

The logo for 'yourSAy' is displayed in a stylized, lowercase font. The 'y' is notably larger and more prominent than the other letters. The logo is set against a dark, textured background.

# Online Submission Form for the review of the Assisted Reproductive Treatment Act 1988 (SA)

## Contact Details

Confidential No

Contact Name: Dr Kelly

Contact Address1: [REDACTED]

Contact Address2: [REDACTED]

Suburb: [REDACTED]

Postcode: [REDACTED]

Email: [REDACTED]

Phone: [REDACTED]

## Preliminary Data

What is your association to assisted reproductive treatment?: egg donor

If you belong to a company or organisation – what is the name of that organisation?:

Do you make this submission in your individual or professional capacity?: individual

If you live outside of Australia which country do you live in?: Australia

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1. Please comment upon the requirement within the Act that the welfare of any child born as a consequence of assisted reproductive treatment (A.R.T.) is treated as being of paramount importance, and accepted as a fundamental principle, in respect of the operation of the Act, as well as in the provision of assisted reproductive treatment.: I agree that the resultant child (whether DC or not) should be of paramount importance.

secondly the parents, lastly the donor and/or surrogate

**2. Please comment upon the replacement of the previous licensing scheme with a registration scheme for A.R.T. clinics** I agree that the State Minister should have the power to register fertility clinics. Failing that, an alternate registration body could be established for this purpose, like the relationship VARTA have with the Victorian clinics and government.

**3. Please comment on the dissolution of the SA Council on Reproductive Technology and its Code of Ethical Clinical Practice.:** I don't understand why the Heads of Churches are involved in the regulation of ART and fertility clinics. I think religion needs to be kept separate from politics and in this case, science. I agree with all other aspects of this section.

**4. Please comment on the effectiveness and operation of the legislation regarding access to assisted reproductive treatment in South Australia. In particular, the conditions set out in the Act and in the regulations that relate to the circumstances in which, and to whom, A.R.T. may be provided.:** I didn't read anything about same sex relationships in relation to whom ART can be provided. This is legal in many other states and gay couples will seek other FSs in other States if the laws are not amended to incorporate them. Gay men should be able to access a donor and/or surrogate within their own state, and lesbians should have access to donor sperm and a surrogate if required

**5. Please comment on the effectiveness and operation of the Act in relation to it providing for the establishment of a donor conception register.:** I live and have only ever donated in the state of Victoria. I support their model of register and would encourage the SA government to follow suit. I also like the idea of an addendum with the Birth Certificate to encourage more parents to tell their DC children early, rather than finding out as adults. The part of the recent changes to legislation I did not agree with that was recently passed through the Victorian Parliament was regarding the release of the identity of the anonymous donor prior to 1988. I think all information except for the name should be disclosed. These days, it doesn't take much to do a rather comprehensive check on someone on the internet just by using their name and the basic information on the donors form that they submit prior to donation. I think all information other than the name is safer for the donor, and that the name is only released if the donor consents to that change in anonymity. All medical records and the personality profile without the patient/donors name should definitely be accessible to the DC

person. I think the DC person should be a maximum age of 18 where they can access this information without any hurdles. If they want to access this information earlier, I think they should have parental permission to do so, and have to do at least one counselling session at the fertility clinic to show they are of sound mind and age appropriate maturity to deal with meeting their donor.

**6. Please comment on the effectiveness and operation of provisions within the Act for record keeping and confidentiality.:** I think it's common practice in today's society to keep medical records, and it is unfortunate that it was not practiced in years gone by with the first generation of DC people. I think a central register would not only help DC children access their donor, but also have access to siblings. In addition to that, it also helps donors keep track of their family limits. I have not kept track of my family limit at all. I have been donating my eggs since 2001 and have all my records available at my clinic (I've stayed with the same clinic and FS from the start) and VARTA so I don't need to keep track of it myself.

**Any Other Matter:** I would strongly urge this government to follow in Victoria's footsteps. I am very happy with the current situation in Victoria. At the very least, establish a register. Thank you



Government of  
South Australia

