

LEGISLATIVE ASSEMBLY

RESEARCH INVOLVING HUMAN EMBRYOS BILL 2008

(Amendments to be moved by Mr Clark)

1. Clause 3, page 3, lines 28 to 32 and page 4, lines 1 to 8, omit all words and expressions on these lines and insert—

*"human embryo* means a discrete entity that has arisen from the creation of a single cell containing 2 pro-nuclei following the fertilisation of a human oocyte by a human sperm;"
2. Clause 3, page 5, lines 5 and 6, omit "or a human egg, or the creation or use of any other embryo".
3. Clause 3, page 5, lines 17 to 33 and page 6, lines 1 to 9, omit all words and expressions on these lines and insert—

*"responsible person*, in relation to an excess ART embryo, means—

  - (a) each person who provided the egg or sperm from which the embryo was created; and
  - (b) the woman for whom the embryo was created, for the purpose of achieving her pregnancy; and
  - (c) any person who was the spouse of a person mentioned in paragraph (a) at the time the egg or sperm mentioned in that paragraph was provided; and
  - (d) any person who was the spouse of the woman mentioned in paragraph (b) at the time the embryo was created;"
4. Clause 3, page 6, lines 23 to 33 and page 7, lines 1 to 15, omit all words and expressions on these lines.
5. Clause 3, page 7, lines 25 to 32, omit subclauses (4), (5) and (6).
6. Clause 7, omit this clause.
7. Clause 8, omit this clause.
8. Clause heading to clause 9, omit "that was created by fertilisation and".
9. Clause 9, lines 7 to 11, omit paragraph (a) and insert—

"( ) the person intentionally uses, outside the body of a woman, a human embryo that is not an excess ART embryo; and"
10. Clause 11, omit this clause.

11. Clause 14, lines 20 to 26 and page 15, lines 1 to 29, omit subclauses (1) and (2) and insert—
 

"() A person may apply to the NHMRC Licensing Committee for a licence authorising use of excess ART embryos."
12. Clause 15, lines 12 to 14, omit "or human egg is used, or other embryo is created or" and insert "is".
13. Clause 15, line 28, omit ", other embryos or human eggs".
14. Clause 15, line 35 and page 17, line 1, omit "or human eggs, or the creation or use of other embryos".
15. Clause 18, lines 8 and 9, omit "or human egg is used, or any other embryo is created or" and insert "is".
16. Clause 18, lines 12 and 13, omit ", human egg or other embryo".
17. Clause 18, line 14, omit "creation or".
18. Clause 18, lines 21 and 22, omit "or human egg, or the creation or use of any other embryo,".
19. Clause 18, lines 31 and 32, omit "or human eggs, or create or use other embryos".
20. Clause 18, page 19, lines 1 to 5, omit paragraph (b) and insert—
 

"() the number of excess ART embryos authorised to be used under the licence;".
21. Clause 18, page 19, lines 10 and 11, omit "or human eggs, or to create or use other embryos".
22. Clause 18, page 19, lines 14 and 15, omit "or human eggs, or to create or use other embryos".
23. Clause 18, page 19, lines 20 and 21, omit "or human eggs, or to create or use other embryos,".
24. Clause 18, page 19, lines 23 to 30 and page 20, lines 1 to 9, omit subclause (7).
25. Clause 23, page 22, lines 2 and 3, omit "or human eggs, and creations or uses of any other embryos,".
26. Clause 23, page 22, lines 7 to 11, omit paragraph (d) and insert—
 

"() the number of excess ART embryos authorised to be used under the licence;".
27. Clause 25, page 25, lines 13 to 16, omit paragraph (d).
28. Clause 26, page 26, lines 3 and 4, omit paragraph (d).

29. Clause 28, line 28, omit ", other embryo, human egg".
30. Clause 29, lines 23 and 24, omit ", another embryo, a human egg".
31. Clause 29, lines 26 and 27, omit ", the egg".
32. Clause 41, lines 23 to 25, omit subclause (2) and insert—
  - "(2) On and from the commencement—
    - (a) if the application is for a licence that could be issued under this Act, the application is to be decided under this Act as if it had been made after the commencement; and
    - (b) in any other case, the application is taken not to have been made."
33. Clause 42, page 36, lines 1 to 5, omit subclause (2) and insert—
  - "(2) On and from the commencement, the licence continues in force on the terms and conditions that applied to the licence immediately before the commencement, as if the repealed Act had not been repealed.
  - (3) A licence referred to in subsection (2) continues in force under that subsection until the earlier of the following days—
    - (a) the day that is 3 years after the commencement;
    - (b) the day that the licence otherwise ends under the repealed Act.
  - (4) A licence that is still in force on the day referred to in subsection (3)(a) continues after that day as a licence under this Act only to the extent, and on the terms and conditions that, it could be issued under this Act."