



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

Assisted Reproductive Treatment Regulations 2009

Notice is given under section 11 of the **Subordinate Legislation Act 1994** that a Regulatory Impact Statement (RIS) has been prepared for the proposed Assisted Reproductive Treatment Regulations 2009. The proposed Regulations will be made under the new **Assisted Reproductive Treatment Act 2008** (the Act).

The proposed regulations are being made under the new Act but largely remake the Infertility Treatment Regulations 1997. The proposed regulations contain some new elements relating to the broader scope of the new legislation. Other elements have been simplified or streamlined, forms of consent prescribed, and an application fee has been prescribed.

The objectives of the proposed regulations reflect the government's overall legislative objectives by ensuring that patients and other parties are informed about the risks associated with ART (to address information gaps), and ensuring cost-effective collection of information.

The proposed Regulations prescribe a number of elements of the Act and generally have a very narrow application. Broadly, the proposed regulations prescribe:

- consent forms for an artificial reproductive treatment (ART) procedure, child protection order checks, and donor's consent
- certain matters that must be covered on counselling sessions prior to a treatment, donation, surrogacy arrangement, or posthumous use of gametes or embryos
- costs that may be reimbursed to a surrogate mother
- information that must be kept on a register by a business and that which must be forwarded to Births Deaths and Marriages Victoria, and
- a fee of \$60.60 for applying for donor information from the Central Register held by Births Deaths and Marriages Victoria.

The RIS considers alternative options to achieve the Government's policy objectives and assesses the costs and benefits of the proposed regulations. The RIS concludes that the benefits of the proposed regulations outweigh the costs, and that the proposed regulations are superior to the alternatives.

Copies of the RIS and proposed Regulations may be obtained by:

- visiting the internet at <http://www.health.vic.gov.au/art>
- telephoning Anne Brown Public Health Program Manager on 9096 5145
- collecting from 50 Lonsdale Street, Melbourne between 8.30 am and 5.00 pm weekdays.

The purpose of this notice is to invite public comments on the RIS and the proposed regulations. All comments must be in writing, marked 'Assisted Reproductive Treatment Regulations 2009 RIS' and received at either or the following addresses by no later than 5.00 pm on 17 November 2009.

Post: Assisted Reproductive Treatment Act RIS
Department of Health
GPO Box 4057
Melbourne Vic. 3001

or email: art.enquiries@dhs.vic.gov.au

All comments and submissions will be treated as public documents.

HON DANIEL ANDREWS MP
Minister for Health

SPECIAL

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