

Submission form

Please provide your contact details below.

Name:	
If this submission is made on behalf of an organisation, please name the organisation:	
Please provide a brief description of the organisation if applicable:	
Address/email:	
Interest in this topic (eg, user of fertility services, health professional, member of the public):	User of fertility services

We will place all submissions on ACART's website, except where we are asked that submissions be withheld in full or part for reasons of confidentiality. We will remove contact information from all submissions.

☐ I **request** that my submission be withheld in full or part from publication on ACART's website (if you wish a part to be withheld, please clearly indicate which part).

Please note that all submissions may be requested by any member of the public under the Official Information Act 1982 (the Act). If there is any part of your submission that you consider should be properly withheld under the Act, please make this clear in your submission, noting the reasons.

If information from your submission is requested under the Act, the Ministry of Health (the Ministry) will release your submission to the person who requested it. The Ministry will remove your name and/or contact details from the submission if you check one or both of the following boxes. Where a submission is made on behalf of an organisation, the Ministry will not remove the name of the organisation.

☒ I **do not** give permission for my name to be released to persons under the Official Information Act 1982.

☒ I **do not** give permission for my contact details to be released to persons under the Official Information Act 1982.

We will acknowledge all submissions. A summary of submissions will be sent to those who request a copy. The summary will include the names of everyone who made a submission, except where individuals have asked for personal details to be withheld.

Do you wish to receive a copy of the summary of submissions?

☒ Yes

☐ No

Questions about the proposed amendments to the guidelines

Question 1

Do you agree with ACART's conclusions that:

- the surrogacy guidelines currently discriminate on the basis of sex and sexual orientation, and
- the discrimination is not justified in light of the principles of the Human Assisted Reproductive Technology Act 2004?

Yes

☒

No

☐

Please give reasons for your views.

Every person regardless of sexual orientation should have the opportunity to have and raise children. We support the option of surrogacy being available to same sex couples, given that they are also given the same counselling, medical and legal advice prior to entering into such an arrangement.

Question 2

Do you agree with ACART's view that surrogacy should be used only where there is a need, and not for convenience?

Yes

☒

No

☐

Please give reasons for your views.

Surrogacy can be a complicated and lengthy process resulting in a number of outcomes. For people who have a valid need for gestational surrogacy i.e. have no other way of having a biological child, it seems unfair that they would need to 'compete' with others for a very small pool of potential surrogates in New Zealand.

Speaking as a person who is currently in a gestational surrogacy arrangement due to medical need, I personally feel that this option should be carefully considered and only approved where there is a valid need.

Question 3

Do you have any other comments on ACART's proposed amendments to the *Guidelines on Surrogacy Arrangements involving Providers of Fertility Services*?

No

Question 4

Do you agree with ACART's proposal that single men and male couples applying to ECART to enter a surrogacy arrangement should also be able to apply to use eggs donated by a family member?

Yes

☒

No

☐

Please give reasons for your views.

This would give them a greater chance to have a child. The option should be available given that all the legal and emotional implications are considered and the single man, male couple, and the donor are given the appropriate advice and counselling.

Question 5

Do you agree with ACART's proposal that single women and lesbian couples should be able to apply to ECART to use sperm donated by a family member without needing a medical justification?

Yes

☒

No

☐

Please give reasons for your views.

Everyone should have options to be able to have a child and raise a family. As previously mentioned in Q4, the same legal, emotional implications should be considered and the donor and the couple/woman be given the appropriate advice and counselling.

Question 6

Do you agree with ACART's view that the use of eggs or sperm donated by a family member should be possible only where intending parents do not have their own eggs or sperm, or if they do, that there is a medical reason for them not to use their own eggs or sperm?

Yes ☒ No ☐

Please give reasons for your views.

Anyone who has the desire to have a family, should have options available to support them.

Question 7

Do you have any other comments or suggestions about either the proposed amendments to the guidelines or the associated discussion?

In gestational surrogacy arrangements, where a heterosexual couple uses their own genetic embryo, and the surrogate is not genetically related to the resulting baby, then the couple should be named as the legal parents of the baby.

All parties in such an arrangement have agreed from the outset that the purpose of the arrangement exists to provide the couple (who are otherwise unable to carry their own child for valid reasons) with an option for having a baby. The law should support the 'intended parents' who are actually the legal parents.

The reality of this type of surrogacy arrangement is that the intended parents go through a process that is designed for people who are adopting a child that is not biologically theirs.

In our own experience, it has been a long and arduous journey and we continue on it because we accept that there is going to be a lot of disappointment before we can finally have a positive outcome.

Having the law support all couples who choose gestational surrogacy, by naming us as the legal parents when our baby is born, would make a significant difference to this process.

Thank you