

# Information for families who want to continue with ART treatment started before 1 January 2010

## What is the ART Central Register?

The *Assisted Reproductive Technology Act 2007* (ART Act) and the *Assisted Reproductive Technology Regulation 2014* (ART Regulation) establishes a Central Register (Register) to contain information about donors and children born as a result of ART treatment using donated gametes (sperm and ova).

The ART Act and ART Regulation also established a Voluntary Register to contain information about children born prior to the commencement of the ART Act as a result of ART treatment using donated gametes.

Information held on the Register can be accessed by people who were conceived using donated gametes once they turn 18 years of age.

Parents of children conceived using donated gametes, donors and other offspring of donors are also able to access certain information on the Register.

## When did the Register start?

The Register started on 1 January 2010 when the ART Act commenced. Since that date it has been mandatory for information about every child born alive as a result of ART treatment using donated gametes to be provided to the Register.

The information must be provided to the NSW Ministry of Health within two months of the birth of each child and includes information that identifies the donor of the gametes.

However the ART Regulation contains special arrangements for:

- women who had embryos in storage that were created before 1 January 2010 using donated gametes ; and
- women who had already conceived children using donated gametes prior to 1 January 2010 and wish to complete their families using gametes from the same donor.

The arrangements allow such women to continue with their ART treatment without requiring the donor's details to be included on the Register.

This pamphlet provides general information about the arrangements under the ART Act and ART Regulation. If you commenced your family by way of ART treatment using donated gametes before 1 January 2010 and wish to complete your family using the gametes from the same donor, you should also contact your ART provider to discuss your options.

## Embryos in storage prior 1 January 2010

If you have embryos in storage that were created prior to 1 January 2010 using donated gametes, the donor's information is not required to be included on the Register. In addition the limit on the use of donated gametes where use will result in offspring from the donor being born to more than five women does not apply.

While the donor's details will not be included on the Register, donors may decide to include their information on the Voluntary Register.

## Using gametes donated before 1 January 2010.

If you have already conceived a child using donated gametes before 1 January 2010 and you want to conceive another child using the same donor, the donor's details will NOT be included on the Register if the following criteria are met:

- you have, before 1 January 2010, already conceived a child as a result of ART treatment using a donated gamete from the donor; and
- the donated gamete was obtained before 1 January 2010.

In addition the limit on the use of donated gametes where use will result in offspring from the donor being born to more than five women does not apply.

While the donor's details will not be included on the Register, donors may decide to include their details on the Voluntary Register.

Note that the above criteria require that the donated gamete(s) used for the second or subsequent conceptions must have been obtained before 1 January 2010. The criteria do not provide a means by which further anonymous donations may be made after 1 January 2010.

## Limit on the number of women using the same gamete donor

Section 27 of the ART Act prevents an ART provider using donated gametes for ART treatment if that treatment is likely to result in offspring of the donor being born to more than five women.

However, section 27 will not prevent ART treatment being given to a woman if:

- the embryo used in the treatment was created prior to 1 January 2010 using a donated gamete; or
- a gamete donated pre-Act is used to provide ART treatment to a woman who has, prior to 1 January 2010 already conceived an offspring as a result of ART treatment using a donated gamete from the donor.

### Contact details

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