

Version No. 001
Infertility Treatment Regulations 1997

S.R. No. 164/1997

Version as at 4 August 1998

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Page</i>
1. Objective	1
2. Authorising provisions	1
3. Commencement	1
4. Definition	1
5. Information required prior to treatment procedure	1
6. Counselling prior to treatment procedure	3
7. Counselling prior to donation	4
8. Information required about the donor	4
9. Counselling requirements prior to research	6
10. Manner of lodging consent to research using gametes	6
11. Use of gametes produced by children	6
12. Disposal of zygotes or embryos	7
13. Register kept by licensed centre	7
14. Register kept by approved doctor	8
15. Particulars for information to be given to the Authority	8
16. Information to be given to the Authority by licensed centres and approved doctors	9
17. Information to be given to the Authority by other persons	10
18. Central Register kept by the Authority	11
19. Form and fee for information	11
20. Donor treatment procedure information Register	12
21. Notification of approvals and licences	12
22. Certification of document copies	12
23. Transitional concerning 1988 regulations	12

<i>Regulation</i>	<i>Page</i>
SCHEDULES	13
SCHEDULE 1—Information to be recorded in Register kept by licensed centre	13
SCHEDULE 2—Information required to be recorded in Register kept by approved doctor	23
SCHEDULE 3—Application for information from the central Register	30
<hr/> <hr/>	
ENDNOTES	31
1. General Information	31
2. Table of Amendments	32
3. Explanatory Details	33

Version No. 001

Infertility Treatment Regulations 1997

S.R. No. 164/1997

Version as at 4 August 1998

1. Objective

The objective of these Regulations is to prescribe various matters necessary to give effect to the **Infertility Treatment Act 1995**.

2. Authorising provisions

These Regulations are made under sections 10(2), 11(1), 16, 17, 31, 32(1), 35(2), 41, 53(2), 62(2), 63, 64, 65, 66, 67, 68, 74(2), 76(2), 79(2), 82(6), 117(1), 153(2), 154(3), 165, 173 and 199 of the **Infertility Treatment Act 1995**.

3. Commencement

These Regulations come into operation on 1 January 1998.

4. Definition

In these Regulations "**the Act**" means the **Infertility Treatment Act 1995**.

5. Information required prior to treatment procedure

The prescribed information required under section 10(2) of the Act to be given by a woman and her husband is—

- (a) in relation to the woman and her husband—
 - (i) the full names of the woman and her husband;
 - (ii) their respective dates of birth;
 - (iii) their respective occupations;

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

- (iv) details of any physical abnormality in either of them;
- (b) in relation to a woman who has given birth to a child as a result of a previous treatment procedure, if known—
 - (i) the name of the centre where the treatment procedure was performed;
 - (ii) if applicable, the donor code;
 - (iii) the name and address of the hospital where the child was born;
 - (iv) the medical record number of the hospital where the child was born;
 - (v) the full name of the child;
 - (vi) the date and the time of birth of the child;
 - (vii) the sex of the child;
 - (viii) the weight of the child at birth;
 - (ix) the gestational age of the child at birth;
 - (x) if applicable, a description of any malformations or other abnormalities in the child;
 - (xi) if the child was not liveborn, the reason;
 - (xii) whether the birth of the child was a single or multiple birth;
 - (xiii) in relation to a multiple birth—
 - (A) the place of the child in the order of birth;
 - (B) the total number of births, whether liveborn or not;

- (C) the sex of each sibling;
- (D) if any of the other children were not liveborn, the reason.

6. Counselling prior to treatment procedure

For the purposes of section 11(1) of the Act, counselling is required in relation to the following prescribed matters—

- (a) the options or choices available to the particular woman and her husband;
- (b) the law relating to infertility treatment in Victoria and the rights of the woman and her husband under that law;
- (c) the psychosocial and ethical issues related to infertility and infertility treatment procedures;
- (d) the possible outcomes of an infertility treatment procedure, including the success rates of such treatment;
- (e) any issue or concern raised by the woman or her husband in relation to the treatment procedure;
- (f) if donated gametes, zygotes or embryos are to be used in the treatment procedure, the following—
 - (i) relationship issues for the family if one parent is, or both parents are, not the genetic parent or parents;
 - (ii) if applicable, the implications arising from using known donors, including the possible impact on interpersonal relationships;
 - (iii) issues relating to biological siblings born from the same genetic parents but reared in different families;

- (iv) the information required under the Act for inclusion in the central register;
- (v) advising children about their donor origins and rights to information.

