

HFEA NDE Notice

Notification pursuant to paragraph 11C(7) of Schedule 3 to the Human Fertilisation and Embryology Act 1990 that embryo(s) may be removed from storage and disposed of if patients do not renew their consent to storage before the end of the renewal period

FROM:

Name and address of clinic keeping embryos in storage:

STRICTLY PRIVATE AND CONFIDENTIAL - ADDRESSEE ONLY

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 your embryos at this clinic, and further to our previous correspondence to you on this issue (as outlined further below).

Please note that this is a formal statutory notice under the Human Fertilisation and Embryology Act 1990 ('the 1990 Act'), to let you know that your embryo(s) stored with this clinic may be removed from storage and disposed of, if you do not renew your consent to storage before the end of the renewal period(s) given below.

Why have you received this notice

On _____, we sent you a formal statutory notice requesting that you renew in writing your consent to the storage of embryos at this clinic ('the RNE Notice').

As set out in that notice, the 1990 Act permits you to store embryos for use in your, or your partner's, treatment (including with a surrogate, where applicable) for any period up to a maximum of 55 years from the date the embryos are first kept in storage. However, you need to renew your consent in writing to the storage of embryos for treatment every 10 years.

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**.

[¹ This notice must be sent as soon as possible after the end of the consent period].

With the above in mind, please note that this is a formal statutory notice, requesting that you renew in writing your consent to the storage of embryos for treatment purposes at this clinic.

You will need to take some action as a result of receiving this statutory notice.

According to our records, the **consent period(s)** for the storage of your embryo(s) at this clinic ended on the following date(s):

BOX A

The **renewal period(s)** in respect of your embryo(s) will, accordingly, end on:

BOX B

As of the date of this notice, our records show that you have not yet completed and returned the **'Renewal of consent to storage of your embryos for treatment'** (RE consent form) to renew your consent in writing to the storage of embryo(s) for treatment.

Subject to the limited exceptions set out below, **if you do not renew your consent in writing before the earliest of the renewal period date(s) set out in box B, then by law:**

1. **Your consent is taken as withdrawn and you cannot use your embryo(s) for your treatment.**
2. **We will take all reasonable steps to give notice of your withdrawal of consent to the other person (your partner) whose eggs or sperm were used to bring about the creation of the embryo(s);**
3. **We may continue to store your embryo(s) for a period of 6 months after the end of the renewal period dates set out in box B, but you will not be able to renew your consent to storage or use your embryo(s) during this period. We are under a legal obligation to remove your embryo(s) from storage and dispose of them by the end of this 6-month period.**

What should you do now?

If you would like to renew your consent to the storage of your embryos, you should first be provided with additional information and an offer of counselling (see below). Once you have received this, the form RE consent form must be completed and **returned to this clinic so that it is received by this clinic by the earliest of the renewal period date(s) set out in box B.**

If, after considering the information and the offer of counselling, you **do not** want to renew your consent to storage of your embryo(s) for treatment, then please complete the relevant section of the RE consent form and return it to this clinic as soon as possible, and, in any event, so that it is received by this clinic by the earliest of the renewal period date(s) set out in box B.

You should be aware that the other egg or sperm provider (your partner or an egg or sperm donor) also needs to have given effective consent to storage for embryo storage to continue.

Additional information

Before you complete the RE form, you should have been provided with additional information covering:

1. The different options set out in the RE form;
2. The implications of giving your consent and what will happen if you do not renew your consent within the timeframes set out in this notice;
3. The consequences of withdrawing your consent;
4. How you can make changes to, or withdraw, your consent;
5. An offer of proper counselling about the implications of treatment and storage.

You will need to consider this information before completing the RE consent form. There will be a declaration at the end of the consent 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.

Exceptions

1. If the addressee of this notice has died

If the addressee of this notice has died, and you have received this notice, please contact this clinic as soon as possible using the contact details provided.

2. Lack of capacity to renew consent

If the addressee of this notice lacks capacity, and you have received this notice on their behalf, please contact this clinic as soon as possible using the contact details provided.