

HFEA NWC Notice

Notification pursuant to paragraph 11C(13) of Schedule 3 to the Human Fertilisation and Embryology Act 1990 to persons whose eggs, sperm or human cells were used to create embryo(s) that consent to storage of the embryo(s) has been taken as withdrawn

FROM:

Name and address of clinic keeping embryos in storage:

TO:

Name and surname:

Address:

Email address:

DOB:

DATE OF NOTICE:

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About this notice

We are writing to you in connection with the storage of embryos created with your eggs or sperm which are stored at this clinic, and further to our previous correspondence to you on this issue – particularly the statutory notice(s) RNE sent on .

This is a formal statutory notice under the Human Fertilisation and Embryology Act 1990 ('the 1990 Act'), to notify relevant persons whose eggs or sperm were used to create embryo(s) stored at this clinic, that consent to storage of the embryo(s) has been taken as withdrawn. **As a result, we are no longer legally permitted to continue storing the embryo(s) and they will need to be disposed of.**

Under the 1990 Act, each 10-year period of consent to the storage of embryos for treatment purposes is referred to as a "consent period".

Consent to the storage of embryos for treatment purposes must be renewed within the "renewal period".

The renewal period begins 12 months before the end of the consent period, and ends 6 months after the end of the consent period.

Why have you received this notice?

According to our records:

1. Your eggs or sperm were used to create the following embryo(s) stored by this clinic and the renewal period date(s) for those embryos are set out below:

[¹ Where applicable, this notice must be sent as soon as possible after the end of the renewal period].

2. Your consent to the storage of the above embryo(s) has been taken as having been withdrawn on the date(s) set out above.

OR - CLINIC TO CHOOSE CORRECT OPTION

The consent to the storage of the above embryo(s) of the other person whose eggs or sperm have been used to create the above embryo(s) has been taken as having been withdrawn on the date(s) set out above.

Circumstances in which consent is taken as having been withdrawn

Under the 1990 Act, consent to the storage of embryos for use in your, or your partner's, treatment (including with a surrogate, where applicable) will be taken as withdrawn by reason of:

1. A failure by one of the persons whose eggs or sperm were used to create the relevant embryo(s) to renew their consent to storage by the renewal period date(s) given above, or where an egg or sperm donor has not given effective consent to permit ongoing storage;
2. A person whose eggs or sperm were used to create the relevant embryo(s) has died before the renewal period date(s) given above, and their effective consent to posthumous use and storage has come to an end.
3. A person whose eggs or sperm were used to create the relevant embryo(s) has been certified as lacking capacity to renew consent before the renewal period date(s) given above, and their effective consent to use and storage after loss of capacity has come to an end.

You should be aware that consent to the storage of embryos will be taken to have been withdrawn if any of the reasons given above apply, even if you have renewed your consent to storage of your embryos for treatment. Storage of embryos is only lawful if **all** persons whose eggs or sperm have been used to create the embryos listed above renewed their consent to storage by the renewal period date(s) given or where an egg or sperm donor has given effective consent to permit ongoing storage.

What happens once consent to storage is taken as having been withdrawn?

Once consent to storage is taken as having been withdrawn by a person whose eggs or sperm were used to create embryo(s) for treatment purposes, your embryo(s) can no longer be used for treatment, training or research and consent to storage cannot be renewed, but it remains lawful for this clinic to store embryo(s) until either:

1. The end of a period of 6 months beginning with the renewal period date(s) given above; or,
2. Receipt of a notice (eg a WCS form) from each of the persons in receipt of this notice stating that they consent to the disposal of the embryo(s).

How to confirm your consent to the disposal of the embryo(s)

If you consent to the disposal of the embryo(s) before the end of the 6-month period described above, please complete section 1, 2, 3.1 and 5 of the enclosed **'Withdrawing your consent to the storage of your own eggs, sperm or embryos'** (WCS form) and return it to this clinic as soon as possible.

Additional information

You should have been provided with additional information covering:

1. The options available to you;
2. The consequences of confirming your consent to the disposal of the embryo(s);
3. Opportunities to have proper counselling about the implications of your consent to the disposal of the embryo(s).

Please consider the above information and guidance before completing the enclosed WCS consent form. There will be a declaration at the end of the form which you will be required to sign to confirm that you have received this information.

If you have not received, or are unsure about, the additional information referred to, please contact this clinic using the contact details provided for further guidance.