7. Counselling prior to donation

For the purposes of section 16 of the Act, counselling is required in relation to the following prescribed matters—

- (a) the motivation for donating gametes, zygotes or embryos;
- (b) the requirements of the Act in relation to the disclosure of the identity of the donor to the Authority and to donor-conceived children if they seek that information;
- (c) the possible impact of donation on the donor's children;
- (d) the possible impact of donation on the donor's spouse;
- (e) any issue or concern raised by the donor or his or her spouse in relation to the donation;
- (f) in the case of a known donor, the impact on the donor's relationship with the recipients;
- (g) the general requirements of the Act relating to donors.

8. Information required about the donor

- (1) For the purposes of sections 17(a) and 32(1)(a) of the Act, the prescribed information required to be given by a donor is—
 - (a) full name of the donor;
 - (b) any other name by which the donor is or has been known;
 - (c) date of birth of the donor;

-
- (d) place of birth of the donor (suburb/town and country);
 - (e) sex of the donor;
 - (f) marital status of the donor;
 - (g) full name of the donor's spouse, if any;
 - (h) residential address and contact telephone number of the donor;
 - (i) date on and place at which the donor produced the gametes;
 - (j) occupation of the donor;
 - (k) religion of the donor, if any;
 - (l) ethnic background of the donor's parents and grandparents;
 - (m) height of the donor;
 - (n) donor's blood group;
 - (o) any known physical abnormality, history of mental illness or intellectual disability of the donor;
 - (p) any screening tests undertaken in relation to the matters referred to in paragraph (o) and the results of those tests;
 - (q) number, year of birth and sex of any children of the donor;
 - (r) reason why the donor made the donation;
 - (s) date the information is supplied by the donor.
- (2) If a gamete, zygote or embryo is produced or formed by a woman or her husband and is to be used in a treatment procedure by that woman and her husband, the prescribed information required to be given is the information in regulation 5.
-

9. Counselling requirements prior to research

For the purposes of section 31 of the Act, counselling is required in relation to the following prescribed matters—

- (a) the nature and purpose of research undertaken on donated gametes, zygotes and embryos;
- (b) the type of research that has been approved by the Authority under the Act;
- (c) the possible risks and the implications of those risks, if any, in the conduct of the research;
- (d) the possible destruction of zygotes during the conduct of research.

10. Manner of lodging consent to research using gametes

For the purposes of section 35(2) of the Act, a consent must be lodged at the licensed centre or the research institution by—

- (a) post; or
- (b) hand delivery; or
- (c) facsimile; or
- (d) electronic mail.

11. Use of gametes produced by children

For the purposes of section 41 of the Act, a gamete, or a zygote or an embryo formed from gametes, produced by a person less than 18 years old may be used in a treatment procedure in accordance with the Act—

- (a) if the gamete was collected from the person for use in later life by that person or, in the case of sperm, the wife of that person; and

-
- (b) if the gamete was collected from the person for use in later life due to the likelihood of that person becoming infertile as a consequence of—
- (i) a treatment to be undergone by that person; or
 - (ii) an illness likely to be suffered by that person in later life.

12. Disposal of zygotes or embryos

For the purposes of section 53(2)(b) of the Act, a zygote or embryo may be disposed of by allowing the zygote or embryo in its container to stand at room temperature, in a secure area, for a period of not less than 24 hours.

13. Register kept by licensed centre

For the purposes of section 62(2) of the Act—

- (a) the prescribed manner for recording information in the Register is—
 - (i) to print or write the information in a legible form in the English language in a book or loose-leaf binder; or
 - (ii) in an electronic form that is readily convertible into legible print in the English language;
 - (b) the prescribed information required to be recorded in the Register is the information listed in Schedule 1.
-

14. Register kept by approved doctor

For the purposes of section 63(2) and (3) of the Act—

- (a) the prescribed manner for recording information in the Register is—
 - (i) to print or write the information in a legible form in the English language in a book or loose-leaf binder; or
 - (ii) in an electronic form that is readily convertible into legible print in the English language;
- (b) the prescribed information required to be recorded in the Register is the information listed in Schedule 2.

