

Minutes of the one hundred and twelfth meeting of the Advisory Committee on Assisted Reproductive Technology

Held online on 27 February 2025

Present

Debra Wilson (Chair)
Lynsey Cree
Neuton Lambert
Amanda Lees
Andrew Murray
Catherine Ryan
Shalomy Sathiyaraj
Karaitiana Taiuru

Apologies

Seth Fraser

Non-members present

Lana Stockman. Ethics Committee on Assisted Reproductive Technology.
Kathleen Logan. Observer, Mana Mokopuna / Children and Young People's Commission.
Natalia Jefferson. Ethics team, Ministry of Health.
Martin Kennedy. ACART Secretariat, Ministry of Health.
Saskia Patton. Manager, Ethics team, Ministry of Health (part of meeting).

1. Welcome and karakia

- 1.1 The Chair opened the meeting at 9.00 a.m., acknowledged the former members whose terms ended in December 2024, and welcomed the members and the observers. The observers were from Mana Mokopuna / the Children and Young People's Commission and from the Ethics Committee on Assisted Reproductive Technology.

2. Opening comments

- 2.1 The Chair noted the focus for the day was the project on human reproductive research, in particular the consultation paper and the next steps. She also noted the work on posthumous reproduction and potential new projects including preimplantation genetic testing.
- 2.2 The Chair told members she had attended an LGBT and assisted reproduction seminar, and will share the written material with the committee. She noted the gaps in the system for LGBT community in the UK.
- 2.3 Another item the Chair raised was the regulatory setting for extending the storage of reproductive material and the inflexible 10-year period. There are issues with people that have missed the deadlines to extend their storage after the 10-year period, and a specific case of a family whose gametes were going to be destroyed, and they have started a petition for the law to be changed. The difficulty in contacting the people would be solved by providing 20 year extensions for first storage for underage gamete providers. A member raised the issue of contacting clients as a recurrent gap in their system, and also supports the motion to grant 20 years initially in specific cases when material is stored when they are underage.

3. Apologies

- 3.1 Seth Fraser.

4. Approval of the agenda

- 4.1 Members approved the agenda.

Action

- *Secretariat to add the February 2025 agenda to the ACART website.*

5. Declarations of Interests

- 5.1 One non-lay member asked for an update to the declarations, to say that she attends Fertility Support Sessions, with Fertility NZ, about once a year.

6. Minutes of ACART's meeting in December 2024

6.1 Members approved the minutes.

Action

- *Secretariat to publish the December 2024 minutes on the ACART website.*

7. Actions arising from ACART's December 2024 meeting

7.1 The Chair indicated that all of the actions that had been allocated to the former chair have been completed. The Chair also noted that all correspondence has been responded to, and highlighted the presentation done by John Peek that can be shared with the new members.

8. Status of ACART's work programme

8.1 Members noted the report.

8.2 The Chair mentioned the drafting 2nd consultation doc about reproductive assistance, and a potential consultation paper on PGT mutations.

9. Report on ECART's recent meeting

9.1 A lay member had attended the recent ECART meeting as the ACART representative, and highlighted four topics.

- 1) A clinic had requested ECART to provide non-binding advice, which seems a recurrent topic.
- 2) ECART had discussed the wellbeing of intended child, following an application for extended storage.
- 3) ECART had a discussion on the cultural competence of counsellors and whether there was a gap.
- 4) Payments to surrogates, which cannot be regulated, as the advice on regulations do not detail specifics on incentives.

9.2 An observer asked for clarification on the definition of "advanced maternal age" mentioned on documents. A member responded that there is not set age but it is typically in a woman's 40s.

9.3 The ACART Chair raised the increase in offshore surrogacy cases. This could be discussed further, as it could become an issue, as Aoteroa New Zealand could be seen as an international place for surrogacy. There was a brief discussion on compensation in surrogacy, as well as surrogacy being offered through social media, and the way the parties present the case to the counsellors.

10. Overview of ACART

10.1 The Secretariat provided a power point presentation with an overview of the committee for the new members and the Chair explained the regulatory setting and ACART's functions.

- 10.2 There was a question and brief discussion about whether current laws can cascade between established procedures and non-established procedures. The Chair informed members that, when the regulation is in the HART Order, the amendment would be more straightforward than amending a law. The Secretariat also mentioned that ACART can advise the minister about whether to convert an activity to becoming an Established Procedure from an Assisted Reproductive Procedure, or vice versa.

11. Correspondence

- 11.1 The Chair referred to the correspondence to Minister Costello, and that the committee is trying to arrange a meeting with the Minister, to discuss, among other topics, changes to the storage periods for minors.
- 11.2 Members also raised that for other cases, the maximum period of the extension of storage should be explicitly stated as 10 years.

12. Human Reproductive Research

- 12.1 The Chair introduced this item and requested that all feedback regarding grammar to be done offline.
- 12.2 Members did a detailed review of the document and discussed policy points to amend. Members agreed the following details.
- a. Use the phrase “a compelling case” rather than “a high standard must be met.”
 - b. The document needs to be clear that the guidelines will apply to all research activities that use human reproductive material including observational studies.
 - c. The scope of the proposed guidelines will be explained earlier in the consultation document.
 - d. The guidelines will refer explicitly to chapter 14 of NEAC’s National Ethical Standards.
 - e. The paragraph on fertility rates and the benefits of assisted reproduction will be clarified.
 - f. The text about financial benefits was accepted.
 - g. The proposal was accepted that the document should ask submitters whether to recommend to the minister that the government should consider regulating training with human reproductive material.
 - h. The text about tikanga, in both the guidelines and the consultation document, was accepted.
 - i. The text about cryopreservation was accepted.
 - j. The section on stem cells and cloning needs to be clarified.
 - k. The two paragraphs at the start of chapter 3 will be moved to the end of chapter 2.
 - l. A link will be added for the NEAC national ethical standards.
 - m. The word “enabled” will be replaced with “permitted” in several places.
 - n. Numerous other wording changes were agreed.
 - o. The Secretariat is yet to add more text about human-hybrids and about the risks of genetic editing.

- p. For the question about embryo models, an additional question will ask people to explain their logic.
- q. The question about creating embryos, to be used in cloning, will be amended.

Action

- *Secretariat and Chair to draft proposed changes and circulate the document to the committee for feedback.*

13. Possible project: using PGT for uncertain risks

- 13.1 The ECART member presented the request they had considered for non-binding ethical advice. Members discussed how pre-implantation genetic testing is being used more as time goes on and that there are various ethical questions arising from its use.
- 13.2 Members agreed the Secretariat should do the initial scoping for a project into this matter with a view to potentially writing advice to the Minister.

Actions

- *Secretariat to develop a project: draft document to enable clinics to refer cases like the discussed for ethical advice.*
- *Add the draft for discussion at next meeting, in May, to confirm scope and purpose.*

14. Chair's report

- 14.1 The report was noted.

15. Member reports

- 15.1 No reports were presented.

16. Secretariat report

- 16.1 Members noted the report.
- 16.2 The Secretariat advised members of the appointment of a new Principal Advisor starting in mid-March, and attending the next ACART meeting. The new process for claims has been circulated with the committee.

17. Work between meetings

17.1 No new work has been raised. The Chair and Secretariat will continue finalising the consultation document for human reproductive research.

18. Update on appointments

18.1 Noted by members.

19. Attendance at ECART

19.1 Lynsey Cree has volunteered to attend the ECART meeting in April 2025.

Action

- *Secretariat to forward the ECART meeting invitation and meeting papers.*

The meeting closed at 3.17 p.m.