

Your consent to your sperm and embryos created outside the body using your sperm being used in treatment (IVF and ICSI) or stored

About this form

This form is produced by the Human Fertilisation and Embryology Authority (HFEA), the UK's independent regulator of fertility treatment and human embryo research. For more information about the HFEA, visit www.hfea.gov.uk.

In this form, the terms '**your embryos**' or '**embryos**' means embryos which have been created outside the body using your sperm.

When an embryo is created outside the body using your sperm with eggs from your partner or an egg donor, then your partner or the egg donor must also give consent to the use or storage of the embryo.

Who should fill in this form?

Fill in this form if your partner is having fertility treatment using embryos created outside the body (in vitro) with your sperm. This may be in vitro fertilisation (IVF) or intra-cytoplasmic sperm injection (ICSI).

If you are unable to complete this form because of physical illness, injury or disability you may direct someone else to complete and sign it for you in your presence and at your direction.

Why do I have to fill in this form?

By law (the Human Fertilisation and Embryology Act 1990 (as amended)), you need to give your written consent if you want your sperm or embryos to be used (eg, for IVF or ICSI treatment) or stored for later use. If you are storing your sperm or embryos, you must state in writing how long you consent to them being stored.

You are also legally required to record what you would like to happen to your sperm or embryos if you were to die or lose the ability to decide for yourself (become mentally incapacitated). While this is perhaps not something you have considered, if you do not record your consent on this form, in the event that you die or become mentally incapacitated, your partner would not be able to use your sperm or embryos in their own treatment or in treatment with a surrogate. If you are unsure of anything in relation to this or need further information about treatment options in the event of your death or mental incapacity, please ask your clinic.

This form will record your consent to:

- ▶ Use of your sperm to create embryos for treatment;
- ▶ Storage of your sperm for treatment purposes;
- ▶ Storage and use of your embryos for treatment;
- ▶ Use and storage of your sperm and embryos for training purposes;
- ▶ Use and storage of your sperm or embryos in the event of your death or mental incapacity; and
- ▶ Being registered as the legal parent of a child born as a result of your partner's treatment, if treatment occurred after your death.

What do I need to know before filling in this form?

Before you fill in this form, you should be certain that your clinic has given you all the relevant information you need to make fully informed decisions. This includes:

- ▶ information about:
 - the different options set out in this form
 - the implications of giving your consent and what will happen if you do not renew your consent when prompted to by your clinic
 - the consequences of withdrawing this consent, and
 - how you can make changes to, or withdraw, your consent.
- ▶ a suitable opportunity to have proper counselling about the implications of treatment and storage.

If you are unsure, or think that you have not been given all of this information, please speak to your clinic. There is a declaration at the end of this form which you must sign to confirm you have received this information. **If you do not receive this information before filling in this form, your consent may be invalid.**

What other uses are there for my sperm or embryos during treatment?

During your treatment, you may have sperm or embryos that you do not want to use (for example, because the sperm or embryos are not needed, or are not suitable, for treatment). On this form, you can consent to your sperm or embryos

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HFEA centre reference

Patient number

being used and stored for potential use by designated healthcare professionals to practice the techniques involved in fertility treatment.

Giving your consent to your sperm or embryos being used and stored for training purposes means that sperm or embryos which are not used, or not suitable for use, in each fresh cycle of treatment can be either used immediately for training or stored for potential future use in training to allow designated healthcare professionals to learn about, and practice, the techniques involved in fertility treatment.

The decision to consent to your sperm or embryos being used for training purposes will not affect your treatment in any way.

What other uses are there for my sperm or embryos after treatment has finished?

After treatment, you may have stored sperm or embryos. If you no longer wish to keep your sperm or embryos for your own treatment, you can withdraw your consent to storage, and they will be disposed of. Your clinic will provide you with the necessary form.

Your other options when withdrawing your consent to use and storage for your own treatment include giving your consent to:

- ▶ the donation of unused sperm or embryos for use in someone else's treatment. Before doing this, there are lots of issues to consider, which your clinic should discuss with you. This would involve further screening tests, counselling and further consent.

