



Human Fertilisation and Embryology Act 1990

1990 CHAPTER 37

Activities governed by the Act

3 Prohibitions in connection with embryos.

[^{F1}(1) No person shall bring about the creation of an embryo except in pursuance of a licence.

(1A) No person shall keep or use an embryo except—

- (a) in pursuance of a licence, or
- (b) in the case of—
 - (i) the keeping, without storage, of an embryo intended for human application, or
 - (ii) the processing, without storage, of such an embryo, in pursuance of a third party agreement.

(1B) No person shall procure or distribute an embryo intended for human application except in pursuance of a licence or a third party agreement.]

[^{F2}(2) No person shall place in a woman—

- (a) an embryo other than a permitted embryo (as defined by section 3ZA), or
- (b) any gametes other than permitted eggs or permitted sperm (as so defined).]

(3) A licence cannot authorise—

- (a) keeping or using an embryo after the appearance of the primitive streak,
- (b) placing an embryo in any animal, [^{F3} or]
- (c) keeping or using an embryo in any circumstances in which regulations prohibit its keeping or use, ^{F4}...

^{F4}(d)

(4) For the purposes of subsection (3)(a) above, the primitive streak is to be taken to have appeared in an embryo not later than the end of the period of 14 days beginning with

Changes to legislation: There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 3. (See end of Document for details)

[^{F5}the day on which the process of creating the embryo began], not counting any time during which the embryo is stored.

Textual Amendments

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- F4** S. 3(3)(d) and preceding word repealed (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), ss.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

Commencement Information

- I1** S. 3 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 3.