

# Submission form

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Please provide your contact details below.

Name:	Dr Guy Gudex
If this submission is made on behalf of an organisation, please name the organisation:	Repromed
Please provide a brief description of the organisation if applicable:	Fertility Services Provider
Address/email:	ggudex@repromed.co.nz
Interest in this topic (eg, user of fertility services, health professional, member of the public):	Fertility Services Provider

We will place all submissions on ACART's website, except where we are asked that submissions be withheld in full or part for reasons of confidentiality. We will remove contact information from all submissions.

☐ I **request** that my submission be withheld in full or part from publication on ACART's website (if you wish a part to be withheld, please clearly indicate which part).

Please note that all submissions may be requested by any member of the public under the Official Information Act 1982 (the Act). If there is any part of your submission that you consider should be properly withheld under the Act, please make this clear in your submission, noting the reasons.

If information from your submission is requested under the Act, the Ministry of Health (the Ministry) will release your submission to the person who requested it. The Ministry will remove your name and/or contact details from the submission if you check one or both of the following boxes. Where a submission is made on behalf of an organisation, the Ministry will not remove the name of the organisation.

☐ I **do not** give permission for my name to be released to persons under the Official Information Act 1982.

☐ I **do not** give permission for my contact details to be released to persons under the Official Information Act 1982.

We will acknowledge all submissions. A summary of submissions will be sent to those who request a copy. The summary will include the names of everyone who made a submission, except where individuals have asked for personal details to be withheld.

Do you wish to receive a copy of the summary of submissions?

☐ Yes ☒ No

# Questions about the proposed amendments to the guidelines

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## Question 1

Do you agree with ACART's conclusions that:

- the surrogacy guidelines currently discriminate on the basis of sex and sexual orientation, and
- the discrimination is not justified in light of the principles of the Human Assisted Reproductive Technology Act 2004?

Yes ☒ No ☐

Please give reasons for your views.

Repromed agrees that the current surrogacy guidelines are discriminatory on the basis of sex and sexual orientation and this discrimination is not justified in light of the principles of the HART Act. We support the inclusion of single men and male couples to be able to pursue surrogacy arrangements in New Zealand with the assistance of accredited fertility service providers.

We believe that the rights and well being of children born through such arrangements will be safeguarded.

## Question 2

Do you agree with ACART's view that surrogacy should be used only where there is a need, and not for convenience?

Yes ☒ No ☐

Please give reasons for your views.

We believe it is in the best interests of all parties involved and particularly the children born, that there is a medical requirement to undergo treatment and enter into surrogacy arrangements rather than pursuing surrogacy for reasons of convenience. In our opinion, requiring a medical reason for surrogacy minimises the physical and psychological risks to all parties involved, and particularly the women and resulting children.

### Question 3

Do you have any other comments on ACART's proposed amendments to the *Guidelines on Surrogacy Arrangements involving Providers of Fertility Services*?

The amendments are very clearly presented in the discussion document and these changes are welcomed by Repromed. We hope it will enable more people to have the opportunity to create a family.

### Question 4

Do you agree with ACART's proposal that single men and male couples applying to ECART to enter a surrogacy arrangement should also be able to apply to use eggs donated by a family member?

Yes ☒ No ☐

Please give reasons for your views.

Yes, we fully support single men and male couples applying to ECART to enter a surrogacy arrangement being able to use donated eggs from a family member. Often people do feel most comfortable to use a donor they know well and who has a family connection. Such arrangements usually involve ongoing close relationships between family members and this usually is highly desirable in terms of the best interests of children born through the arrangement.

### Question 5

Do you agree with ACART's proposal that single women and lesbian couples should be able to apply to ECART to use sperm donated by a family member without needing a medical justification?

Yes ☒ No ☐

Please give reasons for your views.

We fully support single women and lesbian couples being able to apply to ECART to use sperm donated by a family member without needing medical justification. Single women and lesbian couples obviously require donated sperm in order to create their family through fertility treatment, and again, often there is a desire to use a family member as this means there is some family connection as well as the likelihood in most cases, of ongoing contact and sharing of information between the parties, including the resultant children.

## Question 6

Do you agree with ACART's view that the use of eggs or sperm donated by a family member should be possible only where intending parents do not have their own eggs or sperm, or if they do, that there is a medical reason for them not to use their own eggs or sperm?

Yes ☒ No ☐

Please give reasons for your views.

Repromed supports the view that the use of donated eggs or sperm donated by a family member should only be possible only where intending parents do not have their own eggs or sperm, or if there is a medical reason not to use their own gametes. We believe this minimises the physical risks for women involved in the relevant treatments as well as minimising the potential risk for psychological complexity or harm for children and other involved parties.

## Question 7

Do you have any other comments or suggestions about either the proposed amendments to the guidelines or the associated discussion?

The proposed amendments were very clearly presented in the discussion document.

We would also welcome further consideration/review of the following related issues:

1. The use of surrogacy in conjunction with donated embryos or surrogacy in conjunction with donated eggs plus donated sperm.
2. The scenarios requiring ECART applications for within family gamete donation. Although it may be difficult to say which donation scenarios carry the greatest risk of coercion, it seems inconsistent that someone can for example use a stranger as their donor but is required to apply to ECART if they wish to use their sister-in-law as their egg donor.

Thank you.