

Surrogacy Update

Surrogacy Update (January 2016)

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Barristers

Andrew Powell

Andrew Powell reviews recent developments in Surrogacy Law.

Since the last update, there have been a number of cases in respect of parental order applications where we have once again seen applicants inviting the court to adopt a purposive approach to interpreting section 54 of the Human Embryology and Fertilisation Act 2008 following the landmark decision of *Re X (A Child) (Surrogacy: Time limit)* [2014] EWHC 3135 (Fam). As two of these cases demonstrate, there is a limit to how far the family court is willing to construe s54 without usurping parliamentary sovereignty.

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