
STATUTORY INSTRUMENTS

2018 No. 1412

**The Human Fertilisation and Embryology
(Parental Orders) Regulations 2018**

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Human Fertilisation and Embryology (Parental Orders) Regulations 2018 and come into force on the day after the day on which they are made.

(2) Any provision of these Regulations which applies an enactment with modifications has the same extent as the enactment to which it relates.

(3) Subject to paragraph (2), these Regulations extend to England and Wales, Scotland and Northern Ireland.

(4) In these Regulations—

“the 2002 Act” means the Adoption and Children Act 2002(1);

“the 2007 Act” means the Adoption and Children (Scotland) Act 2007(2);

“the 2008 Act” means the Human Fertilisation and Embryology Act 2008;

“the 1987 Order” means the Adoption (Northern Ireland) Order 1987(3).

(5) In these Regulations “parental order” means an order under section 54(4) (parental orders: two applicants) or 54A(5) (parental orders: one applicant) of the 2008 Act.

Commencement Information

I1 Reg. 1 in force at 21.12.2018, see [reg. 1\(1\)](#)

Application of certain provisions of the 2002 Act subject to modifications

2. Schedule 1 provides for certain provisions of the 2002 Act to have effect in relation to parental orders and applications for parental orders made in England and Wales as they have effect in relation to adoption orders and applications for such orders, subject to the modifications set out in that Schedule.

Commencement Information

I2 Reg. 2 in force at 21.12.2018, see [reg. 1\(1\)](#)

(1) 2002 c. 38.

(2) 2007 asp 4.

(3) S.I. 1987/2203 (N.I. 22).

(4) Section 54 was amended by the Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018.000). Other amendments have been made, but those amendments are not relevant to this instrument.

(5) Section 54A was inserted by the Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018.

Changes to legislation: The Human Fertilisation and Embryology (Parental Orders) Regulations 2018 is up to date with all changes known to be in force on or before 23 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Application of certain provisions of the 2007 Act subject to modifications

3. Schedule 2 provides for certain provisions of the 2007 Act to have effect in relation to parental orders and applications for parental orders made in Scotland as they have effect in relation to adoption orders and applications for such orders, subject to the modifications set out in that Schedule.

Commencement Information

I3 Reg. 3 in force at 21.12.2018, see [reg. 1\(1\)](#)

Application of certain provisions of the 1987 Order subject to modifications

4. Schedule 3 provides for certain provisions of the 1987 Order to have effect in relation to parental orders and applications for parental orders made in Northern Ireland as they have effect in relation to adoption orders and applications for such orders, subject to the modifications set out in that Schedule.

Commencement Information

I4 Reg. 4 in force at 21.12.2018, see [reg. 1\(1\)](#)

References in enactments to be read as references to parental orders etc

5. Schedule 4 provides that the provisions of the enactments set out in that Schedule have effect in relation to parental orders and applications for parental orders as they have effect in relation to adoption orders and applications for such orders, subject to the modifications set out in that Schedule.

Commencement Information

I5 Reg. 5 in force at 21.12.2018, see [reg. 1\(1\)](#)

Revocation and savings

6.—(1) The Human Fertilisation and Embryology (Parental Orders) Regulations 2010(6) (“the 2010 Regulations”) are revoked.

(2) But the 2010 Regulations still apply to—

- (a) an application for a parental order made under section 54 of the 2008 Act made before the coming into force of these Regulations; and
- (b) an order made under section 30 of the Human Fertilisation and Embryology Act 1990(7).

Commencement Information

I6 Reg. 6 in force at 21.12.2018, see [reg. 1\(1\)](#)

(6) [S.I. 2010/985](#).

(7) [1990 c. 37](#). Section 30 was repealed by Part 1 of Schedule 8 to the 2008 Act from 6th April 2010.

Changes to legislation: *The Human Fertilisation and Embryology (Parental Orders) Regulations 2018 is up to date with all changes known to be in force on or before 23 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

Signed by the authority of the Secretary of State for Health and Social Care.

20th December 2018

Jackie Doyle-Price
Parliamentary Under-Secretary of State,
Department for Health and Social Care

Changes to legislation:

The Human Fertilisation and Embryology (Parental Orders) Regulations 2018 is up to date with all changes known to be in force on or before 23 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Sch. 3 substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 83](#)
- Sch. 4 para. 5(a) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 84\(2\)](#)
- Sch. 4 para. 5(b) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 84\(3\)\(a\)](#)
- Sch. 4 para. 5(b) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 84\(3\)\(b\)](#)
- reg. 1(4) words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 81](#)
- reg. 4 words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 82\(1\)](#)
- reg. 4 heading words substituted by [2022 c. 18 \(N.I.\) Sch. 3 para. 82\(2\)](#)