15. Particulars for information to be given to the Authority

For the purposes of sections 64 and 65 of the Act—

- (a) the 6 month periods are 1 April to 30 September and 1 October to 31 March;
 - (b) the prescribed manner in which information is required to be given to the Authority is—
 - (i) in print or writing in a legible form in the English language; or
 - (ii) in a form which enables the information to be readily convertible into legible print in the English language.
-

16. Information to be given to the Authority by licensed centres and approved doctors

The prescribed information to be given to the Authority under section 66 of the Act—

- (a) by a licensed centre, is—
- (i) the name, address and record number of the licensed centre;
 - (ii) the full names of any children born as a result of donor treatment procedures carried out at the licensed centre;
 - (iii) the details of any physical abnormality of any children born as a result of donor treatment procedures identified at or about the time of birth;
 - (iv) donor identification codes;
 - (v) the full names of the donors;
 - (vi) the details of any known physical abnormality of the donors;
 - (vii) patient codes of women who underwent a donor treatment procedure carried out at the licensed centre;
 - (viii) the full names of the women who underwent the procedures and those of their husbands;
 - (ix) the details of any known physical abnormality of any woman treated or her husband;
 - (x) the type of procedures undertaken;
- (b) by an approved doctor, is—
- (i) the name, address and record number of the approved doctor;

- (ii) the full names of any children born as a result of donor insemination;
- (iii) the details of any physical abnormality of any children born as a result of donor insemination identified at or about the time of birth;
- (iv) donor identification codes;
- (v) the full names of the donors;
- (vi) the details of any known physical abnormality of any donors;
- (vii) patient codes of the women who underwent donor insemination;
- (viii) the full names of the women who underwent donor insemination and those of their husbands;
- (ix) the details of any known physical abnormality of any woman treated or her husband;
- (x) the type of procedures undertaken.

17. Information to be given to the Authority by other persons

- (1) The prescribed manner in which a notice under section 67(1) of the Act is required to be given to the Authority is—
 - (i) in legible writing in the English language;
 - (ii) provided to the Authority within 30 days after the date of birth of the child or children (as the case may be).
- (2) The prescribed information under section 67(4) of the Act to be included in a notice is—
 - (i) the donor code, if known;

- (ii) the hospital record number of the birth, if known;
- (iii) the date and time of birth, if known;
- (iv) the weight of the child;
- (v) the gestational age of the child;
- (vi) if the child was not liveborn, the reason;
- (vii) whether the birth of the child was a single or multiple birth;
- (viii) in the case of a multiple birth—
 - (A) the place of the child in the order of birth;
 - (B) the total number of births, whether liveborn or not;
 - (C) the sex of each sibling;
 - (D) if any of the other children were not liveborn, the reasons, if known.

18. Central Register kept by the Authority

The central Register under section 68 of the Act must be kept in an electronic form that is readily convertible into legible print in the English language.

19. Form and fee for information

For the purposes of sections 74(2)(b), 76(2)(b) and 79(2)(b) of the Act—

- (a) the prescribed form is the form in Schedule 3;
- (b) the prescribed fee is nil.

20. Donor treatment procedure information Register

The donor treatment procedure information Register under section 82(6) of the Act must be kept in an electronic form that is readily convertible into legible print in the English language.

21. Notification of approvals and licences

A notice under section 117(1) of the Act must—

- (a) be issued to the licensee or approved doctor within one month after the decision of the Authority referred to in that sub-section; and
- (b) be published in the Government Gazette within 3 months after the decision of the Authority referred to in that sub-section.

22. Certification of document copies

A copy of a document required to be certified as a true copy under sections 153(2) and 154(3) of the Act must be—

- (a) certified with the words "This is certified as a true copy"; and
- (b) that certification must be signed by a designated officer or an approved doctor.

23. Transitional concerning 1988 regulations

Despite their revocation, regulations 9 and 10 and Schedules 4 and 5 of the Infertility (Medical Procedures) Regulations 1988¹ continue to apply to the particulars to be entered in the Registers referred to in sections 19 and 21 of the **Infertility (Medical Procedures) Act 1984** to the extent that those sections continue to apply under section 181(2) of the Act.

SCHEDULES**SCHEDULE 1**

Regulation 13

**INFORMATION TO BE RECORDED IN REGISTER KEPT BY
LICENSED CENTRE**

1. *Information in relation to each donor of gametes, zygotes or embryos kept or stored at the licensed centre, including any known physical abnormalities of each donor—*
 - 1.1 Donor identification code
 - 1.2 Full name of the donor
 - 1.3 Date of birth of the donor
 - 1.4 Place of birth of the donor (suburb/town and country)
 - 1.5 Any other name by which the donor is or has been known
 - 1.6 Full name of the donor's spouse (if any)
 - 1.7 Residential address and contact telephone number of the donor
 - 1.8 Date on which the residential address and contact telephone number were given
 - 1.9 Date on and place at which the donor has provided the gamete(s)
 - 1.10 Date on which the gamete(s), zygote or embryo of the donor was received by the licensed centre, if applicable
 - 1.11 Sex of the donor
 - 1.12 Marital status
 - 1.13 Occupation
 - 1.14 Religion (if any)
 - 1.15 Ethnic background of the donor's parents and grandparents
 - 1.16 Height
 - 1.17 Build
 - 1.18 Donor's blood group
 - 1.19 Any known physical abnormality, history of mental illness or intellectual disability of the donor

