

Application to import or export donor sperm, eggs or embryos

ART

Effective: 1 April 2018

Applying to import or export

The import and export of donor sperm, donor eggs and embryos produced using donor sperm and/or eggs is governed in Victoria by the *Assisted Reproductive Treatment Act 2008 (Vic)* (the Act). This Act only allows donor sperm, donor eggs and embryos produced using donor sperm and/or eggs to be taken in or out of Victoria with the written approval of the Victorian Assisted Reproductive Treatment Authority (VARTA). VARTA's approval is needed if the donated gametes are moving within Australia or overseas. Moving donated gametes and embryos into and out of Victoria without VARTA approval is an offence under the Act and penalties may apply.

For information about the process of applying to import or export, please see VARTA's *Guidelines for the import and export of donor sperm, donor eggs and embryos produced using donor sperm and/or eggs*. These guidelines will also give you more information about the legal requirements that donor sperm, eggs and embryos must meet in Victoria in order for them to be lawfully used in assisted reproductive treatment in Victoria. VARTA recommends that you read these guidelines before completing your application. The guidelines are available on VARTA's website.

VARTA will make all efforts to process your application as quickly as possible. If you are particularly concerned about timing or delay or have any other questions about your particular circumstances, please contact VARTA on (03) 8601 5250.

How to complete this form

Before you complete this form, it is important to speak to your Victorian clinic to notify them that you wish to make an application to import or export. They may also need to assist you in meeting some of the legal requirements which are set out in VARTA's *Guidelines for the import and export of donor sperm, donor eggs and embryos produced using donor sperm and/or eggs*.

Privacy and disclosure of information

VARTA can only collect, use, and release information in accordance with the provisions of the Act, the *Privacy and Data Protection Act 2014 (Vic)*, the *Health Records Act 2001 (Vic)* and the *Freedom of Information Act 1982 (Vic)*.

Information provided by applicants will only be used for the purpose of processing applications and otherwise only for statistical, education or reporting purposes in a de-identified form. No other parties will have access to an applicant's personal information unless VARTA is compelled by law to disclose that information.

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Section A - Applicant's details

Your details

Full name:

Sex:

Date of birth: / /

Mailing address:

Phone number:

Email address:

Your partner's details (if applicable)

Full name:

Sex:

Date of birth: / /

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Please complete **either** Section B or Section C

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Section B - Details of import into Victoria

Please **only** complete this section if you wish to apply to **import** donor sperm, eggs or embryos into Victoria.

I wish to **import** (please select and complete as relevant):

- donor sperm (number of straws: _____)
- donor eggs (number of eggs: _____)
- embryos produced using donor sperm (number of embryos: _____)
- embryos produced using donor eggs (number of embryos: _____)
- embryos produced using donor sperm and donor eggs (number of embryos: _____)

Please ensure that you confirm the number of straws, eggs or embryos with the relevant clinic before completing this section. Importing or exporting more straws, eggs or embryos than you have approval to import or export may be a breach of the Act.

Reasons for import

I/We are making this application to import:

- to undertake my or my partner's assisted reproductive treatment
- to have a child that will be a genetic sibling of my or my partner's existing child/children
- to enter into a surrogacy arrangement
- because I/we are unable to access a local donor
- other (please provide details):

Please provide any other information you consider relevant

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Section B - continued

Reimbursements to the donor

Commercial trading in human eggs, human sperm or human embryos is a criminal offence in Australia under both Commonwealth and Victorian law. Under section 17 of the Prohibition of Cloning for Reproduction Act 2008 (Vic) (and the equivalent Commonwealth law) a person must not intentionally give or offer, valuable consideration to a donor for supply sperm, eggs or embryos and for a donor to intentionally receive or offer to receive valuable consideration for such supply.

However, a donor may be reimbursed for reasonable expenses related to the supply of sperm, eggs or embryos. For more information in relation to reimbursing a donor, please see the *Guidelines for the import and export of donor sperm, donor eggs and embryos produced using donor sperm and/or eggs*.

