



# Human Fertilisation and Embryology Act 1990

## 1990 CHAPTER 37

### *Licence conditions*

#### **12 General conditions.**

[<sup>F1</sup>(1)] The following shall be conditions of every licence granted under this Act—

- (a) [<sup>F2</sup>except to the extent that the activities authorised by the licence fall within paragraph (aa), that those activities] shall be carried on only on the premises to which the licence relates and under the supervision of the person responsible,
- [<sup>F3</sup>(aa) that any activities to which section 3(1A)(b) or (1B) or 4(1A) applies shall be carried on only on the premises to which the licence relates or on relevant third party premises,]
- (b) that any member or employee of the Authority, on production, if so required, of a document identifying the person as such, shall at all reasonable times be permitted to enter those premises and inspect them (which includes inspecting any equipment or records and observing any activity),
- (c) [<sup>F4</sup>except in relation to the use of gametes in the course of providing basic partner treatment services <sup>F5</sup>... ,] that the provisions of Schedule 3 to this Act shall be complied with,
- (d) that proper records shall be maintained in such form as the Authority may specify in directions,
- (e) that no money or other benefit shall be given or received in respect of any supply of gametes[<sup>F6</sup>, embryos or human admixed embryos] unless authorised by directions,
- (f) that, where gametes[<sup>F7</sup>, embryos or human admixed embryos] are supplied to a person to whom another licence applies, that person shall also be provided with such information as the Authority may specify in directions, and
- (g) that the Authority shall be provided, in such form and at such intervals as it may specify in directions, with such copies of or extracts from the records, or such other information, as the directions may specify.

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*Changes to legislation:* There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 12. (See end of Document for details)

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[<sup>F8</sup>(2) Subsection (3) applies to—

- (a) every licence under paragraph 1 or 1A of Schedule 2, <sup>F9</sup>...
- (b) every licence under paragraph 2 of that Schedule, so far as authorising the storage of gametes or embryos intended for human application[<sup>F10</sup>, and
- (c) every licence under paragraph 3 of that Schedule, so far as authorising activities in connection with the derivation from embryos of stem cells that are intended for human application.]

(3) It shall be a condition of every licence to which this subsection applies that—

- (a) such information as is necessary to facilitate the traceability of gametes and embryos, and
- (b) any information relating to the quality or safety of gametes or embryos, shall be recorded and provided to the Authority upon request.]

#### Textual Amendments

- F1** S. 12 renumbered as s. 12(1) (25.5.2007 for certain purposes, otherwise 5.7.2007) by [The Human Fertilisation and Embryology \(Quality and Safety\) Regulations 2007 \(S.I. 2007/1522\)](#), regs. 1, **13(2)**
- F2** Words in s. 12(1)(a) substituted (25.5.2007 for certain purposes, otherwise 5.7.2007) by [The Human Fertilisation and Embryology \(Quality and Safety\) Regulations 2007 \(S.I. 2007/1522\)](#), regs. 1, **13(3)(a)**
- F3** S. 12(1)(aa) inserted (25.5.2007 for certain purposes, otherwise 5.7.2007) by [The Human Fertilisation and Embryology \(Quality and Safety\) Regulations 2007 \(S.I. 2007/1522\)](#), regs. 1, **13(3)(b)**
- F4** Words in s. 12(1)(c) inserted (25.5.2007 for certain purposes, otherwise 5.7.2007) by [The Human Fertilisation and Embryology \(Quality and Safety\) Regulations 2007 \(S.I. 2007/1522\)](#), regs. 1, **13(3)(c)**
- F5** Words in s. 12(1)(c) repealed (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. 12(2)(a), 68(2), **Sch. 8 Pt. 1**; S.I. 2009/2232, art. 2(c)
- F6** Words in s. 12(1)(e) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. **12(2)(b)**, 68(2); S.I. 2009/2232, art. 2(c)
- F7** Words in s. 12(1)(f) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. **12(2)(b)**, 68(2); S.I. 2009/2232, art. 2(c)
- F8** S. 12(2)(3) inserted (25.5.2007 for certain purposes, otherwise 5.7.2007) by [The Human Fertilisation and Embryology \(Quality and Safety\) Regulations 2007 \(S.I. 2007/1522\)](#), regs. 1, **13(4)**
- F9** Word in s. 12(2)(a) repealed (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. 12(3)(a), 68(2), **Sch. 8 Pt. 1**; S.I. 2009/2232, art. 2(c)
- F10** S. 12(2)(c) and word inserted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss. **12(3)(b)**, 68(2); S.I. 2009/2232, art. 2(c)

#### Commencement Information

- I1** S. 12 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, Section 12.