27  **Meaning of “mother”**.

(1) The woman who is carrying or has carried a child as a result of the placing in her of an embryo or of sperm and eggs, and no other woman, is to be treated as the mother of the child.

(2) Subsection (1) above does not apply to any child to the extent that the child is treated by virtue of adoption as not being the woman’s child.

(3) Subsection (1) above applies whether the woman was in the United Kingdom or elsewhere at the time of the placing in her of the embryo or the sperm and eggs.

### Annotations:

#### Amendments (Textual)

**F1**  Words in s. 27(2) substituted (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 139, 148, Sch. 3 para. 77 (with Sch. 4 para. 6-8); S.I. 2005/2213, art. 2(o)

#### Modifications etc. (not altering text)

**C1**  Ss. 27-29 excluded (6.4.2009) by Human Fertilisation and Embryology Act 2008 (c. 22), ss. 57(2), 68(2); S.I. 2009/479, art. 6(1)(b) (with art. 7Sch.)

**C2**  S. 27(2) modified (1.11.1994) by S.I. 1994/2804, reg. 3, Sch. 2 para. 6

**C3**  S. 27(2) modified (6.4.2010) by The Human Fertilisation and Embryology (Parental Orders) Regulations 2010 (S.I. 2010/985), regs. 1(1), 5, Sch. 4

**C4**  S. 27(2) modified (21.12.2018) by The Human Fertilisation and Embryology (Parental Orders) Regulations 2018 (S.I. 2018/1412), reg. 1(2), Sch. 4 para. 16

#### Commencement Information

**I1**  S. 27 wholly in force at 1.8.1991 see s. 49(2) and S.I. 1991/1400, art. 2(2)
**Changes to legislation:**
Human Fertilisation and Embryology Act 1990, Section 27 is up to date with all changes known to be in force on or before 31 March 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**
Whole provisions yet to be inserted into this Act (including any effects on those provisions):
- s. 2A(1A) inserted by S.I. 2019/482 reg. 2(4)
- s. 42A inserted by S.I. 2019/482 reg. 2(14)
- Sch. 3 para. A1 inserted by S.I. 2019/482 reg. 2(17)(a)
- Sch. 3A para. 11A-11C and cross-heading inserted by S.I. 2019/482 reg. 2(17)(c)
- Sch. 3AA para. A1 and cross-heading inserted by S.I. 2019/482 reg. 2(18)(a)
- Sch. 3AA para. 3A and cross-headings inserted by S.I. 2019/482 reg. 2(18)(c)