Feedback form

Please provide your contact details below.

Name:	Ian Hassall
If this feedback is on behalf of an organisation, please name the organisation:	
Please provide a brief description of the organisation if applicable:	
Address/email:	[redacted]
Interest in this topic (eg, user of fertility services, health professional, researcher, member of the public):	Children's advocate

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

☐ I **request** that my feedback 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 feedback may be requested by any member of the public under the Official Information Act 1982 (the Act). If there is any part of your feedback that you consider should be properly withheld under the Act, please make this clear in your feedback, noting the reasons.

If information from your feedback is requested under the Act, the Ministry of Health (the Ministry) will release your feedback to the person who requested it. The Ministry will remove your name and/or contact details from the feedback if you check one or both of the following boxes. Where feedback is 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 feedback.

Questions about the proposals discussed in the paper

Question 1: Import and subsequent use of gametes and embryos

Do you agree that the principles and requirements of the Human Assisted Reproductive Technology Act 2004 should apply in all cases where people wish to import into and use in New Zealand gametes and embryos sourced or created in other countries?

Yes [x] No [ ]

Please give reasons for your views.

For the reasons given in the consultatation document.

Question 2: Export of gametes and embryos

Do you agree that export of gametes and embryos should be possible, provided that:

- the subsequent use of gametes or embryos is consistent with the principles and requirements of the Human Assisted Reproductive Technology Act 2004, including any prohibitions, and
- all gamete providers, including donors, have given informed consent to the export of their gametes or of embryos created from their gametes?

Yes [x] No [ ]

Please give reasons for your views.

For the reasons given in the consultatation document.

Question 3: Decisions about import and export for assisted reproductive procedures

Do you agree that fertility services providers should continue to make decisions about whether the import and export of gametes and embryos for assisted reproductive procedures is consistent with the principles of the Human Assisted Reproductive Technology Act 2004 and New Zealand requirements?

Yes [x] No [ ]

If you disagree with the proposal, who or what should make decisions about whether the import and export of gametes and embryos for assisted reproductive procedures is consistent with New Zealand requirements?

Please give reasons for your views.

Question 4: Decisions about import and export for human reproductive research

Do you agree that the role of the Ethics Committee on Assisted Reproductive Technology in respect of human reproductive research should explicitly include considering and deciding applications to undertake human reproductive research involving imported and exported gametes and embryos?

Yes [x] No [ ]

If you disagree with the proposal, who or what should be responsible for making decisions about research involving imported and exported gametes and embryos?

Please give reasons for your views.

Question 5: Regulations

Do you agree that regulations should be made about the requirements for the import and export of gametes and embryos?

Yes [x] No [ ]

If you disagree with the proposal, how should requirements for import and export be set out?

Please give reasons for your views.

Question 6: Donor compensation

Do you agree that the Ministry of Health should be asked to consider guidance to fertility services providers that allows for increased levels of donor compensation, particularly for egg donors?

Yes [ ] No [x]

Do you agree that such guidance should, for consistency, include the expenses available to surrogates?

Yes [ ] No [x]

If you agree with the proposals, do you have a view about appropriate maximum levels of compensation to donors?

Please give reasons for your views.

I disagree and prefer that the status quo be retained.

The present arrangement permits service providers to compensate donors to the amount that is reasonable. The proposed change transfers the responsibility for deciding what is reasonable from the clinic (under audit by ECART) to the Ministry (under audit/review by whom?). I see Proposal 3.7. as allowing less flexibility of the justified kind, and more bureaucracy in relation to the donor circumstances and changes over time and less security in its adherence to the requirements of the HART Act, existing guidelines and precedents. The risk of sliding into de facto commercial donation will be greater with the proposed changes.

A similar argument applies to surrogacy

Question 7: Public health information

Do you agree that the Ministry of Health should be asked to consider public health information about:

- the impact of age and other factors on fertility, and
- gamete donation?

Yes [x] No [ ]

Please give reasons for your views.

Question 8: Data about offshore fertility treatment and outcomes

Do you agree that the Ministry of Health should be asked to consider strategies for collecting data about the use and outcomes of offshore fertility treatment by New Zealanders?

Yes [x] No [ ]

If you agree, do you have ideas about how such information could be collected?

As you have outlined. The only point of systematic record-keeping is at the service provider who should be required to provide the data – in confidence.

Please give reasons for your views.

Question 9: Comments or suggestions

Do you have any other comments or suggestions about the issues discussed in this proposed advice paper?

No