- ▶ your unused sperm or embryos being used for research purposes, with the aim of helping to increase knowledge about diseases and serious illnesses and potentially develop new treatments. Research projects take place at HFEA licenced research facilities. Your clinic can give you more information about this.

- ▶ your stored unused sperm or embryos being used for training purposes to allow designated healthcare professionals to learn about, and practice, the techniques involved in fertility treatment.

Your clinic will provide you with further information regarding these options and it may be necessary to complete further consent forms.

When filling in this form, make sure you sign the declaration on every page to confirm that you have read the page and fully agree with the information provided and the consent that you are giving. When you have completed the form, you may request a copy of it from your clinic.

For clinic use only (optional)

HFEA centre reference

Patient number

1 About you

1.1 Your first name(s)

Place sticker here

1.2 Your surname

1.3 Your date of birth

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1.4 Your NHS/CHI/HCN/passport number (please select)

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2 About your partner

2.1 Your partner's first name(s)

Place sticker here

2.2 Your partner's surname

2.3 Your partner's date of birth

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2.4 Your partner's NHS/CHI/HCN/passport number (please select)

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3 Your treatment

3.1 Do you consent to your sperm being used to create embryos outside the body and the embryos being used for your partner's treatment (eg, through IVF or ICSI treatment)?

In order to create embryos for your partner's treatment you must provide your consent by ticking the 'yes' box below. You should be aware that the egg provider (your partner or egg donor) also has to give consent for embryos to be created.

Yes

No

Page declaration

Your signature

Date

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For clinic use only (optional)

Patient number

4 Storing sperm or embryos

Storage periods

If not used immediately in treatment, you may wish to store your sperm or embryos so they can be used for treatment in the future. To be stored, sperm or embryos are frozen. You should think about how far in the future you might want or be able to use stored sperm or embryos and the potential costs of storing – you should discuss this with your clinic.

You should be aware that embryos can only be stored if the egg provider (your partner or egg donor) has also given consent.

The law permits you to store sperm or embryos for use in your treatment for any period up to a maximum of 55 years from the date that the sperm or embryos are first placed in storage. However, you will need to renew your consent every 10 years.

You can give your consent to storage on this form. You will be contacted by your clinic regarding an additional period of storage or renewal of your consent to storage at the appropriate time.

Because your clinic needs to contact you about your consent to storage, you should always inform your clinic if your contact details change or if your circumstances change (eg, in the event of separation from your named partner). If your clinic is unable to contact you to obtain your consent, then your sperm or embryos will be removed from storage and disposed of when they can no longer be lawfully stored.

You should be aware that any arrangements you need to make regarding the practicalities of storage with your clinic or funding body are separate from this consent. For example, your clinic may only continue to store embryos for the period you have specified in this form if you, or your funding provider, continue to pay the storage fees.

Storage for the first time

4.1 Do you consent to your sperm being stored?

Yes No

If you have answered 'yes', indicate how long you consent to storage:

For 10 years, or

For a shorter period - specify the number of years (not exceeding 10 years):

4.2 Do you consent to your embryos being stored?

You should be aware that embryos can only be stored if the egg provider (your partner or egg donor) has also given consent.

Yes No

If you have answered 'yes', indicate how long you consent to storage:

For 10 years, or

For a shorter period - specify the number of years (not exceeding 10 years):

You can change your storage period or withdraw your consent to storage at any time by contacting your clinic.

The consent periods above will start from the date that your sperm or embryos are first placed in storage.

Continues on the next page >>

Page declaration

Your signature

Date

For clinic use only (optional)

Patient number

4 Storing sperm or embryos continued

Additional storage prior to renewal

Only complete this section if you have already:

- ▶ Given your initial consent to storage of your sperm or embryos for a period less than 10 years from the date that your sperm or embryos were first placed in storage, or
- ▶ If you have renewed your consent, but consented to a storage period of less than 10 years, and now wish to request an additional period of storage for up to another 10 years before a further renewal is required.

