



Human Fertilisation and Embryology Act 1990

1990 CHAPTER 37

Principal terms used

[^{F1}2A Third party agreements

- (1) For the purposes of this Act, a “third party agreement” is an agreement in writing between a person who holds a licence and another person which is made in accordance with any licence conditions imposed by the Authority for the purpose of securing compliance with the requirements of Article 24 of the first Directive (relations between tissue establishments and third parties) and under which the other person—
- (a) procures, tests or processes gametes or embryos (or both), on behalf of the holder of the licence, or
 - (b) supplies to the holder of the licence any goods or services (including distribution services) which may affect the quality or safety of gametes or embryos.

[For the purposes of subsection (1), as it applies in relation to Great Britain, Article ^{F2}(1A) 24 of the first Directive is to be read subject to the modifications set out in paragraph 11A(8) of Schedule 3A.]

(2) In this Act—

“relevant third party premises”, in relation to a licence, means any premises (other than premises to which the licence relates)—

- (a) on which a third party procures, tests, processes or distributes gametes or embryos on behalf of any person in connection with activities carried out by that person under a licence, or
- (b) from which a third party provides any goods or services which may affect the quality or safety of gametes or embryos to any person in connection with activities carried out by that person under a licence;

“third party” means a person with whom a person who holds a licence has a third party agreement.

Changes to legislation: There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 2A. (See end of Document for details)

- (3) References in this Act to the persons to whom a third party agreement applies are to—
- (a) the third party,
 - (b) any person designated in the third party agreement as a person to whom the agreement applies, and
 - (c) any person acting under the direction of a third party or of any person so designated.]

Textual Amendments

- F1** S. 2A 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, 7
- F2** S. 2A(1A) inserted (31.12.2020) by [The Human Fertilisation and Embryology \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/482\)](#), regs. 1, **2(4)** (as amended by [The Human Fertilisation and Embryology \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1307\)](#), regs. 1, **5**); 2020 c. 1, **Sch. 5 para. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 2A.