

The legal landscape for fertility treatment

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Fertility treatment - the legal landscape

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The regulators

- HFEA - licensing and consent to import/export
- CQC - registration and inspection
- ICO - data protection and electronic marketing

HFEA - the framework

- Human Fertilisation and Embryology Act 1990 (as amended)
- Treatment, storage and research can only take place pursuant to a licence
- General conditions, standard conditions and additional conditions
- Code of Practice (9th edition)
- Detailed provisions in relation to eg surrogacy, sex selection, donors/legal parenthood, PGD and import/export

- Person responsible must be appointed in respect of each centre and bears statutory responsibility for compliance
- General directions (apply to all clinics and centres) and special directions (apply to specific clinic/centre)

What's new?

- Code of Practice 9th edition
- Requirement for Importing Tissue Establishment Certificate
- Changes in rules re extension of storage period
- Single European Code for donor gametes and embryos moving around EU
- Case law relating to near death/posthumous use of gametes without effective written consent

The investment opportunity – UK and International

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