
STATUTORY INSTRUMENTS

2009 No. 1582

The Human Fertilisation and Embryology (Statutory Storage Period for Embryos and Gametes) Regulations 2009

PART 3

Gametes

Extension of statutory storage period for premature infertility

4.—(1) For the purpose of this regulation—
“relevant period” means ten years from the date that—

- (a) the gamete in question was first placed in storage; or
- (b) if later, the most recent previous written opinion was given under sub-paragraph (b) of paragraph (3).

(2) In the circumstances specified in paragraph (3), the statutory storage period for a gamete under section 14(3) of the Act (conditions of storage licences) shall, subject to paragraph (4), be the period beginning with the date on which the gamete was first placed into storage and ending ten years after the date of the most recent written opinion given under sub-paragraph (b) of paragraph (3).

(3) The circumstances referred to in paragraph (2) are that—

- (a) the person who provided the gamete in question has consented in writing to the gamete being stored for a period in excess of ten years for the provision of treatment services; and
- (b) on any day within the relevant period a registered medical practitioner has given a written opinion that the person who provided the gamete or, where they are not that person, the person to be treated, is prematurely infertile or is likely to become prematurely infertile.

(4) Where the statutory storage period calculated in accordance with paragraph (2) would be greater than fifty five years, the statutory storage period for the purpose of that paragraph shall be fifty five years.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Human Fertilisation and Embryology (Statutory Storage Period for Embryos and Gametes) Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulations continued by [S.I. 2024/625 reg. 23](#)
- Regulations revoked by [2022 c. 31 Sch. 17 para. 2\(3\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 3(5) inserted by [S.I. 2009/2581 reg. 3](#)
- reg. 3(6)(7) inserted by [S.I. 2020/566 reg. 7\(3\)](#)
- reg. 3A inserted by [S.I. 2020/566 reg. 8](#)
- reg. 4(5)(6) inserted by [S.I. 2020/566 reg. 9\(3\)](#)
- reg. 4A inserted by [S.I. 2020/566 reg. 10](#)