

**LEGISLATIVE COUNCIL**

**ASSISTED REPRODUCTIVE TREATMENT BILL 2008**

(Amendments and New Clause to be proposed in Committee by Ms PENNICUIK)

1. Clause 3, lines 23 to 31, omit all words and expressions on these lines.
2. Clause 3, page 4, lines 6 to 22, omit all words and expressions on these lines.
3. Clause 3, page 6, lines 16 and 17, omit all words and expressions on these lines.
4. Clause 11, line 27, omit "place; and" and insert "place."
5. Clause 11, lines 28 to 33, and page 13, lines 1 to 4, omit all words and expressions on these lines.
6. Clause 12, omit this clause.
7. Clause 14, omit this clause.
8. Clause 15, lines 4 to 6, omit all words and expressions on these lines.
9. Clause heading to clause 29, omit "10" and insert "5".
10. Clause 29, line 7, omit "10" and insert "5".
11. Clause 29, line 12, omit "10" and insert "5".
12. Clause 42, lines 3 to 16, omit all words and expressions on these lines and insert—

"For the purposes of applying Division 2 of Part 2 to a treatment procedure carried out under a surrogacy arrangement, the requirement to comply with the criteria in section 10(2)(a) does not apply to the surrogate mother."
13. Clause 53, after line 23 insert—

"(ab) for each donor, the number of persons born as a result of a treatment procedure or artificial insemination using that donor's gametes; and".
14. Clause 59, lines 7 to 27, omit all words and expressions on these lines and insert—

"person if the applicant—

  - (a) is an adult; or
  - (b) is a child and—
    - (i) the person's parent or guardian has consented to the making of the application; or

- (ii) a counsellor has provided counselling to the person and advised the Registrar, in writing, that the person is sufficiently mature to understand the consequences of the disclosure.
- (2) To avoid doubt, this section applies regardless of when the gametes used to conceive the applicant were donated."
- 15. Clause 85, page 62, lines 1 to 3, omit all words and expressions on these lines.
- 16. Clause 91, page 65, lines 1 to 4, omit all words and expressions on these lines.
- 17. Clause 96, lines 13 and 14, omit all words and expressions on these lines.
- 18. Clause 150, after line 13 insert—
  - "***donor treatment procedure*** means a donor treatment procedure within the meaning of the **Assisted Reproductive Treatment Act 2008**;"
- 19. Clause 150, line 14, omit "***parent***" and insert "***parent***".
- 20. Clause heading to clause 153, omit this heading and insert—
  - "New sections 17A and 17B"**.
- 21. Clause 153, page 125, line 13, omit 'pregnancy.'" and insert "pregnancy.".
- 22. Clause 153, page 125, after line 13 insert—
  - '17B Birth registration of child conceived by a treatment procedure**
  - (1) If a birth registration statement specifies the child was conceived by a donor treatment procedure, the Registrar must mark the words "closed—donor conceived" against the entry about the child's birth in the Register.
  - (2) If the Registrar issues a certificate certifying particulars contained in an entry about the birth of a person conceived by a donor treatment procedure, an addendum to the certificate must state that further information is available about the entry.".'
- 23. Clause 154, after line 28 insert—
  - "(2) If the Registrar issues a certificate certifying particulars contained in an entry about the birth of a person who is the subject of a substitute parentage order, an addendum to the certificate must state that further information is available about the entry.".
- 24. Clause 154, line 29, omit "(2)" and insert "(3)".

#### NEW CLAUSE

- 25. Insert the following New Clause to follow clause 151—
  - 'A How to have the birth of a child registered**
  - After section 14 of the **Births, Deaths and Marriages Registration Act 1996** insert—

"(2) Without limiting the particulars that may be prescribed under subsection (1), a birth registration statement must specify if the child was conceived by a donor treatment procedure." !.