



STATUTORY INSTRUMENTS.

S.I. No. 544 of 2019



CHILDREN AND FAMILY RELATIONSHIPS ACT 2015 (CONSENT TO
USE DECLARATION) REGULATIONS 2019

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CHILDREN AND FAMILY RELATIONSHIPS ACT 2015 (CONSENT TO
USE DECLARATION) REGULATIONS 2019

I, SIMON HARRIS, Minister for Health, in exercise of the powers conferred on me by section 41 of the Children and Family Relationships Act 2015 (No. 9 of 2015), hereby make the following regulations:

1. (1) These Regulations may be cited as the Children and Family Relationships Act 2015 (Consent to Use Declaration) Regulations 2019.

(2) These Regulations shall come into operation on the 5th day of May 2020.

2. In these Regulations, “Act of 2015” means the Children and Family Relationships Act 2015 (No. 9 of 2015).

3. The following forms of declaration are prescribed for the purposes of section 41 of the Act of 2015:

- (a) in the case of a declaration under section 6(1)(c) of the Act of 2015, the form of declaration set out in Schedule 1;
- (b) in the case of a declaration under section 14(5)(b) of the Act of 2015, the form of declaration set out in Schedule 2;
- (c) in the case of a declaration under section 16(5)(b) of the Act of 2015, the form of declaration set out in Schedule 3.

SCHEDULE 1

Children and Family Relationships Act 2015

Declaration to be completed under section 6(1)(c) of the Act of 2015

THIS DECLARATION IS TO BE MADE BEFORE THE DONATION IS MADE.

Please complete this form in BLOCK CAPITALS.

I, _____, hereby declare:

1. that I received the information referred to in section 7 of the Act of 2015;
2. (a) that I consent to the use in a DAHR procedure of the gamete provided by me;

OR

(b) that my consent is restricted to the use of the gamete provided by me in a DAHR procedure performed on the request of -

- (i) the intending mother, specified as _____, where the DAHR procedure concerned is one to which section 25(3)(b)(i) of the Act of 2015 applies,

or

- (ii) the intending parents, specified as _____ (intending mother) and _____ (spouse/civil partner/cohabitant *(delete as appropriate)* of the intending mother), where the DAHR procedure concerned is one to which section 25(3)(b)(ii) of the Act of 2015 applies;

3. that, in the event that the gamete is used in a procedure referred to in paragraph 2, I consent to the provision to the Minister of the following information referred to in section 28(3)(a) of the Act of 2015, namely:
 - (a) my name;
 - (b) my date and place of birth;
 - (c) my nationality;
 - (d) the date on which, and the place at which, I provided the gamete;
 - (e) my contact details;
4. that I am aware that I shall not be the parent of any child born as a result of a procedure referred to in paragraph 2;
5. that, in the event that a child is born as a result of a procedure referred to in paragraph 2, I -
 - (a) consent to the recording on the National Donor-Conceived Person Register of the information referred to in paragraph 3, specified in section 33(3)(d) of the Act of 2015, in respect of me,

and
 - (b) understand that the child may, in accordance with section 35 of the Act of 2015, access the information referred to in paragraph 3 and seek to contact me.

Name: _____

Signature: _____

Date: _____

Signed in the presence of a person authorised in that behalf by the operator of the donation facility where the gamete is provided

[facility name]: _____

Print name: _____

Signature: _____

Date: _____

SCHEDULE 2

Children and Family Relationships Act 2015

PART 1

**Declaration to be completed under section 14 (5)(b) of the Act of 2015
(where neither man nor woman is an intending parent)**

Form A

**THIS DECLARATION IS TO BE MADE BEFORE THE DONATION IS
MADE.**

Please complete this form in BLOCK CAPITALS.

I, _____, hereby declare:

1. that I received the information referred to in section 15 of the
Act of 2015;

2. (a) that I consent to the use of the embryo in a DAHR procedure;



OR

(b) that my consent is restricted to the use of the embryo in a DAHR
procedure performed on the request of -

(i) the intending mother (not being the woman making this
Declaration), specified as _____, where the DAHR

procedure concerned is one to which section 25(3)(b)(i) of the Act

of 2015 applies,



or

(ii) the intending parents, specified as _____ (intending mother – not being the woman making this Declaration) and _____ (spouse/civil partner/cohabitant (*delete as appropriate*) of the intending mother), where the DAHR procedure concerned is one to which section 25(3)(b)(ii) of the Act of 2015 applies;



3. that I am aware that I shall not be the parent of any child born as a result of the DAHR procedure;
4. that, in the event that the embryo is used in a DAHR procedure, I consent to the provision to the Minister of the following information referred to in section 28(3)(a) of the Act of 2015, namely:
 - (a) my name;
 - (b) my date and place of birth;
 - (c) my nationality;
 - (d) the date on which, and the place at which, I provided the gamete;
 - (e) my contact details;
5. that, in the event that a child is born as a result of a DAHR procedure, I -
 - (a) consent to the recording on the National Donor-Conceived Person Register of the information referred to in paragraph 4, specified in section 33(3)(d) of the Act of 2015 in respect of me,

and
 - (b) understand that the child may, in accordance with section 35 of the Act of 2015, access the information referred to in paragraph 4 and seek to contact me.