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

-
- 1.20 Any screening tests undertaken in relation to item 1.19 and the results of those tests
 - 1.21 Number of children (if any) and sex of each child
 - 1.22 Reason why the donor made the donation
 - 1.23 Whether the donor has consented to the use of his or her gametes, or a zygote or an embryo formed from his or her gametes, in a donor treatment procedure or research
 - 1.24 Total number of children born from procedures at the licensed centre using the donor's gametes or a zygote or embryo formed from his or her gametes.
2. *Information in relation to the destruction or disposal at the licensed centre of any gametes, zygotes or embryos formed outside the body of a woman—*

Gametes

 - 2.1 Date on which the gamete was produced
 - 2.2 Donation or reference number of the gamete
 - 2.3 Date of destruction or disposal of the gamete.

Zygotes and Embryos

 - 2.4 Date on which the zygote or embryo was formed
 - 2.5 Donation or reference number of the zygote or embryo
 - 2.6 Details of any observations made in respect of the zygote or embryo following removal from storage
 - 2.7 Date of destruction or disposal of the zygote or embryo.
 3. *Information in relation to the formation or attempted formation at the licensed centre of a zygote or embryo outside the body of a woman—*
 - 3.1 Embryo or zygote reference number
 - 3.2 Licensed centre record number or doctor's number (or both), or donor identification code of the woman who produced the oocyte
 - 3.3 Licensed centre record number or doctor's number (or both), or donor identification code of the man who produced the sperm
 - 3.4 Date(s) on which the gamete(s) were produced
 - 3.5 Time and date at which sperm and oocyte were placed together
 - 3.6 Time and date at which fertilisation was confirmed
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

Sch. 1

-
4. *Information in relation to each woman who undergoes a treatment procedure at the licensed centre and the husband of each woman, including any known physical abnormality of the woman or her husband—*
- 4.1 Licensed centre record number or doctor's number (or both) of the woman and her husband
 - 4.2 Full name of the woman
 - 4.3 Date of birth of the woman
 - 4.4 Full name of the husband
 - 4.5 Date of birth of the husband
 - 4.6 Occupations of the woman and her husband
 - 4.7 Details of any physical abnormality in either the woman or her husband
 - 4.8 In relation to a woman who has given birth to a child as a result of a previous treatment procedure—
 - (1) the name of the centre where the treatment procedure was performed
 - (2) the donor code
 - (3) the name and address of the hospital where the child was born
 - (4) the medical record number of the hospital where the child was born
 - (5) the full name of the child
 - (6) the date and, if known, the time of birth of the child
 - (7) the sex of the child
 - (8) the weight of the child at birth
 - (9) the gestational age of the child at birth
 - (10) if applicable, a description of any malformation of or other abnormalities in the child
 - (11) if the child was not liveborn, the reason
 - (12) whether the birth of the child was a single or multiple birth
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

-
- (13) in relation to a multiple birth—
- (a) the place of the child in the order of birth
 - (b) the total number of births, whether liveborn or not
 - (c) the sex of each sibling
 - (d) if any of the other children were not liveborn, the reasons, if known.
5. *Information in relation to a treatment procedure carried out on a woman at the licensed centre—*
- 5.1 Patient codes of the woman who is to undergo the procedure and her husband
 - 5.2 If the procedure involves the use of an embryo or a zygote, the reference number of that zygote or embryo
 - 5.3 Date and place of procedure
 - 5.4 Kind of procedure
 - 5.5 Reason for carrying out the procedure
 - 5.6 Name of the doctor who carried out the procedure
 - 5.7 Date treatment cycle commenced
 - 5.8 Date the gamete, zygote or embryo used in the procedure was received by the licensed centre and from where it was transferred, if applicable
 - 5.9 Whether the gamete, zygote or embryo used was thawed or fresh
 - 5.10 Whether the procedure is a donor treatment procedure. If so, whether the donor was known to the couple
 - 5.11 Date of consent to undergo the procedure by the woman and her husband, and date of consent to use the gametes, zygotes or embryos in a donor treatment procedure by the donor and the donor's spouse, if applicable
 - 5.12 Donor identification codes for any gametes, zygotes or embryos used
 - 5.13 Whether the embryo was chosen for its sex in order to avoid disease or genetic abnormality
 - 5.14 Outcome of the procedure.
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

