**Feedback form**

**Please provide your contact details below.**

|  |  |
| --- | --- |
| Name |  |
| If this feedback is on behalf of an organisation, please name the organisation. |  |
| Please provide a brief description of the organisation (if applicable). |  |
| Address/email |  |
| Interest in this topic (eg, user of fertility services, health professional, researcher, member of public) |  |

Are you:

Male  Female  Other gender identity

Would you like to make a verbal submission in person or using electronic communications?

Yes  No

Which of the following age groups do you belong to?

13–19 years  20–24 years  25–34 years

35–44 years  45–54 years  55–64 years

65–74 years  75+ years

What is your ethnicity? (Tick all you identify with)

NZ European  Māori  Pacific peoples

Asian  Other

**Privacy**

We may publish all submissions, or a summary of submissions on ACART’s website. If you are submitting as an individual, we will automatically remove your personal details and any identifiable information. You can also choose to have your personal details withheld if your submission is requested under the Official Information Act 1982.

If you do not want your submission published, please tick this box:

Do not publish this submission.

Your submission may be subject to requests made under the Official Information Act 1982. If you want your personal details removed from your submission, please tick this box:

Remove my personal details from responses to Official Information Act 1982 requests.

If your submission contains commercially sensitive information that you do not wish to be released, please tick this box:

This submission contains commercially sensitive information.

1. All posthumous use should be subject to ECART review

**Question 1**

Should ethical review by ECART be required for all posthumous uses of gametes or reproductive tissue, even if consent to specific use was given while the deceased person was alive?

**Yes / No**

|  |
| --- |
| **Comments** |

**Question 2**

Should ethical review by ECART always be required for the posthumous use of **stored embryos**, even if consent to specific use was given while the deceased person was alive?

**Yes / No**

|  |
| --- |
| **Comments** |

**Question 3**

Do you agree that ACART should recommend a change to the HART Order 2005 to ensure all posthumous **use** is considered by ECART?

**Yes / No**

|  |
| --- |
| **Comments** |

**Question 4**

Do you agree that the guidelines should allow for the posthumous use of clinic donor sperm or eggs, if there is already a child from the person who donated those gametes and the new child will be in the same family?

**Yes / No**

|  |
| --- |
| **Comments** |

1. Consent must be to a specific use

**Question 5**

Do you agree that the deceased person must have consented to a specific use?

**Yes / No**

|  |
| --- |
| **Comments** |

**Question 6**

Do you agree with ACART, that the definition of specific use should mean “consent to use by a specific person/s”?

**Yes / No**

|  |
| --- |
| **Comments** |

Consent to use must be proven

**Question 7**

Do you agree that the intending parent(s) must provide evidence of consent to posthumous use in order to use gametes, reproductive tissue or stored embryos from a deceased person?

**Yes / No**

|  |
| --- |
| **Comments** |

1. The evidence of consent may be written or oral

**Question 8**

Do you agree that oral consent is acceptable?

**Yes / No**

|  |
| --- |
| **Comments** |

**Question 9**

Do you agree that there must be evidence of oral consent for that consent to be acceptable?

**Yes / No**

|  |
| --- |
| **Comments** |

1. In most cases, the deceased’s consent to retrieval can be inferred from their consent to posthumous use

**Question 10**

Do you agree that consent to posthumous use of gametes or reproductive tissue can be taken to imply consent to posthumous retrieval of the gametes or tissue?

**Yes / No**

|  |
| --- |
| **Comments** |

**Question 11**

Do you agree that there is no need to test whether the deceased person had a full understanding of the method of retrieval of the gametes or tissue?

**Yes / No**

|  |
| --- |
| **Comments** |

1. ECART or the High Court will be able to authorise retrieval of gametes or reproductive tissue from a deceased person

**Question 12**

Do you agree that ACART should recommend a change to the HART Order 2005 so that it is clear that posthumous retrieval is never an established procedure?

**Yes / No**

|  |
| --- |
| **Comments** |

**Question 13**

Do you agree that, subject to the change to the HART Order 2005, ECART could authorise posthumous retrieval? (Note: This would seldom or never actually happen because retrieval cases would usually be decided by the High Court.)

**Yes / No**

|  |
| --- |
| **Comments** |

1. Prohibiting retrieval from deceased minors

**Question** **14**

Do you agree that the retrieval of gametes and reproductive tissue from deceased minors, for reproduction, should be prohibited?

**Yes / No**

|  |
| --- |
| **Comments** |

**Question** **15**

Do you agree that if a minor freezes gametes or reproductive tissue and dies before they can use those gametes or reproductive tissue (or can consent as an adult to another use), then the gametes or reproductive tissue are not able to be used by anyone else?

**Yes / No**

|  |
| --- |
| **Comments** |

1. One change to the HART Act to enable minors to choose the use of their own gametes/tissue after they reach the age of 16 years

**Question 16**

Do you agree that ACART should provide advice to the Minister to amend section 12 of the HART Act 2004 to enable people to choose the use of their own gametes/tissue after they reach the age of 16 years?

**Yes / No**

|  |
| --- |
| **Comments** |

1. No requirement for a specific stand-down period

**Question 17**

Do you agree that there is no need for the guidelines to include a specific provision about a stand-down period?

**Yes / No**

|  |
| --- |
| **Comments** |

**Question 18**

Do you agree that the counselling provision (7.f), about allowing time for grieving, is adequate for ensuring people make a well-considered decision?

**Yes / No**

|  |
| --- |
| **Comments** |

1. The title of these guidelines

**Question 19**

Do you agree with the proposed title for the guidelines of *Guidelines for the Posthumous Use of Gametes, Reproductive Tissue and Stored Embryos*?

**Yes / No**

|  |
| --- |
| **Comments** |