

SCHEDULE 5

CONSEQUENTIAL MODIFICATIONS TO PRIMARY LEGISLATION

Human Fertilisation and Embryology Act 2008

18.—(1) The Human Fertilisation and Embryology Act 2008⁽¹⁾ is amended as follows.

(2) In section 35 (woman married at time of treatment)—

- (a) in the title to the section, after “**married**” insert “**to a man**”; and
- (b) in subsection (1)(a), after “marriage” insert “with a man”.

(3) In section 40(1)(b) (embryo transferred after death of husband etc. who did not provide sperm), after “marriage” insert “with a man”.

(4) In section 42 (woman in civil partnership at time of treatment)—

- (a) in the title to the section, after “**partnership**” insert “**or marriage to a woman**”; and
- (b) in subsection (1)—
 - (i) after “partnership” where it first occurs insert “or a marriage with another woman”; and
 - (ii) after “partnership” where it second occurs insert “or marriage”.

(5) In section 46 (embryo transferred after death of civil partner of intended female parent)—

- (a) in the title to the section, after “**civil partner**” insert “**or wife**”; and
- (b) in subsection (1)(b), after “partnership” insert “or marriage with another woman”; and
- (c) in subsection (1)(c), (d) and (e), after “partnership” in each case insert “or marriage”; and
- (d) in the words after subsection (1)(f), after “partnership” insert “or marriage”.

⁽¹⁾ 2008 c.22. Sections 35, 40, 42 and 46 were amended by the 2013 Act, Schedule 7, paragraphs 37 to 41.