

Health Legislation Amendment Bill (No. 3) 2025

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Submitted by: Royal Australian and New Zealand College of Obstetricians and Gynaecologists
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Submission

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Thank you for inviting the Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG, the College) to make a submission to the Health, Environment and Innovation Committee's (the Committee) inquiry into the *Health Legislation Amendment Bill (No. 3) 2025*. RANZCOG would like to comment specifically on the *Assisted Reproductive Technology Act 2024 (ART Act)*.

RANZCOG is the peak professional body for women's health in Australia and New Zealand. The College is responsible for setting clinical standards and overseeing postgraduate education, accreditation, recertification, and continuing professional development for practitioners, including specialist obstetricians, gynaecologists, and GP obstetricians.

Background

RANZCOG acknowledges and supports the Queensland Government's commitment to enhancing the regulatory framework governing ART services through amendments to the *ART Act*. These reforms represent a significant advancement in promoting equitable access, protecting patient wellbeing, and strengthening clinical oversight across ART services in Queensland.

Feedback

Health Legislation Amendment Bill (No. 3) 2025 (Qld) cl 8(3), amending Assisted Reproductive Technology Act 2024 (Qld) s 27(3)

RANZCOG supports the proposed amendments to the ART Act, however, the College wishes to draw the Committee's attention to Clause 8, which amends section 27 of the ART Act concerning the time limit on the use and disposal of donated gametes and embryos.

The current proposal to enforce a 90-day time limit for the disposal of unused donated gametes or embryos, does not adequately reflect the practical realities faced by ART providers and patients. Clinics must undertake a time-intensive process to contact patients and obtain informed consent for disposal, often involving repeated outreach via email, phone, and written correspondence. This process can be time-consuming, particularly when patients are difficult to reach due to changes in contact details, personal circumstances, or emotional readiness to make decisions about their reproductive material.

In many cases, stored gametes or embryos represent their best or only chance of achieving a future pregnancy. It is not uncommon for patients to return after extended periods, including following significant life events or loss, to utilise stored reproductive material. A rigid 90-day timeframe risks prematurely discarding viable embryos or gametes, potentially causing distress and undermining reproductive autonomy.

RANZCOG therefore recommends that the time limit be extended to at least 180 days. This would provide clinics with sufficient time to make every reasonable effort to contact patients and allow patients the space to make informed, potentially life-altering decisions without the threat of penalties to clinics for non-compliance.

Summary

RANZCOG supports the overarching intent of the Health Legislation Amendment Bill (No. 3) 2025 and its amendments to the ART Act. However, RANZCOG urge the Committee to reconsider the proposed 90-day limit stipulated in *Health Legislation Amendment Bill (No. 3) 2025 (Qld) cl 8(3)* and instead adopt a more flexible timeframe of 180 days. This adjustment would better align with clinical practice, uphold patient rights, and ensure compassionate administration of ART services in Queensland.

RANZCOG acknowledges with thanks, the contributions of Dr Raelia Lew for this submission.

Yours sincerely,



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