



Human Fertilisation and Embryology Act 1990

1990 CHAPTER 37

The Human Fertilisation and Embryology Authority, its functions and procedure

[^{F1}8C Contracting out functions of Authority

- (1) This section applies to any function of the Authority other than—
 - (a) any function which, by virtue of any enactment, may be exercised only by members of the Authority,
 - (b) a function excluded from this section by subsection (2), or
 - (c) a function excluded from this section by the Secretary of State by order.
- (2) A function is excluded from this section if—
 - (a) it relates to the grant, revocation or variation of any licence,
 - (b) it is a power or right of entry, search or seizure into or of any property, or
 - (c) it is a function of making subordinate legislation (within the meaning of the Interpretation Act 1978).
- (3) The Authority may make arrangements with any person (“the authorised person”) for the exercise by that person, or by the employees of that person, of any function of the Authority to which this section applies.
- (4) Any arrangements made by the Authority under this section—
 - (a) may be revoked at any time by the Authority, and
 - (b) do not prevent the Authority from exercising any function to which the arrangements relate.
- (5) Subject to subsection (6), anything done or omitted to be done by or in relation to the authorised person (or an employee of the authorised person) in, or in connection with, the exercise or purported exercise of any function to which the arrangements relate is to be treated for all purposes as done or omitted to be done by or in relation to the Authority.

Changes to legislation: There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 8C. (See end of Document for details)

- (6) Subsection (5) does not apply—
- (a) for the purposes of so much of any contract between the authorised person and the Authority as relates to the exercise of the function, or
 - (b) for the purposes of any criminal proceedings brought in respect of anything done or omitted to be done by the authorised person (or any employee of the authorised person).
- (7) Section 38A(2) of this Act (which relates to the keeping of embryos, human admixed embryos and gametes) applies in relation to the authorised person or any employee of the authorised person, when exercising functions of the Authority, as it applies in relation to any member or employee of the Authority exercising functions as member or employee.]

Textual Amendments

- F1** Ss. 8B-8D inserted (6.4.2009 for specified purposes, 1.10.2009 in so far as not already in force) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), **ss. 8, 68(2)**; [S.I. 2009/479](#), **art. 2** (with [art. 7Sch.](#)); [S.I. 2009/2232](#), **art. 2(b)**

Changes to legislation:

There are currently no known outstanding effects for the Human Fertilisation and Embryology Act 1990, Section 8C.