A supported and responsible domestic surrogacy process

The Final Report contains 47 recommendations for reforming surrogacy laws in Australia. This information sheet explains the ALRC's recommendations for **domestic surrogacy**, which, if implemented, would provide for a more certain and streamlined administrative pathway to legal parentage at birth.

1 Prepare

Before conception

Eligible parties meet
facilitated by Surrogacy Support Organisations

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Parties satisfy legislative safeguards
eg eligibility requirements and requirements for legal advice and counselling

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Apply to Surrogacy Support Organisation for approval

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Surrogacy Support Organisation assesses application

2 Proceed

Approval and pregnancy

Surrogacy Support Organisation approves arrangement
if requirements are met

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Attempt to achieve a pregnancy
through an ART service provider, only if the arrangement has been approved

No approval
Administrative pathway to legal parentage at birth not available. Parties may pursue the judicial pathway to legal parentage after birth.

3 Record and recognise

Birth and parentage

Birth of the child

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For approved arrangements, intended parents are legal parents at birth

Surrogate may apply for parentage post - birth

The child's right to identity is protected by measures to record, register, and enable access to information about their identity and gestational origins

National Regulator provides oversight across the process:

- licenses and oversees Surrogacy Support Organisations
- sets guidelines for approving arrangements
- assesses referred applications
- reviews decisions not to approve
- helps parties understand their rights and responsibilities

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