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Name: _____

Signature: _____

Date: _____

In the presence of a person authorised in that behalf by the operator of a DAHR
facility [*facility name*]: _____

Print name: _____

Signature: _____

Date: _____

SCHEDULE 2

Part 1

Form B

THIS DECLARATION IS TO BE MADE BEFORE THE DONATION IS MADE.

Please complete this form in BLOCK CAPITALS.

I, _____, hereby declare:

1. that I received the information referred to in section 15 of the Act of 2015;
2. (a) that I consent to the use of the embryo in a DAHR procedure;

OR

- (b) that my consent is restricted to the use of the embryo in a DAHR procedure performed on the request of -

- (i) the intending mother (not being the woman making this Declaration), specified as _____, where the DAHR procedure concerned is one to which section 25(3)(b)(i) of the Act of 2015 applies,

or

- (ii) the intending parents, specified as _____ (intending mother – not being the woman making this Declaration) and _____ (spouse/civil partner/cohabitant (*delete as appropriate*) of the intending mother), where the DAHR procedure

concerned is one to which section 25(3)(b)(ii) of the Act of 2015

applies;



3. that I am aware that I shall not be the parent of any child born as a result of the DAHR procedure;
4. that, in the event that the embryo is used in a DAHR procedure, I consent to the provision to the Minister of the following information referred to in section 28(3)(a) of the Act of 2015, namely:
 - (a) my name;
 - (b) my date and place of birth;
 - (c) my nationality;
 - (d) the date on which, and the place at which, I provided the gamete;
 - (e) my contact details;
5. that, in the event that a child is born as a result of a DAHR procedure, I -
 - (a) consent to the recording on the National Donor-Conceived Person Register of the information referred to in paragraph 4, specified in section 33(3)(d) of the Act of 2015, in respect of me,

and
 - (b) understand that the child may, in accordance with section 35 of the Act of 2015, access the information referred to in paragraph 4 and seek to contact me.

Name: _____

Signature: _____

Date: _____

In the presence of a person authorised in that behalf by the operator of a DAHR facility [*facility name*]: _____

Print name: _____

Signature: _____

Date: _____

PART 2

**Declaration to be completed under section 14(5)(b) of the Act of 2015
(where woman is an intending mother but man is not an intending parent)**

**THIS DECLARATION IS TO BE MADE BEFORE THE DONATION IS
MADE.**

Please complete this form in BLOCK CAPITALS.

I, _____, hereby declare:

1. that I received the information referred to in section 15 of
the Act of 2015;

2. (a) that I consent to the use of the embryo in a DAHR procedure;



OR

(b) that my consent is restricted to the use of the embryo in a DAHR
procedure performed on the request of -

(i) the intending mother, specified as _____, where the
DAHR procedure concerned is one to which section 25(3)(b)(i) of
the Act of 2015 applies,



or

(ii) the intending parents, specified as _____ (intending
mother) and _____ (spouse/civil
partner/cohabitant (*delete as appropriate*) (not being a person
making this Declaration) of the intending mother), where the
DAHR procedure concerned is one to which section 25(3)(b)(ii) of
the Act of 2015 applies;



3. that I am aware that I shall not be the parent of any child born as a result of the DAHR procedure;
4. that, in the event that the embryo is used in a DAHR procedure, I consent to the provision to the Minister of the following information referred to in section 28(3)(a) of the Act of 2015, namely:
 - (a) my name;
 - (b) my date and place of birth;
 - (c) my nationality;
 - (d) the date on which, and the place at which, I provided the gamete;
 - (e) my contact details;
5. that, in the event that a child is born as a result of a DAHR procedure, I -
 - (a) consent to the recording on the National Donor-Conceived Person Register of the information referred to in paragraph 4, specified in section 33(3)(d) of the Act of 2015 in respect of me,

and
 - (b) understand that the child may, in accordance with section 35 of the Act of 2015, access the information referred to in paragraph 4 and seek to contact me.

