



# Human Fertilisation and Embryology Act 1990

## 1990 CHAPTER 37

### *Grant, revocation and suspension of licences*

#### **17 The person responsible.**

- (1) It shall be the duty of the individual under whose supervision the activities authorised by a licence are carried on (referred to in this Act as the “person responsible”) to secure—
- (a) that the other persons to whom the licence applies are of such character, and are so qualified by training and experience, as to be suitable persons to participate in the activities authorised by the licence,
  - (b) that proper equipment is used,
  - (c) that proper arrangements are made for the keeping of gametes<sup>[F1]</sup>, embryos and human admixed embryos] and for the disposal of gametes<sup>[F2]</sup>, embryos or human admixed embryos] that have been <sup>[F3]</sup>removed from storage],
  - (d) that suitable practices are used in the course of the activities, <sup>F4</sup>...
  - (e) that the conditions of the licence are complied with,
  - <sup>[F5]</sup>(f) that conditions of third party agreements relating to the procurement, testing, processing or distribution of gametes or embryos are complied with, and
  - (g) that the Authority is notified and provided with a report analysing the cause and the ensuing outcome of any serious adverse event or serious adverse reaction.]
- (2) References in this Act to the persons to whom a licence applies are to—
- (a) the person responsible,
  - (b) any person designated in the licence, or in a notice given to the Authority by the person who holds the licence or the person responsible, as a person to whom the licence applies, and
  - (c) any person acting under the direction of the person responsible or of any person so designated.

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**Changes to legislation:** There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 17. (See end of Document for details)

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<sup>F6</sup>(3) .....

#### Textual Amendments

- F1** Words in s. 17(1)(c) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), [ss. 17\(2\)\(a\)](#), 68(2); [S.I. 2009/2232](#), [art. 2\(f\)](#)
- F2** Words in s. 17(1)(c) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), [ss. 17\(2\)\(b\)](#), 68(2); [S.I. 2009/2232](#), [art. 2\(f\)](#)
- F3** Words in s. 17(1)(c) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(3), [Sch. 17 para. 6](#) (with [Sch. 17 Pt. 2](#))
- F4** Word in s. 17(1) omitted (25.5.2007 for certain purposes, otherwise 5.7.2007) by virtue of [The Human Fertilisation and Embryology \(Quality and Safety\) Regulations 2007 \(S.I. 2007/1522\)](#), [regs. 1, 20](#)
- F5** S. 17(1)(f)(g) 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, 20](#)
- F6** S. 17(3) repealed (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), [ss. 17\(3\)](#), 68(2), [Sch. 8 Pt. 1](#); [S.I. 2009/2232](#), [art. 2\(f\)](#)

#### Commencement Information

- I1** S. 17 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 17.