
EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 and the Schedule to the Order make consequential amendments to take account of the repeal of section 30 of the Human Fertilisation and Embryology Act 1990 (“the 1990 Act”) and the bringing into force of section 54 of the Human Fertilisation and Embryology Act 2008 and the revocation of the Parental Orders (Human Fertilisation and Embryology) Regulations 1994 (“the 1994 Regulations”) and the Parental Orders (Human Fertilisation and Embryology) (Scotland) Regulations 1994 (“the 1994 (Scotland) Regulations”) at article 5. The areas amended relate to the Parental Order Register, definitions of “surrogate child”, the allocation of court proceedings and social security claims and payments.

Article 3 of the Order makes transitional provision in relation to applications made under section 30 of the 1990 Act which have not been disposed of before 6th April 2010.

Article 4 of this Order makes saving provisions to ensure that, notwithstanding the repeal of section 30 of the 1990 Act, that part of the 1994 Regulations that relates to Part 4 of the Adoption Act 1976 (status of adopted children) or Part 5 of the Adoption (Northern Ireland) Order 1987 (status of adopted children) and that part of the 1994 (Scotland) Regulations that relates to Part 4 of the Adoption (Scotland) Act 1978 (status of adopted children) are saved for the purposes of orders under section 30 of the 1990 Act.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.