Advisory Committee on Assisted Reproductive Technology (ACART)

ACART: bringing together law, policy and ethics in ART
http://acart.health.govt.nz/

ACART is established under section 32 of the Human Assisted Reproductive Technology Act 2004 (HART Act).

ACART's two key functions are to:

- provide independent advice to the Minister of Health
- issue guidelines and provide advice to the Ethics Committee on Assisted Reproductive Technology (ECART) on procedures and research requiring case by case ethical approval.

ACART also monitors:

- the application, and health outcomes, of assisted reproductive procedures and established procedures
- developments in human reproductive research.

Information about ECART is available at: http://ecart.health.govt.nz/

Guiding principles

ACART's work is guided by the principles of the HART Act. These are:

- the health and well-being of children born as a result of the performance of an assisted reproductive procedure or an established procedure should be an important consideration in all decisions about that procedure
- the human health, safety and dignity of present and future generations should be preserved and promoted
- while all persons are affected by assisted reproductive procedures and established procedures, women, more than men, are directly and significantly affected by their application, and the health and well-being of women must be protected in the use of these procedures
- no assisted reproductive procedure should be performed on an individual and no human reproductive research should be conducted on an individual unless the individual has made an informed choice and given informed consent
- donor offspring should be made aware of their genetic origins and be able to access information about those origins
- the needs, values and beliefs of Māori should be considered and treated with respect
- the different ethical, spiritual, and cultural perspectives in society should be considered and treated with respect.

Recent advice

ACART's advice to the Minister of Health following public consultations has included:

Advice to the Minister of Health on requirements for importing and exporting in vitro gametes and embryos for human reproductive research and human assisted reproductive technology (March

2015). This advice explained the reasons for people wanting to import or export gametes or embryos, the risks and benefits, and how these activities can be managed.

ACART's recommendations include that the HART Act should enable donors to be compensated for reasonable expenses incurred in the process of donation. For consistency, the scope of reasonable expenses available for surrogates should also be considered.

Informed consent and assisted reproductive technology (September 2016). This advice focused on the need for transparency and suitable information for multiple parties to ART to ensure informed decisions, avoid and manage disputes, and to recognise the interests of the various stakeholders.

Advice that the use of cryopreserved ovarian tissue become an established procedure (January 2017).

This advice recommends that the use of cryopreserved ovarian tissue to restore ovarian function should become an established procedure under s 6 of the HART Act. This would mean that ovarian tissue could be used by fertility clinics to restore a woman's own reproductive function without the need for ethical approval by ECART.

Current work programme

ACART's current work programme includes:

- Review of the *"Donation Guidelines."* ACART has commenced a major review of three guidelines involving the donation of gametes and embryos, as well as the surrogacy guidelines (to be merged into a single guideline and renamed "Donation Guidelines"). This review and consultation will include consideration of removing the "biological link" policy (where there is a biological or genetic link between at least one intending parent and the resulting child), as is currently required.
- Review of the "*Posthumous Reproduction Guidelines."* This work will review the *Guidelines on the Use, Storage and Disposal of Sperm from a Deceased Man* (2000). These guidelines predate the HART Act. They raise important ethical questions about when, and in what circumstances, people's gametes and embryos can be used for reproduction after they die.

Committee membership

The members of ACART and membership roles are:

- Alison Douglass (Chair) :expertise in relevant areas of the law
- Michael Legge (Deputy Chair):expertise in human reproductive research and ethics
- Jonathan Darby: disability perspective
- Gillian Ferguson: consumer perspective
- Kathleen Logan: ability to articulate the interests of children
- Sue McKenzie: general layperson
- John McMillan: expertise in ethics
- Catherine Poutasi: general layperson
- Barry Smith: expertise in Māori customary values and perspectives
- Dr Sarah Wakeman: expertise in assisted reproductive procedures