

## **FACT SHEET**

### **SURROGACY BILL 2010**

Under the *Surrogacy Contracts Act 1993*, surrogacy agreements are presently illegal in Tasmania, meaning that some people will never be able to realise their dream of starting a family.

The *Surrogacy Bill 2011* will repeal the *Surrogacy Contracts Act 1993*. The Bill will facilitate the transfer of parentage of a child from the birth parents to intended parents, as part of a surrogacy arrangement. This will be known as a parentage order.

The Bill provides numerous safeguards for all parties involved in a surrogacy arrangement to ensure that the parties entering into the agreement are fully informed about the surrogacy arrangement.

Parentage orders will be made by the Children's Division of the Magistrates Court, and the court must be satisfied as to certain matters before it will make a parentage order.

The Bill provides that the overriding principle when making an order to transfer the parentage of a child is that the best interests of the child are paramount.

The Bill is not discriminatory. Single people and same sex couples are not precluded from entering into a surrogacy arrangement.