mitochondrial Donation\) Regulations 2015 \(S.I. 2015/572\)](#), regs. 1, **16**

Commencement Information

- I1** Schedule 3 para. 4 wholly in force at 1.8.1991 see s. 49(2) and [S.I. 1991/1400](#), **art. 2(2)**

Changes to legislation:

There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Paragraph 4.