Sch. 1

-
6. *Information in relation to the use of a gamete, zygote or embryo in a treatment procedure or research at the licensed centre—*
- 6.1 Reference number or identification code of the person who produced the oocyte that was used in the research or from which the zygote or embryo that was used was formed
 - 6.2 Reference number or identification code of the person who produced the sperm that was used in the research or which was used to form the zygote or embryo that was used
 - 6.3 Reference number of the zygote or embryo, if applicable
 - 6.4 Date on which gamete was produced or zygote or embryo formed
 - 6.5 If gametes were used in research, whether the person who produced the gametes gave consent
 - 6.6 Date of the consent of any person who produced the gametes used in the research or that were used to form the zygote or embryo used
 - 6.7 In relation to gametes used to form a zygote for research or in relation to a zygote or embryo used in research, whether the research was approved and the approval number
 - 6.8 Title of the research project
 - 6.9 Month, year and place in which the project commenced
 - 6.10 In relation to research involving the formation of a zygote, the date and time at which fertilisation was arrested
7. *Information in relation to any gametes, zygotes or embryos transferred from the licensed centre to—*
- *another licensed centre; or*
 - *an approved doctor (at a place other than a licensed centre)—*
- 7.1 Date of transfer
 - 7.2 Place to which the gametes, zygote or embryo were transferred
 - 7.3 Person at the licensed centre or approved doctor's premises who authorised the transfer
 - 7.4 Patient or donor code of the person who produced the gametes, or of each person who produced the gametes from which the zygote or embryo was formed
 - 7.5 Date on and place at which the man produced the sperm, if sperm transferred
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

-
- 7.6 Date on and place at which the woman produced the oocyte, if oocyte transferred
- 7.7 Date on and place at which the zygote or embryo was formed, if zygote or embryo transferred
- 7.8 Reason for the transfer.
8. *Information in relation to any gametes, zygotes or embryos transferred from another licensed centre or approved doctor to the licensed centre—*
- 8.1 Date of transfer
- 8.2 Place from which gametes, zygote or embryo were transferred
- 8.3 Person who authorised the transfer
- 8.4 Patient or donor code of the person who produced the gametes, or of each person who produced the gametes from which the zygote or embryo was formed
- 8.5 Date on and place at which the man produced the sperm, if sperm transferred
- 8.6 Date on and place at which the woman produced the oocyte, if oocyte transferred
- 8.7 Zygote or embryo reference number, if zygote or embryo transferred
- 8.8 Reason for the transfer.
9. *Information in relation to the collection and storage of gametes, zygotes or embryos at the licensed centre—*
- Collection of gametes*
- 9.1 Reference or identification code of person who produced the gamete(s)
- 9.2 Date and place at which gametes were provided or obtained
- 9.3 Reason for the collection of gametes
- Collection of oocytes*
- 9.4 If stimulatory drugs were used for collection of oocytes, the drugs used
- Collection of sperm*
- 9.5 Method of collection
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

Sch. 1

Storage of gametes, zygotes and embryos

- 9.6 Reference number of the zygote or embryo
 - 9.7 Donor or patient number of person who produced the gametes from which the zygote or embryo was formed
 - 9.8 Date placed in storage, whether at licensed centre or at another licensed centre
 - 9.9 Whether the gamete, zygote or embryo was obtained or formed on the premises. If not, the place from which it was transferred
 - 9.10 Place of storage
 - 9.11 Date removed from storage
 - 9.12 Whether an extension of the storage period was obtained under section 51 or 52 of the Act and, if so, the extended date.
10. *Information in relation to the consent and withdrawal of consent to the storage and removal from storage of gametes, zygotes or embryos at the licensed centre—*
- 10.1 Patient or donor number of the person who gave consent
 - 10.2 Date on which any consent or withdrawal of consent by a person and by his or her spouse was given
 - 10.3 Name and position of any witness to the consent or withdrawal of consent
 - 10.4 Date that documentation was received at the licensed centre
 - 10.5 In relation to a consent for storage, the maximum storage period (if that period is less than 10 years, in the case of gametes, or 5 years, in the case of zygotes or embryos).
11. *Information in relation to transfer into or out of the State of any gametes, zygotes or embryos which have been or are stored or kept at the licensed centre—*
- 11.1 Name of the person who produced the gametes, or the names of each person who produced the gametes from which the zygote or embryo was formed (or the patient or donor code, if sent from Victoria)
 - 11.2 Whether consent was given by the person who produced the gametes from which a zygote or embryo was formed
 - 11.3 Reference number for the zygote or embryo
 - 11.4 Reason for transfer into or out of the State
 - 11.5 Date of approval by Authority