Name: _____

Signature: _____

Date: _____

In the presence of a person authorised in that behalf by the operator of a DAHR facility [*facility name*]: _____

Print name: _____

Signature: _____

Date: _____

SCHEDULE 3

Children and Family Relationships Act 2015

PART 1

Declaration to be made under section 16(5)(b) of the Act of 2015 in a case where subsection (2) applies (both persons consenting to use of the embryo in further DAHR procedure where neither are intending parents)

Form A

THIS DECLARATION IS TO BE MADE BEFORE THE DONATION IS MADE.

Please complete this form in BLOCK CAPITALS.

I, _____, hereby declare:

1. that I received the information referred to in section 17 of the Act of 2015;
2. (a) that I consent to the use of the embryo in a further DAHR procedure;




OR

- (b) that my consent is restricted to the use of the embryo in a further DAHR procedure performed on the request of -
 - (i) the intending mother (not being a woman who is making this Declaration), specified as _____, where the further DAHR procedure concerned is one to which section 25(3)(b)(i) of the Act of 2015 applies,



or

(ii) the intending parents, specified as _____ (intending mother - not being a woman who is making this Declaration) and _____ (spouse/civil partner/cohabitant (*delete as appropriate*) of the intending mother), where the further DAHR procedure concerned is one to which section 25(3)(b)(ii) of the Act of 2015 applies; 

3. that I am aware that I shall not be the parent of any child born as a result of a further DAHR procedure;

4. where the embryo was formed from a gamete provided by me -

(a) that, in the event that the embryo is used in a further DAHR procedure, I consent to the provision to the Minister of the following information referred to in section 28(3)(a) of the Act of 2015, namely:

- (i) my name;
- (ii) my date and place of birth;
- (iii) my nationality;
- (iv) the date on which, and the place at which, I provided the gamete;
- (v) my contact details,

and

(b) that, in the event that a child is born as a result of a further DAHR procedure, I -

- (i) consent to the recording in the National Donor-Conceived Person Register of the information referred to in subparagraph (a), specified in section 33(3)(d) of the Act of 2015 in respect of me,

and

- (ii) understand that the child may, in accordance with section 35 of the Act of 2015, access the information referred to in subparagraph (a) and seek to contact me.

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Name: _____

Signature: _____

Date: _____

In the presence of a person authorised in that behalf by the operator of a DAHR
facility [*facility name*]: _____

Print name: _____

Signature: _____

Date: _____

SCHEDULE 3

PART 1

Form B

THIS DECLARATION IS TO BE MADE BEFORE THE DONATION IS MADE.

Please complete this form in BLOCK CAPITALS.

I, _____, hereby declare:

1. that I received the information referred to in section 17 of the Act of 2015;
2. (a) that I consent to the use of the embryo in a further DAHR procedure;



OR

- (b) that my consent is restricted to the use of the embryo in a further DAHR procedure performed on the request of -

- (i) the intending mother (not being a person who is making this Declaration) specified as _____, where the further DAHR procedure concerned is one to which section 25(3)(b)(i) of the Act of 2015 applies,



or

- (ii) the intending parents specified as _____, (intending mother – not being a person who is making this Declaration) and _____ (spouse/civil partner/cohabitant (*delete as appropriate*) of the intending mother), where the further DAHR

procedure concerned is one to which section 25(3)(b)(ii) of the Act

of 2015 applies;



3. that I am aware that I shall not be the parent of any child born as a result of a further DAHR procedure;
4. where the embryo was formed from a gamete provided by me -
 - (a) that, in the event that the embryo is used in a further DAHR procedure, I consent to the provision to the Minister of the following information referred to in section 28(3)(a) of the Act of 2015, namely:
 - (i) my name;
 - (ii) my date and place of birth;
 - (iii) my nationality;
 - (iv) the date on which, and the place at which, I provided the gamete;
 - (v) my contact details, and
 - (b) that, in the event that a child is born as a result of a further DAHR procedure, I -
 - (i) consent to the recording in the National Donor-Conceived Person Register of the information referred to in subparagraph (a), specified in section 33(3)(d) of the Act of 2015 in respect of me,

and
 - (ii) understand that the child may, in accordance with section 35 of the Act of 2015, access the information referred to in subparagraph (a) and seek to contact me.

Name: _____

Signature: _____

Date: _____

In the presence of a person authorised in that behalf by the operator of a DAHR facility [*facility name*]: _____

Print name: _____

Signature: _____

Date: _____

PART 2

Declaration to be made under section 16(5)(b) of the Act of 2015 in a case where subsection (4) applies (intending parent, not being intending mother, consenting to use of the embryo in further DAHR procedure)

THIS DECLARATION IS TO BE MADE BEFORE THE DONATION IS MADE.

