



# Human Fertilisation and Embryology Act 2008

## 2008 CHAPTER 22

### PART 1

#### AMENDMENTS OF THE HUMAN FERTILISATION AND EMBRYOLOGY ACT 1990

##### *Grant, revocation and suspension of licences*

#### **18 Revocation and variation of licence**

For section 18 of the 1990 Act (revocation and variation of licence) substitute—

##### **“18 Revocation of licence**

- (1) The Authority may revoke a licence on application by—
  - (a) the person responsible, or
  - (b) the holder of the licence (if different).
- (2) The Authority may revoke a licence otherwise than on application under subsection (1) if—
  - (a) it is satisfied that any information given for the purposes of the application for the licence was in any material respect false or misleading,
  - (b) it is satisfied that the person responsible has failed to discharge, or is unable because of incapacity to discharge, the duty under section 17,
  - (c) it is satisfied that the person responsible has failed to comply with directions given in connection with any licence,
  - (d) it ceases to be satisfied that the premises specified in the licence are suitable for the licensed activity,

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*Status: This is the original version (as it was originally enacted).*

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- (e) it ceases to be satisfied that any premises which are relevant third party premises in relation to a licence are suitable for the activities entrusted to the third party by the person who holds the licence,
- (f) it ceases to be satisfied that the holder of the licence is a suitable person to hold the licence,
- (g) it ceases to be satisfied that the person responsible is a suitable person to supervise the licensed activity,
- (h) the person responsible dies or is convicted of an offence under this Act, or
- (i) it is satisfied that there has been any other material change of circumstances since the licence was granted.

### **18A Variation of licence**

- (1) The Authority may on application by the holder of the licence vary the licence so as to substitute another person for the person responsible if—
  - (a) the application is made with the consent of that other person, and
  - (b) the Authority is satisfied that the other person is a suitable person to supervise the licensed activity.
- (2) The Authority may vary a licence on application by—
  - (a) the person responsible, or
  - (b) the holder of the licence (if different).
- (3) The Authority may vary a licence without an application under subsection (2) if it has the power to revoke the licence under section 18(2).
- (4) The powers under subsections (2) and (3) do not extend to making the kind of variation mentioned in subsection (1).
- (5) The Authority may vary a licence without an application under subsection (2) by—
  - (a) removing or varying a condition of the licence, or
  - (b) adding a condition to the licence.
- (6) The powers conferred by this section do not extend to the conditions required by sections 12 to 15 of this Act.”