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

-
- 11.6 Place to which the gamete, zygote or embryo was sent or received from
- 11.7 Date of transfer
- 11.8 Name of person at the licensed centre who authorised the transfer
- 11.9 Date originally placed in storage at the licensed centre.
12. *Information in relation to each consent, objection, withdrawal or lapsing of consent or objection given under the Act for a treatment procedure or research carried out at the licensed centre—*
- 12.1 Donor or patient code of person who gave the consent, withdrawal or objection
- 12.2 Name of spouse of the person who gave the consent, withdrawal or objection
- 12.3 Date on which the consent, withdrawal or objection was made
- 12.4 Date the document evidencing the consent, withdrawal or objection was received by the licensed centre
- 12.5 Purpose for which the consent, withdrawal or objection was given
- 12.6 Name and position of any witness to the documentation
- 12.7 Name of the doctor who gave the woman and her husband information under section 10 of the Act before consent was given (only applicable to a couple consenting to undergo a treatment procedure)
- In relation to a couple consenting to undergo treatment, or a donor and his or her spouse consenting to the use of gametes, a zygote or embryo in a donor treatment procedure or in research involving a zygote or embryo—*
- 12.8 Date on which counselling was first given by an approved counsellor to the person giving consent
- 12.9 Date on which counselling in relation to the prescribed matters was first given by an approved counsellor to each person
- 12.10 Name of any approved counsellor who gave that counselling
- Lapsing of a consent*
- 12.11 Date on which a consent of the person and his or her spouse, if any, lapses.
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

Sch. 1

-
13. *Information in relation to any amounts paid to a donor in respect of donations made at the licensed centre—*
- 13.1 Travelling or attendance costs paid to the donor
 - 13.2 Amount that the donor is reimbursed for medical expenses
 - 13.3 Dates on which any payments referred to in items 13.1 and 13.2 were made.
14. *Information in relation to the outcome of a treatment procedure, where known, including particulars of a confirmed pregnancy resulting from the treatment procedure and any miscarriage resulting from the treatment procedure—*
- 14.1 Patient codes of the woman who underwent the procedure and her husband
 - 14.2 Whether the treatment procedure was a donor treatment procedure. If so, the donor identification codes
 - 14.3 Date on which the procedure was carried out
 - 14.4 Outcome of the procedure.
15. *Information in relation to a child born as a result of a treatment procedure at the licensed centre, if known, including particulars of the birth of the child and any physical abnormalities of that child—*
- 15.1 Patient codes of the woman who underwent the procedure and her husband
 - 15.2 Whether the treatment procedure was a donor treatment procedure. If so, the donor identification codes
 - 15.3 Date on which procedure was carried out
 - 15.4 Name of the child
 - 15.5 Date of birth
 - 15.6 Place of birth (full address)
 - 15.7 Sex of child
 - 15.8 Birth weight
 - 15.9 Gestational age of child
 - 15.10 Any physical or other abnormality discerned at or about the time of birth
 - 15.11 If the child was not liveborn, the reason
-

Infertility Treatment Regulations 1997

S.R. No. 164/1997

15.12 Whether the birth was a single or multiple birth, and if the latter—

- (1) the place of the child in the order of birth
 - (2) the sex of each sibling
 - (3) the total number of children of the birth, whether liveborn or not
 - (4) if any of the children were not liveborn, the reasons, if known.
-

SCHEDULE 2

Regulation 14

**INFORMATION REQUIRED TO BE RECORDED IN REGISTER
KEPT BY APPROVED DOCTOR**

1. *Information in relation to each artificial insemination of a woman with donor sperm carried out at a place other than a licensed centre—*
 - 1.1 Patient codes of the woman
 - 1.2 Date and place at which the insemination took place
 - 1.3 Reason for seeking treatment
 - 1.4 Date the sperm was received by the doctor
 - 1.5 Donor identification code
 - 1.6 Whether the donor is known to the woman and her husband
 - 1.7 If any drugs were used to induce ovulation, the drugs used
 - 1.8 Date of consent of the woman and her husband
 - 1.9 Date of consent of the donor of the sperm and of the donor's spouse, if any.
2. *Information in relation to the donor of sperm used in the insemination, including any known physical abnormalities of that donor—*
 - 2.1 Donor identification code
 - 2.2 Full name of the donor
 - 2.3 Date of birth of the donor
 - 2.4 Place of birth of the donor (suburb/town and country)
 - 2.5 Any other name by which the donor is or has been known
 - 2.6 Full name of the donor's spouse (if any)
 - 2.7 Residential address and contact telephone number of the donor
 - 2.8 Date on which the residential address and contact telephone number were given
 - 2.9 Date on and place at which the donor produced the sperm
 - 2.10 Date on which the sperm of the donor was received by the approved doctor

