

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

SCHEDULES

[^{F1}SCHEDULE 3B

INSPECTION, ENTRY, SEARCH AND SEIZURE

Textual Amendments

- F1** Sch. 3B inserted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), s. 68(2), [Sch. 5](#); [S.I. 2009/2232](#), art. 2(x)

Entry and inspection of premises

- 3 (1) A duly authorised person may at any reasonable time enter and inspect any premises to which a licence relates or relevant third party premises.
- (2) The power in sub-paragraph (1) is exercisable for purposes of the Authority's functions in relation to licences and third party agreements.
- 4 (1) Subject to sub-paragraph (2), the Authority shall arrange for any premises to which a licence relates to be inspected under paragraph 3 by a duly authorised person at intervals not exceeding two years.
- (2) The Authority need not comply with sub-paragraph (1) where the premises in question have been inspected in pursuance of paragraph 2 or 3 at any point within the previous two years.
- ^{F2}4A. (1) This paragraph applies [^{F3}in relation to Northern Ireland] where—
- (a) any activity governed by this Act is carried out in relation to qualifying gametes or embryos imported from a third country on any premises—
- (i) to which a licence held by an importing licensee relates, or
- (ii) which are relevant third party premises in relation to an importing licensee,
- (b) the gametes or embryos are distributed in an EEA state ^{F4}..., and
- (c) the competent authority in that state ^{F5}... requests the Authority to arrange for an inspection of the premises to be carried out.
- (2) The Authority must arrange for an inspection of the premises in question to be carried out under paragraph 3 by a duly authorised person, unless the Authority considers that it would be inappropriate to do so in the particular circumstances of the case.
- (3) Before an inspection of any premises is carried out in pursuance of sub-paragraph (2) the Authority must—
- (a) make arrangements with the requesting authority for it to participate in the inspection, or
- (b) notify the requesting authority that the Authority has decided that it is not appropriate for the requesting authority to participate in the inspection and give reasons for that decision.

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- (4) In this paragraph, “requesting authority” means the competent authority which made the request under sub-paragraph (1) for the Authority to arrange for the inspection to be carried out.]]

Textual Amendments

- F2** Sch. 3B para. 4A inserted (6.3.2018 for specified purposes, 1.4.2018 in so far as not already in force) by [The Human Fertilisation and Embryology \(Amendment\) Regulations 2018 \(S.I. 2018/334\)](#), regs. 1(3), 5(9)
- F3** Words in Sch. 3B para. 4A(1) inserted (31.12.2020) by [S.I. 2019/482](#), **reg. 2(19)(b)(i)** (as substituted by [The Human Fertilisation and Embryology \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1307\)](#), regs. 1, 18); 2020 c. 1, **Sch. 5 para. 1(1)**
- F4** Words in Sch. 3B para. 4A(1)(b) omitted (31.12.2020) by [S.I. 2019/482](#), **reg. 2(19)(b)(ii)** (as substituted by [The Human Fertilisation and Embryology \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1307\)](#), regs. 1, 18); 2020 c. 1, **Sch. 5 para. 1(1)**
- F5** Words in Sch. 3B para. 4A(1)(c) omitted (31.12.2020) by [S.I. 2019/482](#), **reg. 2(19)(b)(iii)** (as substituted by [The Human Fertilisation and Embryology \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1307\)](#), regs. 1, 18); 2020 c. 1, **Sch. 5 para. 1(1)**

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