You will be required to formally renew your consent to storage (on a renewal of consent form) no later than every 10 years after your sperm or embryos were first placed in storage. Your clinic will contact you about this at the appropriate time. If your clinic is unable to contact you, then your sperm or embryos will be removed from storage and disposed of when they can no longer be lawfully stored

4.3 Do you wish to consent to an additional period of storage of your sperm?

Yes No

If you have answered 'yes', indicate how long you wish your additional period of storage to last. Any period you specify below will be in addition to your existing storage period. The total number of years of storage should not exceed 10 years from date of first storage or most recent renewal.

Specify the number of years:

4.4 Do you wish to consent to an additional period of storage of your embryos?

You should be aware that embryos can only be stored if the egg provider (your partner or egg donor) has also given consent.

Yes No

If you have answered 'yes', indicate how long you wish your additional period of storage to last. Any period you specify below will be in addition to your existing storage period. The total number of years of storage should not exceed 10 years from date of first storage or most recent renewal.

Specify the number of years:

You can change your storage period or withdraw your consent to storage at any time by contacting your clinic.

Page declaration

Your signature

Date

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For clinic use only (optional)

Patient number

5 Using sperm or embryos for training

During your treatment, you may have sperm or embryos that you do not want to use (for example, because the sperm or embryos are not needed, or are not suitable, for treatment). On this form, you can consent to your sperm or embryos being used and stored to allow designated healthcare staff to practice the techniques involved in fertility treatment.

Giving your consent to your sperm or embryos being used and stored for training purposes means that sperm or embryos which are not used, or not suitable for use, in each fresh cycle of treatment can be either used immediately for training or stored for potential future use in training.

The decision to consent to your sperm or embryos being used for training purposes will not affect your treatment in any way.

Sperm

5.1 Do you consent to your unused sperm being used for training purposes?

Yes No

If you give your consent to storing your sperm for training purposes, your clinic may store your sperm for these purposes for up to **55 years** from the date that your sperm is first placed in storage.

5.2 If you consent to your sperm being used for training purposes, how long do you consent to storage?

For 55 years, or

For a shorter period - specify the number of years (not exceeding 55 years):

Embryos

5.3 Do you consent to your unused embryos being used for training purposes?

You should be aware that embryos can only be used if the egg provider (your partner or egg donor) has also given consent.

Yes No

If you give your consent to storing your embryos for training purposes, your clinic may store your embryos for these purposes for maximum of **10 years** from the date that you give consent on this form. This period cannot be extended.

5.4 If you consent to your embryos being used for training purposes, how long do you consent to storage?

For 10 years, or

For a shorter period - specify the number of years (not exceeding 10 years):

Page declaration

Your signature

Date

For clinic use only (optional)

Patient number

6 In the event of your death

As part of your consent, you also need to decide what you would like to happen to your sperm or embryos if you die.

In the event of your death, if you would like your partner to be able to use your sperm or embryos in their own treatment or in treatment with a surrogate, your partner must be named in section 2 of this form.

If a surrogacy arrangement would be required, you will need to receive relevant information, be offered counselling, undergo further screening tests and complete additional consent forms before you die. It is therefore vitally important that you and your clinic discuss posthumous use and the different treatment options in those circumstances. Please ask your clinic if they have not already discussed this with you.

The person named at section 2 of this form will be the only person able to use your stored sperm or embryos for treatment after your death. If you do not name a person at section 2 of this form, then no one will be permitted to use your sperm or embryos for treatment after your death.

If your circumstances change after you have completed this form (for example, if you separate from the partner you have named on this form), or if you wish to withdraw your consent, you will need to contact your clinic to complete further forms.

Treatment in the event of your death

If you consent to your sperm or embryos being used **for treatment** after your death, the law permits your sperm or embryos to be stored for your named partner's **use** for 10 years from the date of your death. You must consent to both use and storage of your sperm or embryos continuing after death. This storage period cannot be extended.

If your named partner does not use your sperm within this 10 year period, then 10 years after your death, your clinic will be required to remove all your sperm from storage and dispose of them.

If your named partner does not use your embryos, whether created before or after your death, within this 10 year period, then 10 years and six months after your death, your clinic will be required to remove all your embryos from storage and dispose of them.

