

## ART provider interstate class application to import or export donated gametes

# ART

This application form should be completed by Victorian ART providers (clinics) seeking approval from the Victorian Assisted Reproductive Treatment Authority (VARTA) to import or export donor sperm or eggs interstate under section 36(2) of the *Assisted Reproductive Treatment Act 2008* (Vic) (the Act). This application form should be forwarded to [regulation@varta.org.au](mailto:regulation@varta.org.au) once completed.

### Section A – Clinic details

Please provide details of the Victorian clinic seeking approval to import or export donor sperm or eggs and the relevant interstate clinic.

	Victorian Clinic	Interstate Clinic
ART provider name		
Contact person		
Mailing address		
Phone number		
Email address		

Please indicate the following:

- We are the receiving clinic seeking to **import donor gametes into Victoria**
- We are the transferring clinic seeking to **export donor gametes out of Victoria**

If donor sperm or eggs have been sourced from a clinic which is different from the Victorian or interstate clinic where they are currently stored, please also provide details of this clinic.

Name of clinic	
Postal address	
Contact email	

## Section B – Donor and intending recipient details

Please provide details of the donor/s and the intending recipient/s who are the subject of this application.

	Donor 1	Donor 2	Donor 3	Donor 4	Donor 5
Full name (if known)					
Date of birth					
Donor code					
Most recent date of donor consent					
Date of donor consent to export (if applicable)					
Number of straws of sperm					
Number of eggs					
Number of women known to have already used gametes from donor (if any)					
Number of intended recipients					

Please indicate the total number of straws of sperm or eggs which are the subject of this application.

Total number of straws of sperm	
Total number of eggs	

Importing more straws, eggs or embryos than you have approval to import may be a breach of the Act.

## Section C – Receiving Clinic Declaration – Import Application

Please complete this declaration if you are the Designated Officer of the Receiving Clinic seeking to import gametes into Victoria.

We declare that:

### 1. Donor details

- Our clinic confirms that the details of the donor/s and intended recipient/s in Section B are correct.

### 2. Compliance with donor requirements under the ART Act

- Our clinic has considered the guiding principles in section 5 of the Act and will give effect to them in carrying out treatment procedures involving the imported gametes;
- The donor/s have given consent to the use of their gametes in accordance with sections 16 and 17 of the Act, and regulation 8 of the *Assisted Reproductive Treatment Regulations 2019* (the Regulations), and the importation of their gametes into Victoria;
- Prior to giving consent, the donor/s received counselling from one of our clinic's counsellors in accordance with section 18 of the Act and regulation 9 of the Regulations;
- The donor/s have been given written advice about the matters set out in section 19 of the Act and provided our clinic with the prescribed identifying and non-identifying information.

### 3. Maintenance of 10-woman worldwide donor limit

- The interstate clinic has confirmed that, consistent with section 29 of the Act, the use of the imported gametes or embryos in a treatment procedure will not result in more than 10 women having children who are genetic siblings, including the donor and any current or former partner of the donor.
- The interstate clinic has advised our clinic of the number of women who already have children from the donor, as noted in Section B above.

### 4. No valuable consideration offered or received for supply of donor gametes

- Neither our clinic nor the interstate clinic have given or offered to give valuable consideration to the donor/s for the supply of the gametes, and the donor/s have not received or offered to receive valuable consideration for their supply in a manner inconsistent with section 17 of the *Prohibition of Human Cloning for Reproduction Act 2008* (Vic). All payments made to the donor by our clinic (if any) have been reimbursements of reasonable expenses incurred in connection with the supply of the sperm or eggs.
- In accordance with Guideline 5.5 of the *National Health and Medical Council's Ethical guidelines on the use of assisted reproductive technology in clinical practice* (the NHMRC Guidelines), the donated gametes have been obtained in a manner consistent with all relevant Commonwealth, state or territory legislation, Reproductive Technology Accreditation Committee (RTAC) guidelines and the NHMRC Guidelines.

### 5. Other

- Our clinic knows of no other reason why the import application should not be approved.
- Our clinic confirms that all statements made in this application are true and correct and understand that it is an offence under section 38 of the Act to knowingly or recklessly give false or misleading information or omit to give material information in this application. We understand that committing such an offence could result in a penalty.

### SIGNATORY TO DECLARATION

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

ART clinic: \_\_\_\_\_

Date: \_\_\_\_\_

## Section D – Transferring Clinic Declaration – Export Applications

Please complete this declaration if you are the Designated Officer of the Transferring Clinic seeking to export gametes out of Victoria. Please note that section 36(3) of the Act requires VARTA to consider whether the purpose and way in which the gametes or embryo will be used outside Victoria is consistent with a purpose and way for which it could be used in Victoria.

We declare that:

### 1. Donor details

- Our clinic confirms that the details of the donor/s and intended recipient/s in Section B are correct.

### 2. Consent to export

- Our clinic confirms that the donor/s are aware of the proposed export application and consented to the export of their donated gametes. The donor/s has been given or will be given written notice of the clinic where the donated gametes are to be sent.

### 3. Maintenance of 10-woman worldwide donor limit

- The interstate clinic has confirmed that, consistent with section 29 of the Act, the use of the imported gametes in a treatment procedure will not result in more than 10 women having children who are genetic siblings, including the donor and any current or former partner of the donor.
- Our clinic has advised the interstate clinic of the number of women who already have children from the donor, as noted in Section B above.

### 4. Birth notification

- In managing the legislative family limit and donor register requirements, our clinic undertakes to notify VARTA of all live births that result from treatment using the exported donor sperm or eggs.

### 4. No valuable consideration offered or received for supply of donor gametes

- Neither our clinic nor the interstate clinic have given or offered to give valuable consideration to the donor/s for the supply of the gametes, and the donor/s have not received or offered to receive valuable consideration for their supply in a manner inconsistent with section 17 of the *Prohibition of Human Cloning for Reproduction Act 2008 (Vic)*. All payments made to the donor by our clinic (if any) have been reimbursements of reasonable expenses incurred in connection with the supply of the sperm or eggs.
- In accordance with Guideline 5.5 of the National Health and Medical Council's Ethical guidelines on the use of assisted reproductive technology in clinical practice (the NHMRC Guidelines), the donated gametes have been obtained in a manner consistent with all relevant Commonwealth, state or territory legislation, Reproductive Technology Accreditation Committee (RTAC) guidelines and the NHMRC Guidelines.

### 5. Other

- Our clinic knows of no other reason why the export application should not be approved.
- Our clinic confirms that all statements made in this application are true and correct and understand that it is an offence under section 38 of the Act to knowingly or recklessly give false or misleading information or omit to give material information in this application. We understand that committing such an offence could result in a penalty.

## SIGNATORY TO DECLARATION

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

ART clinic: \_\_\_\_\_

Date: \_\_\_\_\_