

## ADDITIONAL COMMENTS

1. Clause 56 of the Research Involving Embryos and Human Cloning Bill overrides the more strict provisions regulating and/or banning human embryo stem cell research in Victoria, South Australia and Western Australia. These state laws which preserve human life, should not be overridden by this federal legislation. Notwithstanding the questions surrounding the constitutionality of the bill, each state parliament and their various members should stand accountable, and not hide behind the Australian Government.
2. Clause 25 (2) (d) (ii) allows assisted reproductive technology centres to undertake diagnostic investigations which are deliberately destructive on human embryos<sup>1</sup>. The Chair's report refers to the explanatory memorandum and evidence provided by the NHMRC but in neither case are deliberately destructive diagnostic investigations prohibited or recommended to be prohibited. The nature and extent of these investigations is unclear and should be clarified to ensure the purpose is legitimate and not deliberately destructive.
3. Apparently research is undertaken on some of the many thousands of non-viable human embryos emanating from assisted reproductive technology centres (estimated at 40,000 per year by one witness<sup>2</sup>). This was a revelation. It is not clear whether this was understood by the Council of Australian Governments when they made their decision on 5<sup>th</sup> April 2002.
4. The consent provisions in the Bill should be tightened. The terms and conditions of the consent arrangements should more accurately reflect those recommended in the House of Representatives Standing Committee on Legal and Constitutional Affairs Human Cloning Report, August 2001 (the Andrews Report) – refer particularly to pages 232 to 234 – and these should be prescribed in the Bill.
5. The commercialisation of the research and specifically the ability to trade in human embryo stem cell lines was raised as a concern by many witnesses and these concerns are not adequately addressed in the Bill.

Senator Guy Barnett

Senator Bill Heffernan

Senator Ron Boswell

1. *Refer submissions 876 (CAM), 981 ACBC and 1035 Australian Youth Alliance (Vic)*
2. *Professor Peter Illingworth, Committee Hansard 26 September 2002, page 205.*

