

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

TERRITORIAL EXTENT

18. [Part 2](#) of the Act (and the free-standing provisions in Part 3 of the Act) extend to England and Wales, Scotland and Northern Ireland. The other provisions of the Act amend existing legislation and have the same extent as the provisions being amended. This means, in particular, that the amendments of the 1990 Act in Part 1 of the Act extend to England and Wales, Scotland and Northern Ireland.
19. The subject-matter of the 1990 Act and subject-matter of the Surrogacy Arrangements Act 1985 are reserved matters as respects Scotland and Northern Ireland. Part 2 of the Act deals with a subject (the legal parenthood of children resulting from assisted reproduction) that is already dealt with by sections 27 to 30 of the 1990 Act. Part 2 therefore also relates to a reserved matter.
20. The Act gives the HFEA powers to assist any other public authority in the UK as provided for in section 9 of the Act.

Wales

21. The Act does not confer any functions on the Welsh Ministers or the National Assembly for Wales, and in general applies to Wales in the same way as it applies to England.