

2004-2005-2006

The Parliament of the
Commonwealth of Australia

THE SENATE

EXPOSURE DRAFT

(Comments on this bill may be emailed to

Senator.StottDespoja@aph.gov.au

or

Senator.Webber@aph.gov.au)

**Somatic Cell Nuclear Transfer (SCNT)
and Related Research Amendment Bill
2006**

No. , 2006

(Senators Stott Despoja and Webber)

A Bill for an Act to amend the *Prohibition of Human Cloning Act 2002* and the *Research Involving Human Embryos Act 2002*, to provide for the further development of responsible research through the use of stem cells, and to provide for improvements in assisted reproductive technology, and for related purposes

Contents

1	Short title	1
2	Commencement	2
3	Object of the Act	2
4	Schedule(s)	2
Schedule 1—Amendment of the Prohibition of Human Cloning Act 2002		3
Schedule 2—Amendment of the Research Involving Human Embryos Act 2002		12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

21 **A Bill for an Act to amend the *Prohibition of***
22 ***Human Cloning Act 2002* and the *Research***
23 ***Involving Human Embryos Act 2002*, to provide for**
24 **the further development of responsible research**
25 **through the use of stem cells, and to provide for**
26 **improvements in assisted reproductive technology,**
27 **and for related purposes**

28
29

The Parliament of Australia enacts:

30 **1 Short title**

31 This Act may be cited as the *Somatic Cell Nuclear Transfer*
32 *(SCNT) and Related Research Amendment Act 2006*.

1 **2 Commencement**

2 This Act commences on the day on which it receives the Royal
3 Assent.

4 **3 Object of the Act**

5 The object of this Act is to:

- 6 (a) provide for the continuing national development of
7 responsible medical research through the use of stem cells
8 including innovative techniques such as somatic cell nuclear
9 transfer; and
10 (b) support the national interests of scientific and medical
11 progress; and
12 (c) provide for the responsible development of techniques for:
13 (i) efficient training in clinical practices; and
14 (ii) research and improvements in clinical practice
15 in assisted reproductive technology.

16 **4 Schedule(s)**

17 Each Act that is specified in a Schedule to this Act is amended or
18 repealed as set out in the applicable items in the Schedule
19 concerned, and any other item in a Schedule to this Act has effect
20 according to its terms.

1
2 **Schedule 1—Amendment of the Prohibition of**
3 **Human Cloning Act 2002**

4 **1 Section 8 (definition of *human embryo*)**

5 Repeal the definition, substitute:

6 ***human embryo*** means a discrete entity that has arisen from either:

7 (a) the first mitotic division when fertilisation of a human egg by
8 a human sperm is complete; or

9 (b) any other process that initiates organised development of a
10 biological entity with a human nuclear genome or altered
11 human nuclear genome that has the potential to develop up
12 to, or beyond, the stage at which the primitive streak appears;

13 and has not yet reached 8 weeks of development since the first
14 mitotic division.

15 **2 Subsection 8(1) (at the end of the definition of *excess ART***
16 ***embryo*)**

17 Add:

18 ; or (c) is:

19 (iii) diagnosed by pre-implantation genetic diagnosis
20 according to such NHMRC guidelines on the use of
21 assisted reproductive technology in clinical practice and
22 research as may be prescribed; or

23 (iv) determined under such NHMRC objective criteria as
24 may be prescribed;

25 as being unsuitable for implantation.

26 **3 Section 8 (after the definition of *hybrid embryo*)**

27 Insert:

28 ***licence*** means a licence issued under section 21 of the *Research*
29 *Involving Human Embryos Act 2002*.

30 ***NHMRC Licensing Committee*** means the committee established
31 under section 13 of the *Research Involving Human Embryos Act*
32 *2002*.

33 **4 Before Division 1 of Part 2**

1 Insert:

2 **Division 1A—Purpose of Part**

3 **8A Purpose of Part**

- 4 (1) The purpose of this Part is to specify practices which are:
5 (a) prohibited; or
6 (b) prohibited unless they are authorised by a licence.

