

ADVISORY COMMITTEE ON ASSISTED REPRODUCTIVE TECHNOLOGY

ADVICE GIVEN 16 DECEMBER 2013 TO THE ETHICS COMMITTEE ON ASSISTED REPRODUCTIVE TECHNOLOGY UNDER THE HUMAN ASSISTED REPRODUCTIVE TECHNOLOGY ACT 2004

Applications that fall under more than one of the guidelines issued by the Advisory Committee on Assisted Reproductive Technology

BACKGROUND

This advice amends and renames the advice given by the Advisory Committee on Assisted Reproductive Technology (ACART) to the Ethics Committee on Assisted Reproductive Technology (ECART) on 24 November 2008 on applications that include combined assisted reproductive procedures.

The Human Assisted Reproductive Technology Act 2004 (the HART Act) sets out the functions of ECART in s.28. ECART's functions include considering and determining applications to extend the storage period of gametes and embryos and for approvals for the performance of assisted reproductive procedures (s.28(1)(aa) and s.28(1)(a)). ECART must operate in accord with guidelines issued by ACART (s.29(a)).

As well as issuing guidelines, ACART can also give advice to ECART on any matter relating to any kind of assisted reproductive procedure (s.35(1)(a)).

At times, applications to ECART may fall under more than one of the guidelines issued by ACART. In November 2008 ACART gave advice to ECART about applications including combined assisted reproductive procedures.

UPDATE TO THE ADVICE

ACART has now updated and renamed the advice to reflect two changes since the advice was originally issued.

- The *Guidelines on Extending the Storage Period of Gametes and Embryos* came into effect on 3 September 2012. The HART Act was amended in 2010 to give ACART the function of issuing guidelines to ECART on matters ECART must take into account when considering applications to extend the storage period of gametes and embryos (s.35(1)(aa)). While extending the storage period of gametes and embryos requires ECART approval, extended storage is not an assisted reproductive procedure.
- The *Guidelines on Surrogacy Arrangements involving Providers of Fertility Services* have been amended and renamed the *Guidelines on Surrogacy involving Assisted Reproductive Procedures*, coming into effect on 16 December 2013. The new title takes into account that surrogacy itself is not an assisted reproductive procedure.

THE ADVICE

Where a case falls under more than one of ACART's guidelines, applications to ECART should address the provisions in each of the guidelines that apply, to ensure that the ethical issues associated with each procedure are taken into account.

ECART must not approve an application where the guidelines are not compatible.

Note that where an application falls under the *Guidelines on Surrogacy involving Assisted Reproductive Procedures*, the provisions of the following guidelines do not apply:

- *Guidelines on Embryo Donation for Reproductive Purposes*
- *Guidelines on the Creation and Use, for Reproductive Purposes, of an Embryo Created from Donated Eggs in conjunction with Donated Sperm.*

A handwritten signature in black ink, appearing to read 'John Angus', is positioned on a light-colored rectangular background.

John Angus

Chair, Advisory Committee on Assisted Reproductive Technology

12 December 2013