Please complete this form in BLOCK CAPITALS.

I, _____, hereby declare:

1. that I received the information referred to in section 17 of the Act of 2015;
2. (a) that I consent to the use of the embryo in a further DAHR procedure;

OR

(b) that my consent is restricted to the use of the embryo in a further DAHR procedure performed on the request of -

- (i) the intending mother, specified as _____, where the further DAHR procedure concerned is one to which section 25(3)(b)(i) of the Act of 2015 applies,

or

(ii) the intending parents, specified as _____ (intending mother) and _____ (spouse/civil partner/cohabitant (*delete as appropriate*) (not being a person making this Declaration) of the intending mother), where the further DAHR procedure concerned is one to which section 25(3)(b)(ii) of the Act of 2015 applies;

3. that I am aware that I shall not be the parent of any child born as a result of a further DAHR procedure;

4. where the embryo was formed from a gamete provided by me -

(a) that, in the event that the embryo is used in a further DAHR procedure, I consent to the provision to the Minister of the following information referred to in section 28(3)(a) of the Act of 2015, namely:

- (i) my name;
- (ii) my date and place of birth;
- (iii) my nationality;
- (iv) the date on which, and the place at which, I provided the gamete;
- (v) my contact details, and

(b) that, in the event that a child is born as a result of a further DAHR procedure, I -

(i) consent to the recording in the National Donor-Conceived Person Register of the information referred to in subparagraph (a), specified in section 33(3)(d) of the Act of 2015 in respect of me and

(ii) understand that the child may, in accordance with section 35 of the Act of 2015, access the information referred to in subparagraph (a) and seek to contact me.

Name: _____

Signature: _____

Date: _____

In the presence of a person authorised in that behalf by the operator of a DAHR facility [*facility name*]: _____

Print name: _____

Signature: _____

Date: _____

PART 3

Declaration to be made under section 16(5)(b) of the Act of 2015 in a case where subsection (1)(b)(ii) applies (intending mother consenting to use of the embryo in further DAHR procedure other than in respect of a DAHR procedure in which she is the intending mother)

THIS DECLARATION IS TO BE MADE BEFORE THE DONATION IS MADE.

Please complete this form in BLOCK CAPITALS.

I, _____, hereby declare:

1. that I received the information referred to in section 17 of the Act of 2015;
2. (a) that I consent to the use of the embryo in a further DAHR procedure;




OR

(b) that my consent is restricted to the use of the embryo in a further DAHR procedure performed on the request of -

- (i) the intending mother (not being a person making this Declaration), specified as _____, where the further DAHR procedure concerned is one to which section 25(3)(b)(i) of the Act of 2015 applies,



or

(ii) the intending parents specified as _____ (intending mother - not being a person making this Declaration) and _____ (spouse/civil partner/cohabitant (*delete as appropriate*) of the intending mother), where the further DAHR procedure concerned is one to which section 25(3)(b)(ii) of the Act of 2015 applies; 

3. that I am aware that I shall not be the parent of any child born as a result of a further DAHR procedure;

4. where the embryo was formed from a gamete provided by me -

(a) that, in the event that the embryo is used in a further DAHR procedure, I consent to the provision to the Minister of the following information referred to in section 28(3)(a) of the Act of 2015, namely:

- (i) my name;
- (ii) my date and place of birth;
- (iii) my nationality;
- (iv) the date on which, and the place at which, I provided the gamete;
- (v) my contact details, and

(b) that, in the event that a child is born as a result of a further DAHR procedure, I -

(i) consent to the recording in the National Donor-Conceived Person Register of the information referred to in subparagraph (a), specified in section 33(3)(d) of the Act of 2015 in respect of me,

and

(ii) understand that the child may, in accordance with section 35 of the Act of 2015, access the information referred to in subparagraph (a) and seek to contact me.

Name: _____

Signature: _____

Date: _____

In the presence of a person authorised in that behalf by the operator of a DAHR facility [*facility name*]: _____

Print name: _____

Signature: _____

Date: _____



GIVEN under my Official Seal,
4 November, 2019.

SIMON HARRIS,
Minister for Health.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation.)

These Regulations may be cited as the Children and Family Relationships Act 2015 (Consent to Use Declaration) Regulations 2019.

These Regulations provide for prescribed forms to be used, under Sections 6 (1)(c), 14 (5)(b), and 16(5)(b) of the Children and Family Relationships Act 2015, as appropriate, for the purpose of signing a declaration, before a donation is made, that consents to the use of a donated gamete or embryo in a donor assisted human reproduction procedure.

These Regulations come into operation on 5 May 2020.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
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