



Hon Cameron Dick MP
Member for Greenslopes



Queensland
Government

In reply please quote: 527996/1, J/10/00833

Attorney-General
and Minister for Industrial Relations

Mr Neil Laurie
Clerk of the Parliament
Parliament House
George St
BRISBANE QLD 4000

Dear Mr ~~Laurie~~ Neil,

Thank you for your letter dated 10 February 2010 about petition 1347-09 supporting altruistic surrogacy.

I have noted the petitioners' concerns. The petitioners in particular request the House to "... *implement the unanimous recommendations of the investigation into altruistic surrogacy committee tabled on 23 April 2009*".

Pursuant to Standing Order 125, I provide the following ministerial response to the petition.

On 26 November 2009, I introduced into the Legislative Assembly the *Surrogacy Bill 2009* (the Bill). The Bill was developed after careful consideration of the Parliamentary Committee's report (the report) and it implements the main recommendations of the report to decriminalise altruistic surrogacy and provide a legal mechanism for the transfer of parentage from the birth mother to the intended parents.

Following debate on the Bill during the Parliamentary sitting that commenced on 9 February 2010, the Bill was passed without amendment by the Legislative Assembly on 11 February 2010.

The *Surrogacy Act 2010* (the Act), which is yet to be commenced, decriminalises altruistic surrogacy and provides a legal mechanism for the transfer of parentage from the birth mother to the intended parents, while maintaining the prohibition against commercial surrogacy. The Act also allows the parentage order to be registered with the Registrar of Births, Deaths and Marriages to ensure that the child's birth certificate accurately reflects the transfer of parentage to the intended parents.

Level 18 State Law Building
50 Ann Street Brisbane
GPO Box 149 Brisbane
Queensland 4001 Australia
Telephone +61 7 3239 3478
Facsimile +61 7 3220 2475
Email attorney@ministerial.qld.gov.au
ABN 65 959 415 158

Also consistent with the Parliamentary Committee's recommendations, the Act includes principles to guide the way the Act is to be administered and decisions made under the Act. The Act (section 6) is underpinned by the main principle that the wellbeing and best interests of the child born as a result of a surrogacy arrangement are paramount. Further to this, the Act provides that each child born as a result of a surrogacy arrangement enjoys the same status, protection and support irrespective of the circumstances of the child's birth or the status of the persons who become the child's parents as a result of a transfer of parentage.

In addition, the Act confirms the autonomy of consenting adults in their private lives should be respected, which includes decisions about how their family is to be created.

In conclusion, the Act is an important measure that addresses all the crucial issues relevant to the regulation of surrogacy in Queensland. The Act is non-restrictive in nature, provides for the legal transfer of parentage of the child born as a result of a surrogacy arrangement and allows the parentage order to be registered at the Births, Deaths and Marriages Registry.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cameron Dick', followed by a long horizontal line extending to the right.

Hon Cameron Dick MP
Attorney-General
and Minister for Industrial Relations