

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL
AMENDMENTS AND SCHEDULES
Supplementary Notice Paper No. 88
Issue No. 1
MONDAY, 11 FEBRUARY 2019

***HUMAN REPRODUCTIVE TECHNOLOGY AND SURROGACY
LEGISLATION AMENDMENT BILL 2018 [88-1]***

When in committee on the *Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018*:

Clause 2

Hon Nick Goiran: To move —

1/2 Page 2, lines 7 to 9 — To delete the lines and insert:

- (a) Part 1 — on the day on which this Act receives the Royal Assent (*assent day*);
- (b) sections 3 and 17 — on the day after assent day;
- (c) the rest of the Act — on a day fixed by proclamation.

New Clause 15A

Hon Nick Goiran: To move —

2/NC15A Page 7, after line 20 — To insert:

15A. Section 61 replaced

Delete section 61 and insert:

61. Review of Act

- (1) The Minister must review the operation and effectiveness of this Act, and prepare a report based on the review, as soon as practicable after the 4th anniversary of the

day on which the *Human Reproductive Technology and Surrogacy Legislation Amendment Act 2018* section 3 comes into operation.

- (2) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 4th anniversary.

New Clause 17A

Hon Nick Goiran: To move —

3/NC17A Page 9, after line 3 — To insert:

17A. Section 7A inserted

At the beginning of Part 2 Division 2 insert:

7A. Territorial application of this Division

- (1) This Division applies to and in respect of an act done outside the State by a person who is ordinarily resident in the State.
- (2) Subsection (1) is in addition to, and does not limit, *The Criminal Code* section 12.

New Clause 17B

Hon Nick Goiran: To move —

4/NC17B Page 9, after line 3 — To insert:

17B. Section 17 amended

- (1) At the beginning of section 17 insert:

- (1) In this section —

assessment notice has the meaning given in the *Working with Children (Criminal Record Checking) Act 2004* section 4.

- (2) In section 17:

- (a) delete “The Council may” and insert:

- (2) The Council may

- (b) after paragraph (c) insert:

- (ca) the Council is satisfied that each of the arranged parents and the birth mother has a current assessment notice under the *Working with Children (Criminal Record Checking) Act 2004* section 12(1); and

(3) At the end of section 17 insert:

- (3) An arranged parent or a birth mother is taken to be a person who carries on, or proposes to carry on, a child-related business for the purposes of the *Working with Children (Criminal Record Checking) Act 2004* Part 2 Divisions 1 and 2.

New Clause 19

Hon Nick Goiran: To move —

5/NC19 Page 10, after line 17 — To insert:

19. Section 45 replaced

Delete section 45 and insert:

45. Review of Act

- (1) The Minister must review the operation and effectiveness of this Act, and prepare a report based on the review, as soon as practicable after the 4th anniversary of the day on which the *Human Reproductive Technology and Surrogacy Legislation Amendment Act 2018* section 17 comes into operation.
- (2) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 4th anniversary.

