



Australian Capital Territory

Assisted Reproductive Technology Amendment Act 2025 (No 2)

A2025-35

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Australian Capital Territory

Assisted Reproductive Technology Amendment Act 2025 (No 2)

A2025-35

An Act to amend the *Assisted Reproductive Technology Act 2024*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Assisted Reproductive Technology Amendment Act 2025 (No 2)*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This Act amends the [Assisted Reproductive Technology Act 2024](#).

**4 Definitions—pt 5
Section 50, new definition of *assessed by a counsellor***

insert

assessed by a counsellor, in relation to a donor conceived person—
see section 51 (2).

5 Section 50, definition of *commencement day*

omit

the day this section commences

substitute

28 March 2025

6 Section 50, definition of *mature donor conceived person*

omit

section 51

substitute

section 51 (1)

7 Section 51*substitute***51 Meaning of *mature donor conceived person* etc—pt 5**

- (1) In this part:
- mature donor conceived person*** means a donor conceived person who—
- (a) is at least 16 years old; or
 - (b) has been assessed by a counsellor.
- (2) For this part, a donor conceived person has been ***assessed by a counsellor*** if—
- (a) the person has received appropriate counselling services from a suitably qualified and experienced counsellor; and
 - (b) the counsellor is satisfied the person is able to—
 - (i) understand and comply with the donor's contact preferences under section 58; and
 - (ii) understand that the donor has no parental rights or responsibilities (including financial rights and responsibilities) in relation to the donor conceived person.
- (3) A regulation may prescribe a qualification a person must hold to be a suitably qualified and experienced counsellor for subsection (2).

8 Section 66

substitute

66 Disclosure to donor conceived person—adult or assessed by counsellor

- (1) This section applies to a donor conceived person who—
 - (a) is an adult; or
 - (b) has been assessed by a counsellor.
- (2) The director-general must, on application by the donor conceived person, give the person a copy of the following information kept in the donor register:
 - (a) mandatory information about the person's donor given to the director-general under section 53;
 - (b) information the person's donor gave voluntarily under division 5.2, subject to any restrictions on disclosure stated by the donor;
 - (c) information the person's donor sibling gave voluntarily under division 5.2, subject to any restrictions on disclosure stated by the sibling;
 - (d) the sex and year of birth of the person's donor siblings.

66A Disclosure to donor conceived person—16 or 17 years old and not assessed by counsellor

- (1) This section applies to a donor conceived person who—
 - (a) is at least 16 years old but under 18 years old; and
 - (b) has not been assessed by a counsellor.

- (2) The director-general must, on application by the donor conceived person, give the person a copy of the following information kept in the donor register:
- (a) the following mandatory information about the person's donor given to the director-general under section 53:
 - (i) the donor's year of birth;
 - (ii) the donor's country of birth;
 - (iii) the donor's ethnicity and physical characteristics;
 - (iv) the donor's relevant medical history;
 - (v) the donor's country of residence;
 - (b) if the person's donor consents in writing—the following mandatory information about the donor given to the director-general under section 53:
 - (i) the donor's full name;
 - (ii) the donor's date and place of birth;
 - (iii) the donor's home address;
 - (c) information the person's donor gave voluntarily under division 5.2, subject to any restrictions on disclosure stated by the donor;
 - (d) information the person's donor sibling gave voluntarily under division 5.2, subject to any restrictions on disclosure stated by the sibling;
 - (e) the sex and year of birth of the person's donor siblings.

9 Disclosure to parent of donor conceived child or young person
Section 67 (1)

substitute

- (1) The director-general must, on application by a parent of a donor conceived child or young person, give the parent a copy of the following information kept in the donor register:
 - (a) the following mandatory information about the child or young person's donor given to the director-general under section 53:
 - (i) the donor's year of birth;
 - (ii) the donor's country of birth;
 - (iii) the donor's ethnicity and physical characteristics;
 - (iv) the donor's relevant medical history;
 - (v) the donor's country of residence;
 - (b) if the child or young person's donor consents in writing—the following mandatory information about the donor given to the director-general under section 53:
 - (i) the donor's full name;
 - (ii) the donor's date and place of birth;
 - (iii) the donor's home address;
 - (c) information the child or young person's donor gave voluntarily under division 5.2, subject to any restrictions on disclosure stated by the donor;
 - (d) information the child or young person's donor sibling gave voluntarily under division 5.2, subject to any restrictions on disclosure stated by the sibling;
 - (e) the sex and year of birth of the donor siblings.

10 Section 67 (2) (b)

substitute

(b) the donor has not—

- (i) given the mandatory information voluntarily under division 5.2; or
- (ii) consented in writing to the disclosure.

11 Part 6 heading

substitute

Part 6 Pre-commencement records and other information held by ART providers

**12 Definitions—pt 6
Section 71, definition of *commencement day***

omit

the day this section commences

substitute

29 March 2024

13 Division 6.3 heading

substitute

Division 6.3 Access to information held by ART providers

14 Division 6.3 heading, note

omit

provided before the commencement day

substitute

, including ART services provided before the commencement day,

**15 Meaning of *accessible information*—div 6.3
Section 75 (2)**

omit

(Disclosure to donor conceived person)

insert

(Disclosure to donor conceived person—adult or assessed by counsellor), section 66A (Disclosure to donor conceived person—16 or 17 years old and not assessed by counsellor)

**16 Definitions—pt 12
Section 128, definition of *transitional period***

omit

the day this section commences and ending on the day section 12 commences

substitute

29 March 2024 and ending on 28 September 2024

**17 Certain things done or omitted to be done not invalid
Section 132E (3), definition of *commencement day***

omit

the day this section commences

substitute

28 March 2025

18 Dictionary, definition of *accessible information*

omit

division 6.3 (Access to pre-commencement records)

substitute

division 6.3 (Access to information held by ART providers)

19 Dictionary, definition of *ART provider*, paragraph (b)

omit

part 6 (Pre-commencement records)

substitute

part 6 (Pre-commencement records and other information held by ART providers)

20 Dictionary, new definition of *assessed by a counsellor*

insert

assessed by a counsellor, for part 5 (Donor register)—
see section 51 (2).

21 Dictionary, definition of *commencement day*, paragraph (b)

omit

part 6 (Pre-commencement records)

substitute

part 6 (Pre-commencement records and other information held by ART providers)

22 Dictionary, definition of *mature donor conceived person*

omit

section 51

substitute

section 51 (1)

23 Dictionary, definitions of *pre-commencement record* and *retention period*

omit

part 6 (Pre-commencement records)

substitute

part 6 (Pre-commencement records and other information held by ART providers)

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 28 October 2025.

2 Notification

Notified under the [Legislation Act](#) on 15 December 2025.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Assisted Reproductive Technology Amendment Bill 2025 (No 2), which was passed by the Legislative Assembly on 2 December 2025.

Clerk of the Legislative Assembly

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