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

-
- 2.11 Marital status
 - 2.12 Occupation
 - 2.13 Religion (if any)
 - 2.14 Ethnic background of the donor's parents and grandparents
 - 2.15 Height
 - 2.16 Build
 - 2.17 Donor's blood group
 - 2.18 Any known physical abnormality, history of mental illness or intellectual disability of the donor
 - 2.19 Any screening tests undertaken in relation to item 2.18 and the results of those tests
 - 2.20 Number of children (if any) and sex of each child
 - 2.21 Reason why the donor made the donation
 - 2.22 Date on and place at which counselling was first given to the donor and to his spouse, if any
 - 2.23 Date on which counselling in relation to the prescribed matters was first given by an approved counsellor to each person
 - 2.24 Whether the donor has made sperm donations with any other approved doctor or at any licensed centre
 - 2.25 Total number of children born or considered to have been born from sperm of the donor used by the doctor.
3. *Information in relation to a woman who undergoes artificial insemination with donor sperm carried out at a place other than a licensed centre and of her husband—*
- 3.1 Licensed centre record number or doctor's number (or both), of the woman
 - 3.2 Full name of the woman
 - 3.3 Date of birth of the woman
 - 3.4 Full name of the husband
 - 3.5 Occupations of the woman and her husband
 - 3.6 Details of any physical abnormality in either the woman or her husband
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997***Sch. 2**

-
- 3.7 In relation to a woman who has given birth to a child as a result of a previous treatment procedure—
- (1) the name of the centre where the treatment procedure was performed
 - (2) the donor identification code
 - (3) the name and address of the hospital where the child was born
 - (4) the medical record number of the hospital where the child was born
 - (5) the full name of the child
 - (6) the date and, if known, the time of birth of the child
 - (7) the sex of the child
 - (8) the weight of the child at birth
 - (9) the gestational age of the child at birth
 - (10) if applicable, a description of any malformation of or other abnormalities in the child
 - (11) if the child was not liveborn, the reason
 - (12) whether the birth of the child was a single or multiple birth
 - (13) in relation to a multiple birth—
 - (a) the place of the child in the order of birth
 - (b) the total number of births, whether liveborn or not
 - (c) the sex of each sibling
 - (d) if any of the other children were not liveborn, the reasons, if known.
4. *Information in relation to any amounts paid to a donor of sperm—*
- 4.1 Travelling or attendance costs paid to the donor
 - 4.2 Amount that the donor is reimbursed for medical expenses
 - 4.3 Dates on which any payments referred to in items 4.1 and 4.2 were made.
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

-
5. *Information in relation to the outcome of each artificial insemination with donor sperm carried out at a place other than the licensed centre, including details of a confirmed pregnancy resulting from the insemination and any miscarriage resulting from the insemination—*
 - 5.1 Patient codes of the woman who underwent the procedure
 - 5.2 Donor identification code
 - 5.3 Date on which the procedure was carried out
 - 5.4 Outcome of the procedure.
 6. *Information about a person born as a result of an artificial insemination using donor sperm carried out at a place other than a licensed centre, including particulars of the birth of that person and any physical abnormality of that person—*
 - 6.1 Patient codes of the woman who underwent the procedure
 - 6.2 Donor identification code
 - 6.3 Date on which the procedure was carried out
 - 6.4 Name of the child
 - 6.5 Date of birth
 - 6.6 Place of birth (full address)
 - 6.7 Sex of child
 - 6.8 Birth weight
 - 6.9 Gestational age of child
 - 6.10 Any physical or other abnormality discerned at or about the time of birth
 - 6.11 If the child was not liveborn, the reason
 - 6.12 Whether the birth was a single or multiple birth, and if the latter—
 - (1) the place of the child in the order of birth
 - (2) the names of each sibling
 - (3) the sex of each sibling
 - (4) the total number of children of the birth, whether liveborn or not
 - (5) if any of the other children were not liveborn, the reasons, if known.
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

