

Assisted Human Reproduction Bill passes through Seanad



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The Assisted Human Reproduction (AHR) Bill has passed through the Seanad, ending a long wait for many parents of children born through surrogacy to be legally recognised as such.

Only the biological fathers of children born via surrogacy have been recognised as the parents in Irish law. The mothers, or in the case of same sex male couples second fathers, have only been able to get guardianship of their children.

Once the bill has been signed into law, these parents can apply to the High Court for parental orders to secure parentage.

The legislation will cover both domestic and international surrogacy, making Ireland the first country to enshrine the International Social Service's Verona Principles.

It will ensure that surrogacy is standardised and has oversight enforcing strict statutory provisions regarding gamete and embryo storage, research and testing.

Going forward, surrogacy plans must be authorised by the AHR Regulatory Authority which will ensure that the surrogate mother and the intending parents have access to independent legal advice, counselling, and support before entering a surrogacy arrangement.

The clinic and country involved must uphold human rights and the surrogate mother must give her consent post the birth of the child.

The Bill ensures transparency and access to information for all children born through AHR both at home and abroad.

Fine Gael Senator Mary Seery-Kearney, who first sent an email about the subject of surrogacy to then-Minister for Health Leo Varadkar in March 2014, said the passing of the bill marks 10 years of painstaking advocacy.

"Applications for parental orders, including my own, will hopefully commence this autumn and the comfort and relief this gives to families is immeasurable," she said.

Ms Seery-Kearney noted that it has been almost 19 years since the Commission on Assisted Human Reproduction first recommended the establishment of a regulatory authority and legislate for surrogacy.

The legal framework will provide the oversight architecture for fertility treatment in Ireland and pave the way for publicly funded fertility treatment in public medical facilities.

It comes as the National Infertility Support and Information Group says they are experiencing an increasing number of people reporting long wait times to access publicly-funded IVF.

The AHR Bill will now be sent to President Michael D Higgins for consideration before it is signed.