



# Human Fertilisation and Embryology Act 1990

## 1990 CHAPTER 37

### *Information*

#### **34 Disclosure in interests of justice.**

- (1) Where in any proceedings before a court the question whether a person is or is not the parent of a child by virtue of sections 27 to 29 of this Act [<sup>F1</sup>or sections 33 to 47 of the Human Fertilisation and Embryology Act 2008] falls to be determined, the court may on the application of any party to the proceedings make an order requiring the Authority—
  - (a) to disclose whether or not any information relevant to that question is contained in the register kept in pursuance of section 31 of this Act, and
  - (b) if it is, to disclose so much of it as is specified in the order,but such an order may not require the Authority to disclose any information falling within [<sup>F2</sup>section 31(2)(c) to (e)] of this Act.
- (2) The court must not make an order under subsection (1) above unless it is satisfied that the interests of justice require it to do so, taking into account—
  - (a) any representations made by any individual who may be affected by the disclosure, and
  - (b) the welfare of the child, if under 18 years old, and of any other person under that age who may be affected by the disclosure.
- (3) If the proceedings before the court are civil proceedings, it—
  - (a) may direct that the whole or any part of the proceedings on the application for an order under subsection (2) above shall be heard in camera, and
  - (b) if it makes such an order, may then or later direct that the whole or any part of any later stage of the proceedings shall be heard in camera.
- (4) An application for a direction under subsection (3) above shall be heard in camera unless the court otherwise directs.

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**Changes to legislation:** There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 34. (See end of Document for details)

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#### Textual Amendments

- F1** Words in s. 34 inserted (6.4.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), s. 68(2), [Sch. 6 para. 34](#); [S.I. 2009/479](#), art. 6(1)(d) (with art. 7Sch.)
- F2** Words in s. 34 substituted (1.10.2009) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), s. 68(2), [Sch. 7 para. 12](#); [S.I. 2009/2232](#), art. 2(y)
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#### Commencement Information

- I1** S. 34 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 34.