Western Australia

Assisted Reproductive Technology and Surrogacy Act 2025

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Assisted Reproductive Technology and Surrogacy Act 2025

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Western Australia

Assisted Reproductive Technology and Surrogacy Act 2025

An Act —

- **about the provision of assisted reproductive technology services and arrangements for surrogacy and related matters; and**
- **to establish the Assisted Reproductive Technology Advisory and Review Board; and**
- **to repeal the *Artificial Conception Act 1985*, the *Human Reproductive Technology Regulations 1993*, the *Surrogacy Act 2008* and the *Surrogacy Regulations 2009* and to revoke the *Human Reproductive Technology Directions 2021* and the *Surrogacy Directions 2022*; and**
- **to make consequential and related amendments to other Acts.**

Part 1 — Preliminary

Division 1 — Introduction

1. Short title

This is the *Assisted Reproductive Technology and Surrogacy Act 2025*.

2. Commencement

This Act comes into operation as follows —

(a) Part 1 Division 1 — on the day on which this Act receives the Royal Assent (***assent day***);

(b) Part 17 Division 13 —

(i) if the *Privacy and Responsible Information Sharing Act 2024* section 158 comes into operation on or before assent day — on the day after assent day; or

(ii) otherwise — immediately after the *Privacy and Responsible Information Sharing Act 2024* section 158 comes into operation;

(c) the rest of the Act — on a day fixed by proclamation, and different days may be fixed for different provisions.

3. Act binds Crown

This Act binds the Crown in right of Western Australia and, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

[Divisions 2 and 3 have not come into operation.]

[Parts 2-16 have not come into operation.]

Part 17 — Consequential amendments to other Acts

[Divisions 1-12 have not come into operation.]

Division 13 — *Privacy and Responsible Information Sharing Act 2024* amended

383. Act amended

This Division amends the *Privacy and Responsible Information Sharing Act 2024*.

384. Section 158 amended

Delete section 158(1)(j)(ii) and insert:

(ii) the participation of a person in an ART procedure (as defined in the *Assisted Reproductive Technology and Surrogacy Act 2025* section 8) or a person born as a result of an ART procedure;

[Divisions 14 and 15 have not come into operation.]

Notes

This is a compilation of the *Assisted Reproductive Technology and Surrogacy Act 2025*. For provisions that have come into operation see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

Compilation table

Short title	Number and year	Assent	Commencement
Assisted Reproductive Technology and Surrogacy Act 2025 Pt. 1 Div. 1 and Pt. 17 Div. 13	19 of 2025	18 Dec 2025	Pt. 1 Div. 1: 18 Dec 2025 (see s. 2(a)); Pt. 17 Div. 13: 1 Jul 2026 (see s. 2(b)(ii) and SL 2026/128 cl. 2(b)(i))

Uncommenced provisions table

To view the text of the uncommenced provisions see *Acts as passed* on the WA Legislation website.

Short title	Number and year	Assent	Commencement
Assisted Reproductive Technology and Surrogacy Act 2025 (other than Pt. 1 Div. 1 and Pt. 17 Div. 13)	19 of 2025	18 Dec 2025	To be proclaimed (see s. 2(c))

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