

## Directions given under the Human Fertilisation and Embryology Act 1990 as amended

### Gamete and embryo donation

Ref: 0001  
Version: 1

These Directions are:	GENERAL DIRECTIONS
Sections of the Act providing for these Directions:	Sections 12 (1) (d), 12 (1) (e), 12 (1) (g) and 13 (2) (f)
These Directions come into force on:	1 October 2009
These Directions remain in force:	Until revoked
This version issued on:	1 October 2009

### Re-registering an anonymous donor as an identifiable donor

1. Licensed centres must use form Bv2005/1 to re-register any person who:
  - (a) registered as a donor before 1 April 2005 and/or who donated gametes and/or embryos before that date; and
  - (b) now wishes to be registered as an identifiable donor so that information about him or her may be disclosed to any persons born as a result of the donation.
2. Licensed centres must use Donor Information form Dv2009 to record any additional updating information about a donor who now wishes to be re-registered as an identifiable donor. Licensed centres should ensure that the appropriate box in Part 1 is ticked to indicate that the form "Corrects or changes Details already registered". This form should be completed in addition to form Bv2005/1.

### Giving and receiving money or other benefits in respect of any supply gametes or embryos

3. Licensed centres may pay money to a donor as reimbursement for expenses, provided that such expenses:-
  - (a) are reasonable;
  - (b) have been incurred by the donor in connection with the donation of gametes provided to that centre; and
  - (c) have been incurred by the donor solely within the United Kingdom.
4. Licensed centres may pay money to a donor as compensation for loss of earnings (but not for other costs or inconveniences) provided that :-

- (a) such loss of earnings have been incurred by the donor in the course of donating gametes provided to the centre; and
- (b) such compensation is limited to a daily limit of £61.28 and an overall maximum of £250 for each course of sperm donation or each cycle of egg donation.
5. Licensed centres may reimburse expenses or provide compensation for lost earnings by means of provision of treatment services to the donor, as an alternative to the payment of money to that donor.
6. However, where treatment services are provided to a donor as an alternative to payment of money, such services should be provided to the donor in the course of the donation cycle unless there is a medical reason why they cannot be provided at that time; and
7. Where a licensed centre reimburses expenses or provides compensation for lost earnings (in the form of money or treatment services) to a donor, that centre must keep a record of:
- (a) the actual expenses or lost earnings incurred by the donor;
- (b) the value of the re-imbusement or compensation provided by the centre to the donor; and
- (c) the receipts produced by the donor, and/or the steps taken by the person responsible to satisfy himself that the expenses or lost earnings claimed by the donor have actually been incurred.
8. No licensed centre shall accept an individual as a donor who is known by that centre to have received or to be about to receive, or is reasonably suspected of receiving or being about to receive:
- (a) money or money's worth in excess of reasonable expenses incurred in connection with the donation or for loss of earnings; or
- (b) other benefits (including services) of a kind not permitted, received through the means of and/or with the assistance of any agency or other intermediary.
9. Where the person responsible is aware that a person wishes to be treated using gametes obtained from a donor sourced via an internet website, the person responsible should take reasonable steps to satisfy himself that the requirements of paragraph 8 have not been breached and shall keep a record of the steps taken for this purpose.
10. The records referred to in paragraphs 7 and 9 should be made available to the Centre's Inspector or provided directly to the Human Fertilisation and Embryology Authority, on request.

## Supply of gametes or embryos from one establishment to another

11. Licensed centres that supply gametes or embryos to other licensed centres may be given and may receive money or other benefits as reimbursement for the reasonable expenses incurred in the supply of the gametes or embryos.

## Definitions

12. The terms listed in these Directions are explained below:
  - i. "money's worth" means anything which could be sold for money, or used to obtain goods or services, but does not include services themselves.
  - ii. "course of sperm donation" means the period beginning at the first consultation and ending once the sample has been released for use in treatment.
  - iii. "cycle of egg donation" means the period from the first consultation until the donor's recuperation is complete.

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1 July 2009

Chair of the Compliance Committee in accordance with delegated powers granted by the Human Fertilisation and Embryology Authority on 17 December 2008.

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