A proactive and responsible overseas surrogacy process

The Surrogacy Inquiry Final Report contains 47 recommendations for reforming surrogacy laws in Australia. This information sheet explains the ALRC's recommendations for **overseas surrogacy**, which, if implemented, would provide a regulated pathway from registration to legal recognition of the parent-child relationship via a court order.

1 Prepare

Before conception

Register

Guidance + **Legal advice** (in Australia and overseas)

Exercise due diligence (ensure agreement meets content requirements, the arrangement is lawful, and does not involve significant risks to the surrogate or the child)

Surrogacy agreement

2 Proceed

Birth and return to Australia

Update registration

Birth

Return to Australia

3 Record and recognise

After return to Australia

Update registration with information for the National Surrogacy Register

+

Apply for parentage

National Regulator provides oversight across the process:

- develops the Responsible Overseas Surrogacy Guidelines
- establishes and manages the registration system for overseas arrangements
- makes information about requirements publicly available
- supports compliance through a civil penalty regime targeting failure to comply with requirements

Read the Final Report and Summary Report **here**