

Sent: Thursday, 17 July 2008 12:27 PM

To: Surrogacy Committee

Subject: Online Submission - Investigation into Altruistic Surrogacy Committee

SUBMISSION FROM

Name : Rachael Denington

SUBMISSION

Should the legal restrictions and criminal penalties against altruistic surrogacy be removed from the *Surrogate Parenthood Act 1988 (Qld)*?

Yes. It should be a choice between the parents and surrogate mother.

Should the Queensland Government play a role in regulating altruistic surrogacy arrangements in Queensland?

Yes, it would need to be legislated to ensure all parties involved rights are protected.

What criteria, if any, should the commissioning parent/s and/or surrogate have to meet before entering into an altruistic surrogacy arrangement?

The commissioning parents would need to not be able to have their own children for medical reasons.

Should criteria for commissioning parents be similar to that for adoptive parents?

No, adoption rules are too stringent and prevent a number of infertile couples from adopting (e.g. if either of the partner has had cancer in the past).

What role should a genetic relationship between the child and the commissioning parent/s and/or surrogate play in an altruistic surrogacy arrangement?

The commissioning parents should have legal parentage of the child. The child should be informed of the arrangement when the commissioning parents believe they are ready.

Should at least one of the commissioning parents have a genetic relationship with the child?

No.

Should the surrogate be able to use her gametes or should she have no genetic relationship to the child?

May become very confusing for child and all involved in the surrogate is biologically related to the child.

If infertility and/or health risk to the mother or child is a criterion for surrogacy, how should these criteria be defined?

Any medical condition which results in infertility or substantial risk to the mother's health.

How important is it for there to be a mechanism for the transfer of legal parentage that is specific to surrogacy arrangements? What would this be?

Very important.

Should the surrogate's rights to be automatically recorded as the child's parent on the birth certificate and to approve legal transfer after birth remain if she has no genetic connection to the child?

No.

What rights should a child born through an altruistic surrogacy arrangement have to access information relating to his or her genetic parentage? Who should hold this information?

The child should have right to know their surrogate mother. The parents as they have legal guardianship. It would be important to protect the rights of the surrogate mother as well through.