

These notes refer to the Human Fertilisation and Embryology Act 2008 (c.22) which received Royal Assent on 13 November 2008

HUMAN FERTILISATION AND EMBRYOLOGY ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Amendments of Human Fertilisation and Embryology Act 1990

Section 28: Inspection, entry, search and seizure

166. This section introduces Schedule 5 to the Act which inserts new Schedule 3B into the 1990 Act. New Schedule 3B replaces the existing sections 39 and 40, which relate to the power to enter, inspect and search premises and to seize items found on premises. Schedule 3B also deals with the obtaining and execution of warrants where an offence is suspected. It also provides that failure to comply with certain requirements under the Schedule, or obstruction of the exercise of any rights under it, is an offence. Section 28 also provides that it is not unlawful for a member or employee of the HFEA to be in possession of embryos, gametes or human admixed embryos in the course of their employment.