

---

STATUTORY INSTRUMENTS

---

**1990 No. 2165 (C.52)**

**HUMAN FERTILISATION AND EMBRYOLOGY**

**The Human Fertilisation and Embryology Act  
1990 (Commencement No. 1) Order 1990**

*Made - - - - 2nd November 1990*

In exercise of powers conferred by section 49(2) of the Human Fertilisation and Embryology Act 1990<sup>(1)</sup> and of all other powers enabling me in that behalf, I hereby make the following Order:

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Human Fertilisation and Embryology Act 1990 (Commencement No. 1) Order 1990.

(2) In this Order “the Act” means the Human Fertilisation and Embryology Act 1990.

**Appointed day**

**2.** 7th November 1990 is the day appointed for the coming into force of each provision of the Act specified in column 1 of the Schedule to this Order.

2nd November 1990

*K. Clarke*  
One of Her Majesty’s Principal Secretaries of  
State

---

<sup>(1)</sup> 1990 c. 37.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Article 2

## PROVISIONS OF THE ACT COMING INTO FORCE ON 7th NOVEMBER 1990

| (1)<br>Provision of the Act  | (2)<br>Subject Matter                            |
|--|--|
| Section 2(1) so far as it defines “the Authority”  | Interpretation of certain terms                  |
| Section 5  | The Human Fertilisation and Embryology Authority |
| Section 6  | Accounts and audit                               |
| Section 7  | Reports to Secretary of State                    |
| Section 26   | Procedure for approval of Code of Practice       |
| In section 33, subsection (1), subsection (2)(b), and subsection (4)   | Restrictions on disclosure of information        |
| Section 36   | Amendment of Surrogacy Arrangements Act 1985     |
| Section 40   | Power to enter premises Offences                 |
| In section 41, subsection (5) so far as it relates to the provisions of section 33 brought into force by this Order, and subsections (6) and (9) so far as they relate to section 40 | Offence  |
| Section 42   | Consent to prosecution Northern Ireland          |
| Section 48(1) so far as it relates to provisions of the Act brought into force by this Order.  | Northern Ireland                                 |
| In section 49, subsections (1), (2), (6) and (7)   | Short title, commencement, etc.                  |
| Schedule 1   | The Authority: Supplementary Provisions          |

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force on 7th November 1990 those provisions of the Human Fertilisation and Embryology Act 1990 which relate to the setting up of the Human Fertilisation and Embryology Authority established by the Act, and to the offence of disclosure of certain confidential information by members or employees of the Authority, together with related provisions about enforcement. It also brings into force on the same date the provision of the Act dealing with the preparation of the Authority’s Code of Practice.

This Order also brings into force on the same date amendments to the Surrogacy Arrangements Act 1985 (c. 49). The amendments make clear that surrogacy arrangements are unenforceable, and also

***Status:*** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

alter the definition in that Act of the time at which a woman begins to carry a child in order to take account of new techniques in infertility treatment.