

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**”;
 - (b) in subsection (1)(b), after “partnership” insert “or marriage with another woman”;
 - (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”.

Commencement Information

II Sch. 5 para. 18 in force at 16.12.2014, see [art. 1\(2\)](#)

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

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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):

- art. 6(1A) inserted by [S.I. 2019/1514 reg. 10\(3\)\(b\)](#)