Your embryos can only be used and stored during this 10 year period if there is also effective consent for use and storage from the egg provider (your partner or egg donor).

6.1 In the event of your death do you consent to your sperm being used to create embryos outside the body and those embryos being used and stored for your partner's treatment?

You should be aware that the egg provider (your partner or egg donor) also has to give consent for embryos to be created.

If treatment would involve a surrogate, then additional consent forms and screening tests **must** have been completed before you die to allow treatment to take place. It is important to speak to your clinic about this.

Yes

No

If you have answered 'yes', indicate how long you consent to storage of your sperm after your death:

For 10 years from the date of your death, or

For a shorter period - specify the number of years (not exceeding 10 years after your death):

Continues on the next page >>

Page declaration

Your signature

Date

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For clinic use only (optional)

Patient number

MT Page 7 of 14
Version 8, 1 July 2022

6 In the event of your death continued

6.2 In the event of your death do you consent to your embryos being used and stored for your partner's treatment?

You should be aware that embryos can only be used if the egg provider (your partner or egg donor) has also given consent.

If treatment would involve a surrogate, then additional consent forms and screening tests **must** have been completed before you die to allow treatment to take place. It is important to speak to your clinic about this.

Yes No

If you have answered 'yes', indicate how long you consent to storage of your embryos after your death:

For 10 years from the date of your death, or

For a shorter period - specify the number of years (not exceeding 10 years after your death):

Use of your sperm or embryos for training purposes in the event of your death

In the event of your death, you may have sperm or embryos that your named partner does not want to use (for example, because the sperm or embryos are not needed, or are not suitable, for treatment). On this form, you can consent to your sperm or embryos being used or stored after your death for potential use by designated healthcare professionals to practice the techniques involved in fertility treatment.

6.3 In the event of your death, do you consent to your unused sperm being used and stored for training purposes?

Yes No

If you have answered 'yes', indicate how long you consent to storage of your sperm for training purposes after your death:

For 55 years from the date of first storage, or

For a shorter period - specify the number of years (not exceeding 55 years from date of first storage):

6.4 In the event of your death, do you consent to your unused embryos that were being stored for treatment purposes being used and stored for training purposes?

You should be aware that embryos can only be used or stored for training purposes if the egg provider (your partner or egg donor) has also given consent.

Yes No

If you have answered 'yes', indicate how long you consent to storage of your embryos for training purposes after your death:

For 10 years from the date you sign this form, or

For a shorter period - specify the number of years (not exceeding 10 years from the date you sign this form):

Page declaration

Your signature

Date

For clinic use only (optional)

Patient number

7 In the event of your mental incapacity

As part of your consent, you also need to decide what you would like to happen to your sperm or embryos if you lose the ability to decide for yourself (become mentally incapacitated).

In the event that you lose mental capacity, if you would like your partner to be able to use your sperm or embryos in their own treatment or treatment with a surrogate, your partner must be named in section 2 of this form. If a surrogacy arrangement would be required, you will need to receive relevant information, be offered counselling, undergo further screening tests and complete additional consent forms whilst you have capacity. It is therefore vitally important that you and your clinic discuss your wishes in the event of your mental incapacity and the different treatment options in those circumstances. Please ask your clinic if they have not already discussed this with you.

The person named at section 2 of this form will be the only person able to use your stored sperm or embryos in treatment if you lose mental capacity. If you do not name a person at section 2 of this form, then no one will be permitted to use your sperm or embryos for treatment purposes if you lose mental capacity.

If your circumstances change after you have completed this form (for example, if you separate from the partner you have named on this form), or if you wish to withdraw your consent, you will need to contact your clinic to complete further forms.

Treatment in the event of your mental incapacity

If you consent to your sperm or embryos being used for **treatment** in the event that you lose mental capacity, the law permits your sperm or embryos to be stored for your named partner's **use** for 10 years from the date that a medical practitioner certifies in writing that you lack capacity. You must consent to both use and storage of your sperm or embryos continuing after you lose capacity. This storage period cannot be extended.

