

## **ADVISORY COMMITTEE ON ASSISTED REPRODUCTIVE TECHNOLOGY**

### **ADVICE ISSUED 24 NOVEMBER 2008 TO THE ETHICS COMMITTEE ON ASSISTED REPRODUCTIVE TECHNOLOGY UNDER THE HUMAN ASSISTED REPRODUCTIVE TECHNOLOGY ACT 2004**

#### **APPLICATIONS THAT INCLUDE COMBINED ASSISTED REPRODUCTIVE PROCEDURES**

##### **BACKGROUND**

1. The Human Assisted Reproductive Technology Act 2004 (the HART Act) sets out the functions of the Ethics Committee on Assisted Reproductive Procedures (ECART) in section 28. ECART's functions include considering and determining applications for approvals for the performance of assisted reproductive procedures (section 28(1)(a)).
2. ECART must operate in accord with any guidelines issued by ACART (section 29(a)). As well as issuing guidelines, ACART can also issue advice to ECART on any matter relating to any kind of assisted reproductive procedure (section 35(1)(a)).
3. ACART has issued guidelines to ECART in regard to a number of assisted reproductive procedures. Those guidelines do not take into account the possibility of cases that include combined assisted reproductive procedures.
4. In September 2007, ACART considered a request from ECART for advice on applications with combined assisted reproductive procedures. ACART decided to establish a project to consider the implications of combined assisted reproductive procedures and advised ECART that in the meantime, it could not approve applications with combined assisted reproductive procedures.
5. ACART subsequently decided at its meeting of 11 July 2008 to issue advice to ECART in respect of applications including combined assisted reproductive procedures. ACART finalised the advice at its meeting of 14 November 2008, following consultation with ECART, and agreed the advice would come into effect from 24 November 2008.

##### **THE ADVICE**

6. Where a case includes more than one assisted reproductive procedure, applications to ECART should address the provisions in the guidelines that apply for each of the individual assisted reproductive procedures, to ensure that the ethical issues associated with each procedure are taken into account. For example, if a family member is a gamete donor as part of another assisted reproductive procedure, the Guidelines on Donation of Eggs or Sperm between Certain Family

Members may apply, as well as the guidelines that apply to the other assisted reproductive procedure.

7. ECART must not approve an application where the guidelines for the separate assisted reproductive procedures are not compatible. For example, the Guidelines on Surrogacy Arrangements involving Providers of Fertility Services require at least one of the intending parents to be a genetic parent of any resulting child. In contrast, the Guidelines on Embryo Donation require that the embryos being donated have been created from the donors' gametes and as part of the donors' own in vitro fertilisation treatment.

A handwritten signature in cursive script that reads "Sylvia Rumball".

**Sylvia Rumball**  
**Chair**  
**Advisory Committee on Assisted Reproductive Technology**