L.N. 343 of 2020

EMBRYO PROTECTION ACT
(CAP. 524)
Embryo Protection Authority (Amendment) Regulations, 2020

IN EXERCISE of the powers conferred by article 23 of the Embryo Protection Act, the Minister responsible for health, with the concurrence of the Minister responsible for justice, have made the following regulations:

Title.

S.L. 524.01.

1. The title of these regulations is the Embryo Protection Authority (Amendment) Regulations, 2020 and these regulations shall be read and construed as one with the Embryo Protection Authority Regulations, hereinafter referred to as "the principal regulations".

Amends regulation 2 of the principal regulations.

2. In regulation 2, immediately after the definition "Authority", there shall be added the following new definitions:

" "Chairman" means the Chairman appointed in accordance with article 3 of the Act;

"Chief Executive Officer" means the Chief Executive Officer appointed in accordance with regulation 6;".

Amends regulation 3 of the principal regulations.

3. Regulation 3 of the principal regulations, shall be amended as follows:

(a) sub-regulation (2) thereof, shall be substituted by the following:

"(2) The legal representation of the Authority shall jointly vest in the Chairman and the Chief Executive Officer;

Provided that, the Authority may appoint any one or more of its members, or of the officers or employees of the Authority, to appear in the name and on behalf of the Authority in any judicial proceedings and on any act, contract, instrument or other document whatsoever.";

(b) in sub-regulation (3) thereof, the words "Deputy Chairman", shall be substituted by the words "Chief Executive Officer".

4. In regulation 4 of the principal regulations, immediately after sub-regulation (4) thereof, there shall be added the following new sub-regulations: Amends regulation 4 of the principal regulations.

"(5) A member of the Authority who is in any way directly or indirectly, interested in a decision made, or proposed to be made by the Authority shall, as soon as possible, disclose the nature of his interest at the first meeting of the Authority, after the relevant facts have come to his knowledge.

(6) Any disclosure made under sub-regulation (5), shall be recorded in the minutes of the meeting at which it is made, and the member making any such disclosure shall:

(a) after said disclosure, withdraw from the meeting during which that decision is proposed to be made; and

(b) if the decision has been made, be disregarded for the purpose of constituting a quorum for that decision;

(7) Minutes of the proceedings of the Authority and of any committee thereof shall be kept. For this purpose and for the keeping of the relevant records, the Minister shall designate a person to act as secretary of the Authority for such period and on such terms, as the Minister may deem appropriate. The secretary of the Authority shall not have a vote.

(8) In the exercise of its functions under the Act, the Authority may consult with such professionals, or such other persons having relevant knowledge and experience in the field of infertility services, as it may deem appropriate. For such purpose, the Authority may invite such professionals or other persons to attend meetings of the Authority and to provide such information and documentation, as it may deem appropriate.

(9) The members of the Authority, the secretary of the Authority and any person involved in the proceedings of the Authority, shall be bound by confidentiality and shall not disclose to any third party any information which may come to their knowledge during the proceedings.

(10) The Authority shall keep a precise and correct record of all its proceedings and the Authority shall give to the Minister such information as he may require.

(11) The Authority shall lay on the table of the House the annual report of the work of the Authority, by not later than four months after the end of each financial year."

Amends regulation 6 of the principal regulations.

5. In regulation 6 of the principal regulations, the word "Director", wherever it occurs, shall be substituted by the words "Chief Executive Officer".

Amends regulation 8 of the principal regulations.

6. Sub-regulation (7) of regulation 8 of the principal regulations, shall be amended as follows:

(a) paragraph (d) thereof, shall be deleted; and

(b) paragraph (e) thereof, shall be renumbered as paragraph (d).

Amends regulation 16 of the principal regulations.

7. Regulation 16 of the principal regulations, shall be amended as follows:

(a) in sub-regulation (2) thereof, immediately after the words "shall be made by", there shall be added the words "the Chief Executive Officer or";

(b) in sub-regulation (3) thereof, immediately after the words "shall be signed by", there shall be added the words "the Chief Executive Officer or".

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