- ▶ If you **do not** regain mental capacity within 10 years of being certified as lacking capacity:
 - If your named partner does not use your sperm within this 10 year period, then 10 years from the date that you were certified as lacking capacity, your clinic will be required to remove all your sperm from storage and dispose of them.
 - If your named partner does not use your embryos, whether created before or after you lose capacity, within this 10 year period, then 10 years and 6 months after the date that you were certified as lacking capacity, your clinic will be required to remove all your embryos from storage and dispose of them.
 - Your embryos can only be used and stored during this 10 year period if there is also effective consent for use and storage from the egg provider (your partner or egg donor).
- ▶ If you **do** regain mental capacity within 10 years of being certified as lacking capacity:
 - **you will be able to renew** your consent to storage of your sperm or embryos for your treatment. You will need to notify your clinic as soon as possible if you are certified as having regained mental capacity and wish to renew your consent to storage of your unused sperm or embryos.
 - If you **do not** notify your clinic, then it will be required to remove all your unused sperm from storage 10 years, or in the case of embryos 10 years and 6 months, from the date that a medical practitioner certified in writing that you lack capacity and dispose of them.
 - You will not be able to renew your consent to storage of your embryos if, before you were certified as having regained mental capacity, there is no longer effective consent by the egg provider (your partner or egg donor), and your embryos have been disposed of.

Continues on the next page >>

Page declaration

Your signature

Date

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For clinic use only (optional)

Patient number

MT Page 9 of 14
Version 8, 1 July 2022

7 In the event of your mental incapacity

7.1 In the event of your mental incapacity, do you consent to your sperm being used to create embryos outside the body and those embryos being stored for your partner's treatment?

You should be aware that the egg provider (your partner or egg donor) also has to give consent for embryos to be created.

If treatment would involve a surrogate, then additional consent forms and additional screening tests **must** have been completed before you lose capacity to allow treatment to take place.

Yes No

If you have answered 'yes', indicate how long you consent to storage of your sperm after you lose capacity:

For 10 years from the date of being certified as lacking capacity, or

For a shorter period - specify the number of years (not exceeding 10 years from date loss of capacity was certified):

7.2 In the event of your mental incapacity, do you consent to your embryos being used for your partner's treatment?

You should be aware that embryos can only be used if the egg provider (your partner or egg donor) has also given consent.

If treatment would involve a surrogate, then additional consent forms and screening tests **must** have been completed before you lose capacity to allow treatment to take place.

Yes No

If you have answered 'yes', indicate how long you consent to storage of your embryos after you lose capacity:

For 10 years from the date of being certified as lacking capacity, or

For a shorter period - specify the number of years (not exceeding 10 years from date loss of capacity was certified):

Continues on the next page >>

Page declaration

Your signature

Date

For clinic use only (optional)

Patient number

7 In the event of your mental incapacity continued

Use of your sperm or embryos for training purposes in the event of your mental incapacity

In the event of you losing capacity, you may have sperm or embryos that your named partner does not want to use (for example, because the sperm or embryos are not needed, or are not suitable, for treatment). On this form, you can consent to your sperm or embryos being used or stored after your loss of capacity for potential use by designated healthcare professionals to practice the techniques involved in fertility treatment.

7.3 In the event of your mental incapacity, do you consent to your unused sperm being used and stored for training purposes?

Yes No

If you have answered 'yes', indicate how long you consent to storage of your sperm for training purposes after you lose capacity:

- For 55 years from the date of first storage, or
- For a shorter period - specify the number of years (not exceeding 55 years from date of first storage):

7.4 In the event of your mental incapacity, do you consent to your unused embryos being used and stored for training purposes?

You should be aware that embryos can only be used or stored for training purposes if the egg provider (your partner or egg donor) has also given consent.

Yes No

If you have answered 'yes', indicate how long you consent to storage of your embryos for training purposes after you lose capacity:

- For 10 years from the date you sign this form, or
- For a shorter period - specify the number of years (not exceeding 10 years from the date you sign this form):

Other uses for your sperm or embryos if you die or become mentally incapacitated

If you wish your sperm or embryos to be used in the treatment of someone else (including your partner's treatment with a surrogate) if you die or become mentally incapacitated, please speak to your clinic for more information.

