



New South Wales

Assisted Reproductive Technology Amendment (Infection Control Standards) Regulation 2010

under the

Assisted Reproductive Technology Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Assisted Reproductive Technology Act 2007*.

CARMEL TEBBUTT, MP
Minister for Health

Explanatory note

The object of this Regulation is to require all providers of assisted reproductive technology treatments and related services who are not federally accredited to meet the infection control standards in paragraph 6.4 of the *Ethical Guidelines on the Use of Assisted Reproductive Technology in Clinical Practice and Research* published by the National Health and Medical Research Council (*NHMRC*), as well as the Department of Health's *Infection Control Policy* (which is currently the only mandatory infection control standard). The Department's policy only relates to general infection control matters, whereas the *NHMRC*'s guidelines deal with the issue of screening gamete donors for infectious diseases.

This Regulation is made under the *Assisted Reproductive Technology Act 2007*, including section 10 (which requires an ART provider to meet any infection control standards that may be prescribed by the regulations) and section 71 (the general regulation-making power).

2010 No 598

Clause 1

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1 Name of Regulation

This Regulation is the *Assisted Reproductive Technology Amendment (Infection Control Standards) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Assisted Reproductive Technology Regulation 2009

Omit clause 8. Insert instead:

8 Infection control standards

For the purposes of section 10 of the Act, an ART provider who does not have federal accreditation must meet the infection control standards set out in:

- (a) the *Infection Control Policy* published by the Department, as in force from time to time, and
- (b) paragraph 6.4 of the *Ethical Guidelines on the Use of Assisted Reproductive Technology in Clinical Practice and Research* published by the National Health and Medical Research Council, as in force from time to time.