Evidence of payments made

If you, or your clinic or bank interstate or overseas, made any payments or reimbursements to the donor, please attach evidence of **all** payments made. Evidence may take the form of invoices or receipts for the payments. If you do not have this information, please contact the clinic or bank from which you sourced the donor sperm, eggs or embryos.

Payments or reimbursements were made and I have attached evidence of them

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Section C - Details of export from Victoria

Please only complete this section if you wish to apply to **export** donor sperm, eggs or embryos out of Victoria.

I wish to **export** (please select and complete as relevant):

- donor sperm (number of straws: _____)
- donor eggs (number of eggs: _____)
- embryos produced using donor sperm (number of embryos: _____)
- embryos produced using donor eggs (number of embryos: _____)
- embryos produced using donor sperm and donor eggs (number of embryos: _____)

Please ensure that you confirm the number of straws, eggs or embryos with the relevant clinic before completing this section. Exporting more straws, eggs or embryos than you have approval to import or export may be a breach of the Act.

The way and purpose that the donor sperm, eggs or embryos will be used interstate or overseas

I/We are making this application to export:

- to undertake my or my partner's assisted reproductive treatment
- to have a child that will be a genetic sibling of my or my partner's existing child/children
- to enter into a surrogacy arrangement
- other (please provide details):

Please provide any other information you consider relevant

Overseas accreditation or licence

If you are applying to export overseas, please provide a copy of the clinic's licensing, accreditation or quality assurance certificate.

- I have attached accreditation or quality assurance certificate

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Section D - Details of your donor/s

It is important to provide the details of your donor/s in order for VARTA to confirm that the donor requirements in the Act have been met and the donor's information is available to be placed on the Central Register as required by the Act. This information is required regardless of whether you are applying to import or export. For more information about the Central Register, please visit www.varta.org.au.

Donor 1

Full name (if known):

Date of birth: / /

Donor code:

Date of most recent consent to donation: / /

Donor 2

Full name (if known):

Date of birth: / /

Donor code:

Date of most recent consent to donation: / /

Please select whichever option is relevant to you:

- I know my donor personally
- My donor was recruited by a clinic in Victoria
- My donor was recruited by a clinic interstate
- My donor was recruited by a clinic or cryobank overseas

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Section E - Clinic details

Please ensure that you provide all details required in this section, as VARTA may need to contact the clinics in the course of processing your application.

Clinic where the donor sperm, eggs or embryos are currently stored

Name of clinic:

Postal address:

Contact person:

Contact person's phone number/email:

Clinic to which the donor sperm, eggs or embryos will be sent

Name of clinic:

Postal address:

Contact person:

Contact person's phone number/email:

In some instances, the donor sperm, eggs or embryos may have been sourced from a clinic which is different from the clinic where they are currently stored. If this is the case, please provide the details of the clinic where the donor sperm, eggs or embryos were originally sourced below:

Name of clinic:

Postal address:

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Section F - Declarations and Consents

Please tick and complete as required.

- I declare that I have not given or offered to give valuable consideration to the donor. The donor, to the best of my knowledge, has not received or offered to receive valuable consideration for the supply of his or her sperm, eggs or embryos. All payments made to the donor (if any) have been reimbursements of reasonable expenses incurred in connection with the supply of the sperm, eggs or embryos.
- I undertake to notify the Victorian clinic should a live birth result from treatment using the imported or exported donor sperm, eggs or embryos.
- I consent to VARTA using the information provided in this form to communicate with relevant organisations, including the clinics, in order to process this application.
- I have been counselled by a counsellor who provides services for a Victorian registered assisted reproductive treatment provider.
- I declare that all statements made in this application are true and correct. I understand that it is an offence under section 38 of the *Assisted Reproductive Treatment Act 2008 (Vic)* to knowingly or recklessly give false or misleading information or omit to give material information in this application. I understand that committing such an offence could result in a penalty.

Applicant's signature:

Applicant's full name:

Date: / /

Partner's signature (if applicable):

Partner's full name:

Date: / /

Checklist

Please ensure that you have completed the following before submitting this form to avoid processing delays:

- Applicant's details
- Details of import/export as applicable, including supporting evidence where necessary
- Donor details
- Clinic details
- Declarations and consents