



Human Fertilisation and Embryology Act 1990

1990 CHAPTER 37

Directions and guidance

25 Code of practice.

- (1) The Authority shall maintain a code of practice giving guidance about the proper conduct of activities carried on in pursuance of a licence under this Act and the proper discharge of the functions of the person responsible and other persons to whom the licence applies.
- (2) The guidance given by the code shall include guidance for those providing treatment services about the account to be taken of the welfare of children who may be born as a result of treatment services (including a child's need for [^{F1}supportive parenting]), and of other children who may be affected by such births.

[^{F2}(2A) The code shall also give guidance about—

- (a) the giving of a suitable opportunity to receive proper counselling, and
- (b) the provision of such relevant information as is proper,

in accordance with any condition that is by virtue of section 13(6) or (6A) a condition of a licence under paragraph 1 of Schedule 2.]

- (3) The code may also give guidance about the use of any technique involving the placing of sperm and eggs in a woman.
- (4) The Authority may from time to time revise the whole or any part of the code.
- (5) The Authority shall publish the code as for the time being in force.
- (6) A failure on the part of any person to observe any provision of the code shall not of itself render the person liable to any proceedings, but—
 - (a) [^{F3}the Authority] shall, in considering whether there has been any failure to comply with any conditions of a licence and, in particular, conditions requiring

Changes to legislation: There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 25. (See end of Document for details)

anything to be “proper” or “suitable”, take account of any relevant provision of the code, and

- (b) [^{F4}the Authority] may, in considering, where it has power to do so, whether or not to vary or revoke a licence, take into account any observance of or failure to observe the provisions of the code.

Textual Amendments

- F1** Words in s. 25(2) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), **ss. 23(2)**, 68(2); [S.I. 2009/2232](#), art. 2(j)
- F2** S. 25(2A) inserted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), **ss. 23(3)**, 68(2); [S.I. 2009/2232](#), art. 2(j)
- F3** Words in s. 25(6)(a) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), **ss. 23(4)**, 68(2); [S.I. 2009/2232](#), art. 2(j)
- F4** Words in s. 25(6)(b) substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), **ss. 23(4)**, 68(2); [S.I. 2009/2232](#), art. 2(j)
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Commencement Information

- I1** S. 25 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 25.