Sch. 2

-
7. *Information relating to the destruction or disposal of any sperm—*
- 7.1 Date on which the sperm was received by the approved doctor
 - 7.2 Donation or reference number of the sperm
 - 7.3 Date of destruction or disposal of the sperm
 - 7.4 Reason for the destruction or disposal of the sperm.
8. *Information in relation to each consent, withdrawal or lapsing of consent or objection given under the Act for donor insemination—*
- 8.1 Donor or patient code of person who gave the consent, withdrawal or objection
 - 8.2 Name of the spouse of the person who gave the consent, withdrawal or objection
 - 8.3 Date on which the consent, withdrawal or objection was given
 - 8.4 Date that the document evidencing the consent, withdrawal or objection was received by the doctor
 - 8.5 Manner in and place from which the document was received
 - 8.6 Purpose for which the consent, withdrawal or objection was given
 - 8.7 Name and position of any witness to the documentation
 - 8.8 Name of the doctor who gave the woman and her husband information under section 10 of the Act before consent was given (only applicable to a couple consenting to undergo a treatment procedure)
- In relation to a couple consenting to a donor treatment procedure, or a donor and his or her spouse consenting to the use of his sperm in a donor treatment—*
- 8.9 Date on which counselling was first given by an approved counsellor to the person giving consent
 - 8.10 Date on which counselling in relation to the prescribed matters was first given by an approved counsellor to each person
 - 8.11 Name of any approved counsellor who gave that counselling
- Lapsing of a consent*
- 8.12 Date on which a consent of the person and his or her spouse, if any, lapses.
-

*Infertility Treatment Regulations 1997**S.R. No. 164/1997*

-
9. *Information in relation to each objection or withdrawal of objection for the use of donated sperm—*
- 9.1 Donor or patient code of person who gave the objection or withdrawal of objection
 - 9.2 Name of the spouse of the person who gave the objection or withdrawal of objection
 - 9.3 Date on which the objection or withdrawal of objection was given
 - 9.4 Date that the document evidencing the objection or withdrawal of objection was received by the approved doctor
 - 9.5 Manner in and place from which the document was received
 - 9.6 Name and position of any witness to the documentation
 - 9.7 Date on which counselling was first given by an approved counsellor to the person who gave consent
 - 9.8 Date on which counselling in relation to the prescribed matters was first given by an approved counsellor to each person
 - 9.9 Name of any approved counsellor who gave that counselling.
10. *Information in relation to any sperm transferred from premises where an insemination may be carried out to—*
- *a licensed centre; or*
 - *another approved doctor (at a place other than a licensed centre)—*
- 10.1 Date of transfer
 - 10.2 Place to which the sperm was transferred
 - 10.3 Person who authorised the transfer
 - 10.4 Patient or donor code of the person who produced the sperm
 - 10.5 Date on and place at which the man produced the sperm
 - 10.6 Sperm reference number, if any
 - 10.7 Reason for the transfer.
11. *Information in relation to any sperm kept at the premises where an insemination is to be carried out by the doctor—*
- 11.1 Donor identification code
 - 11.2 Date on which the sperm was provided or obtained
 - 11.3 Whether the sperm was obtained on the premises and, if not, from where was it transferred
-

Infertility Treatment Regulations 1997

S.R. No. 164/1997

Sch. 2

-
- 11.4 Reason for the collection of sperm
 - 11.5 Date placed in storage
 - 11.6 Place of storage
 - 11.7 Date removed from storage
 - 11.8 Whether an extension of the storage period was obtained under section 51 or 52 of the Act and, if so, the extended date.
-

SCHEDULE 3

Regulation 19

APPLICATION FOR INFORMATION FROM THE CENTRAL REGISTER

To the Infertility Treatment Authority:

Full name of applicant

Address

Telephone number

Full name of person born as a result of a donor treatment procedure

Relationship of applicant to person born as a result of a donor treatment procedure

*Identifying/*Non-identifying information required from central register

Signature of applicant

Date

*delete if not required

=====

ENDNOTES**1. General Information**

The Infertility Treatment Regulations 1997, S.R. No. 164/1997 were made on 16 December 1997 by the Governor in Council under sections 10(2), 11(1), 16, 17, 31, 32(1), 35(2), 41, 53(2), 62(2), 63, 64, 65, 66, 67, 68, 74(2), 76(2), 79(2), 82(6), 117(1), 153(2), 154(3), 165, 173 and 199 of the **Infertility Treatment Act 1995**, No. 63/1995 and came into operation on 1 January 1998: regulation 3.

The Infertility Treatment Regulations 1997 will sunset 10 years after the day of making on 16 December 2007 (see section 5 of the **Subordinate Legislation Act 1994**).

2. Table of Amendments

There are no amendments made to the Infertility Treatment Regulations 1997 by statutory rules, subordinate instruments and Acts.

3. Explanatory Details

¹ S.R. No. 124/1988.