

House of Representatives
Supplementary Order Paper

Wednesday, 25 August 2004

Human Assisted Reproductive Technology Bill

Proposed amendments

Dr Paul Hutchison, in committee to move the following amendments:

Clause 42

To add the following paragraph:

- (d) does not apply to **section 61A**.

New clause 61A

To insert, after clause 61 (after line 6 on page 52), the following clause:

61A Voluntary register to be maintained by Registrar-General

- (1) The Registrar-General must maintain a register of information supplied voluntarily by parties to donor conceptions that resulted in birth, where the treatment occurred prior to the commencement of this Act.
- (2) Information under **subsection (1)** must be accepted from the donor, which information may include any or all of the following:
 - (a) the donor's name:
 - (b) the donor's address:
 - (c) the donor's gender:
 - (d) the donor's ethnicity and any cultural affiliation:
 - (e) in the case of a Maori donor, the whanau, hapu, and iwi to the extent that those affiliations are known:
 - (f) any aspects, considered significant by the provider, of the medical history of—
 - (i) the donor:
 - (ii) the donor's parents and grandparents:
 - (iii) the donor's children (if any):
 - (iv) the donor's siblings (if any):
 - (g) the donor number and clinic of donation.

- (3) Information under **subsection (1)** must be accepted from donor offspring over the age of 18 years or from guardians of donor offspring under the age of 18 years, which information may include any or all of the following:
 - (a) the donor offspring's name:
 - (b) the donor offspring's address:
 - (c) the donor offspring's gender:
 - (d) the donor offspring's ethnicity and any cultural affiliation:
 - (e) in the case of a Maori donor offspring, the whanau, hapu, and iwi to the extent that those affiliations are known:
 - (f) any aspects, considered significant by the provider, of the medical history of the donor offspring:
 - (g) the donor number and clinic of donation.
- (4) The Registrar-General must also accept from persons providing the information in **subsections (2) and (3)**, any restrictions placed by those persons on access to the information by—
 - (a) the donor:
 - (b) donor offspring over the age of 18 years:
 - (c) guardians of donor offspring under the age of 18 years.
- (5) The Registrar-General must accept any updated information in addition to that specified in **subsections (2) and (3)**.
- (6) Subject to this Part, the Registrar-General may give access to a donor, a donor-offspring over the age of 18 years, or the guardian of a donor-offspring under the age of 18 years any information provided under this section.
- (7) The Registrar-General may decline to give access to information under this section to a person if satisfied, on reasonable grounds, that the disclosure is likely to endanger any person.
- (8) The Registrar-General, when giving access to information under this section to a person, must advise the person of the desirability of counselling.

Explanatory note

The principles of the bill explicitly state that donor offspring be made aware of their genetic origins and be able to access information about their origins.

In keeping with the principles, and with similar legislation in Australia, this Supplementary Order Paper proposes a voluntary register so that donors and donor offspring may voluntarily register information that is in keeping with the intent of Part 3. This enables a voluntary, retrospective register which helps consistency with the principles of the bill but does not violate agreements of anonymity that donors may have entered into at the time of donation.