

Class application to export donated sperm interstate by a Victorian registered ART provider

Victorian Assisted Reproductive Treatment Authority

The *Assisted Reproductive Treatment Act 2008* (Vic) (the ART Act) requires that a person must not bring donated gametes, or embryos produced from donated gametes, into Victoria, or take them from Victoria, except with the written approval of the Victorian Assisted Reproductive Treatment Authority (VARTA). In addition, section 36 of the Act requires that those gametes or embryos taken from Victoria are to be used in a manner consistent with a purpose and way in which they could be used in Victoria.

Criteria for approval

Approval for export will be subject to meeting a number of the following requirements. In most circumstances, these will be the criteria set out in the Act and the Authority's 'Guidelines for the Import and Export of Donated Gametes and Embryos Produced from Donated Gametes'. Please review these guidelines before completing this form.

Approvals will take into account:

1. **Commercial trading in gametes or embryos**

Section 21 of the *Prohibition of Human Cloning for Reproduction Act 2002* (Cth) prohibits commercial trading in human eggs, sperm or embryos. The donor must not receive payment, other than reimbursement of medical or other expenses in relation to the donation itself.

2. **Identifying information**

When a child is born as a result of a donor treatment procedure, information about the person who provided the gametes, the person/s to whom the child was born, and the child must be provided to the Victorian clinic so that the Victorian Registry of Births, Deaths and Marriages can be notified. This is a requirement of section 51 of the ART Act.

3. **Counselling and informed consent**

Clinics must ensure that the requirements of sections 16 – 19 of the ART Act are met in relation to informed consent by the donor. The donor must receive information and be counselled by a counsellor providing services on behalf of a Victorian registered assisted reproductive treatment provider about the operation of the Central Register of donor births in Victoria. Clinics must also ensure that any consent information relevant to the gametes is also transferred to the receiving ART provider.

4. **Limit to 10 women**

A person is prohibited from carrying out a treatment procedure using gametes, or an embryo formed from gametes, produced by a donor if the person knows the treatment procedure may result in more than 10 women having children who are genetic siblings, including the donor and any current or former partner of the donor, under section 29 of the ART Act.

Class application to export donated sperm interstate

How to complete this form:

Step one

- Before completing this form please contact the transferring organisation to inform them of the intention to submit this application to VARTA and to ensure that all requirements can be met.

Step two

- To assist in the application process, ALL fields marked with an * must be completed (incomplete applications will be returned for completion).
 - **Section A** - Please provide full address and contact person details of the receiving clinic.
 - **Section B** - Please provide full address and contact person details of the Victorian ART provider (transferring clinic).
 - **Section C** - Please provide donor/s details.

Step three

- Sign the receiving clinic declaration and send the original completed form to VARTA. Please refer to the flow chart in Attachment 1 for more information on the process for approval.

Please note: In completing this application, you must supply complete and accurate information. Omitting to give material information or giving false or misleading information on purpose, may be an offence under this Act.

Class application to export donated sperm interstate

Please enter all required information, indicated with an asterisk * (Please print in block letters)

SECTION A

* Name of Australian accredited/licensed receiving ART provider: _____

* Contact person: _____

* Mailing address: _____

* Contact phone number: _____

* Contact email address: _____

SECTION B

* Name and postal address of Victorian ART provider where the gametes are currently stored: _____

* Contact person: _____

* Contact phone number: _____

* Have the gametes ever been stored at a clinic other than the clinic listed above? YES
 NO

If yes, where were they previously stored? _____

* Contact person: _____

* If either of the above clinics are overseas, please attach a copy of the relevant licence/accreditation certificate (see guidelines for further details).

Class application to export donated sperm interstate

Receiving clinic declaration

Number of straws in total: _____

Receiving clinic: _____

Transferring clinic: _____

We declare:

- 1. No commercial trading in gametes**
Our clinic did not and will not give, offer or receive valuable consideration for the supply of the donor gametes referred to above.
- 2. Collection of information and informed consent of donor**
Our clinic will collect identifying information about each donor, as well as the record of their informed consent to the use of their gametes in a treatment procedure outside Victoria from the Victorian ART provider or directly from the donor prior to treatment commencing.
- 3. Counselling and informed consent of recipient**
Before undergoing treatment, each recipient will receive information and counselling from the Victorian ART clinic about the rights of any person born as a result of the procedure to access information under the *Assisted Reproductive Treatment Act 2008* (Vic) (the ART Act), the nature of the information recorded in the Central Register, and the existence of the Voluntary Register as required under section 25 of the ART Act.
- 4. Limit to 10 women**
The donated gametes will not be used in a treatment procedure if the procedure may result in more than 10 women, or a number less than 10 as specified by the donor, having children who are genetic siblings (including the donor and any current or former partner of the donor).
- 5. Reporting requirements**
We undertake to notify the Victorian clinic should any pregnancy or birth result from a procedure using the donated gametes or embryos produced from donated gametes, the subject of this application, to enable the Victorian clinic to submit the required information to the Central Register of Births, Deaths and Marriages under section 51 of the ART Act.

SIGNATORY TO DECLARATION

Signed: _____

Name: _____

Title: _____

Organisation: _____

Date: _____

Please forward the signed original copy to:
Chief Executive Officer
Level 30, 570 Bourke Street, Melbourne VIC 3000
Tel: (03) 8601 5250

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Attachment 1 - Process for class export

