

c2016-015A
OPP--OPPOSITION

LEGISLATIVE COUNCIL

Assisted Reproductive Technology Amendment Bill 2016

First print

Proposed amendment

No. 1 **Pre 2010 records**

Pages 8–11, Schedule 1 [17]. Line 30 on page 8 to line 38 on page 11. Omit all words on those lines. Insert instead:

[17] Part 3A

Insert after Part 3:

Part 3A Pre 2010 records

41N Definitions

In this Part:

ART provider includes a person who was formerly an ART provider.

pre 2010 record means a record made by an ART provider in relation to a gamete that was donated before 1 January 2010 or ART treatment provided before that date using a donated gamete.

41O ART provider to give all pre 2010 records to Secretary

An ART provider must, within 12 months after the commencement of this section, give all pre 2010 records within the ART provider's control to the Secretary.

Maximum penalty: 200 penalty units in the case of a corporation or 100 penalty units in any other case.

41P Information to be included in central register

- (1) The Secretary is to enter in the central register information from any pre 2010 record given to the Secretary under this Part, but only if it is information referred to in section 30 (1) (a)–(g) or 31 (1) (c).
- (2) The Secretary is not required to enter information in the central register under this section if the Secretary is reasonably satisfied that no person will be adversely affected if the information is not entered.

Note. For example, the Secretary would not be required to enter information about the donor of gametes if the relevant pre 2010 records show that no person was born as a result of ART treatment using those donated gametes.

41Q Disclosure of information

Information entered in the central register under this Part may be disclosed under Part 3. However, any information that identifies a person must not be disclosed except in accordance with section 40B.