Depending on your circumstances, you will need to undergo additional screening, receive relevant information, be offered counselling and complete one or more of the following consent forms:

- ▶ 'Your consent to donating your sperm' (MD form)
- ▶ 'Your consent to donating embryos' (ED form)
- ▶ 'Your consent to the use and storage of sperm or embryos for surrogacy' (MSG form)

Page declaration

Your signature

Date

For clinic use only (optional)

Patient number

8 Registration as legal parent after death

Complete section eight if you consented to your sperm, or embryos created outside the body with your sperm, being used in your partner's treatment after your death. If you have given your consent to your sperm or embryos (to be created outside the body with your sperm) being used after your death, you may also wish to consent to being registered as the legal parent of any child that is born as a result of your partner's treatment.

8.1 Do you consent to being registered as the legal parent of any child born as a result of your partner's treatment with your sperm or embryos after your death?

By ticking yes, you consent to the following:

- ▶ I consent to my name, place of birth and occupation being entered on the register of births as the legal parent of any child born from my partner's treatment using my sperm or embryos.

This register is kept under the Births and Deaths Registration Act 1953, or the Births and Deaths Registration (Northern Ireland) Order 1976, or the Registration of Births, Deaths and Marriages (Scotland) Act 1965.

- ▶ I also consent to information about my or my partner's treatment being disclosed to my partner and one of the following registrars:
 - the Registrar General for England and Wales
 - the Registrar General for Scotland
 - the Registrar for Northern Ireland.

You should be aware that being recorded in the register of births as the legal parent of a child born from your partner's treatment using your sperm or embryos does not transfer any inheritance or other legal rights to the child.

Yes

No

Page declaration

Your signature

Date

For clinic use only (optional)

Patient number

Please sign and date the declaration

Your declaration

- ▶ I declare that I am the person named in section one of this form.
- ▶ I declare that:
 - before I completed this form, I was given information about the different options set out in this form, and I was given an opportunity to have counselling.
 - the implications of giving my consent, and the consequences of withdrawing this consent, have been fully explained to me.
 - I understand that I can make changes to, or withdraw, my consent to the use and storage of my sperm for the purposes I have indicated above at any point until the time that my sperm has been used for treatment or training, or my sperm has been disposed of.
 - I understand that I can make changes to, or withdraw, my consent to the use and storage of my embryos for the purposes I have indicated above at any point before embryo transfer, use of embryos in training, or my embryos have been disposed of.
 - I understand that before the end of the consent period that I have indicated at section 4 above, I will be contacted by my clinic regarding additional consent to storage or renewal of my consent to storage, if applicable.
 - I understand that if I do not request an additional period of storage or renew my consent, my consent will be taken as withdrawn and my sperm or embryos will be removed from storage and disposed of.
- ▶ I understand that I must notify my clinic if my contact details or personal circumstances change. I understand it is my responsibility to keep contact details up to date.
- ▶ I declare that the information I have given on this form is correct and complete.
- ▶ I consent to the clinic (or any subsequent HFEA-licensed clinic that may become involved in my treatment, donation or storage, or a data controller in line with the Data Protection Act 2018 and UK General Data Protection Regulation) using the information on this form in the process of providing licensed activities (in accordance with the provisions of the Human Fertilisation and Embryology Act 1990, (as amended)), or for record storage and archiving purposes.

Your signature

Date

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If signing at the direction of the person consenting

If you have completed this form at the direction of the person consenting (because they are unable to sign for themselves due to physical illness, injury or disability), you must sign and date below. There must also be a witness confirming that the person consenting is present when you sign the form.

However, if the person is consenting to being registered as the legal parent after death (that is if they ticked yes to question 8.1), they **must** sign the form for themselves.

Representative's declaration

I declare that the person named in section one of this form is present at the time of signing this form and I am signing it in accordance with their direction.

Representative's name**Representative's signature****Relationship to the person consenting****Date****Witness' name****Witness' signature****Date**