- 7 (2) Where a specified practice is authorised by a licence, the licensing
8 system is set out in Division 4 of the *Research Involving Human*
9 *Embryos Act 2002*.

10 **5 Division 1 of Part 2**

11 Repeal the Division, substitute:

12 **Division 1—Prohibited practices**

13 **9 Offence—placing a human embryo clone in the human body or the**
14 **body of an animal**

15 A person commits an offence if the person intentionally places a
16 human embryo clone in the body of a human or the body of an
17 animal.

18 Maximum penalty: Imprisonment for 15 years.

19 **10 Offence—developing a human embryo outside the body of a**
20 **woman for more than 14 days**

21 A person commits an offence if the person intentionally develops a
22 human embryo outside the body of a woman for a period of more
23 than 14 days, excluding any period when development is
24 suspended.

25 Maximum penalty: Imprisonment for 15 years.

1 **11 Offence—creating or developing a human embryo containing**
2 **nuclear genetic material provided by more than 2 persons**

3 A person commits an offence if the person intentionally creates or
4 develops a human embryo containing nuclear genetic material
5 provided by more than 2 persons.

6 Maximum penalty: Imprisonment for 15 years.

7 **12 Offence—heritable alterations to genome**

- 8 (1) A person commits an offence if:
9 (a) the person alters the genome of a human cell in such a way
10 that the alteration is heritable by descendants of the human
11 whose cell was altered; and
12 (b) in altering the genome, the person intended the alteration to
13 be heritable by descendants of the human whose cell was
14 altered.

15 Maximum penalty: Imprisonment for 15 years.

- 16 (2) In this section:

17 *human cell* includes a human embryonal cell, a human fetal cell,
18 human sperm or a human egg.

19 **13 Offence—collecting a viable human embryo from the body of a**
20 **woman**

21 A person commits an offence if the person removes a human
22 embryo from the body of a woman, intending to collect a viable
23 human embryo.

24 Maximum penalty: Imprisonment for 15 years.

25 **14 Offence—placing of an embryo**

- 26 (1) A person commits an offence if the person intentionally places a
27 human embryo in an animal.

28 Maximum penalty: Imprisonment for 15 years.

1 (2) A person commits an offence if the person intentionally places a
2 human embryo in the body of a human, other than in a woman's
3 reproductive tract.

4 Maximum penalty: Imprisonment for 15 years.

5 (3) A person commits an offence if the person intentionally places an
6 animal embryo in the body of a human for any period of gestation.

7 Maximum penalty: Imprisonment for 15 years.

8 (4) A person commits an offence if the person intentionally places a
9 non-ART embryo in the body of a woman for any purpose other
10 than achieving pregnancy.

11 Maximum penalty: Imprisonment for 15 years.

12 **15 Offence—commercial trading in human eggs, human sperm or**
13 **human embryos**

14 (1) A person commits an offence if the person intentionally gives or
15 offers valuable consideration to another person for the supply of a
16 human egg, human sperm or a human embryo.

17 Maximum penalty: Imprisonment for 15 years.

18 (2) A person commits an offence if the person intentionally receives,
19 or offers to receive, valuable consideration from another person for
20 the supply of a human egg, human sperm or a human embryo.

21 Maximum penalty: Imprisonment for 15 years.

22 (3) In this section:

23 *reasonable expenses:*

24 (a) in relation to the supply of a human egg or human sperm—
25 includes, but is not limited to, expenses relating to the
26 collection, storage or transport of the egg or sperm; and

27 (b) in relation to the supply of a human embryo:

28 (i) does not include any expenses incurred by a person
29 before the time when the embryo became an excess
30 ART embryo; and

31 (ii) includes, but is not limited to, expenses relating to the
32 storage or transport of the embryo.

1 *valuable consideration*, in relation to the supply of a human egg,
2 human sperm or a human embryo by a person, includes any
3 inducement, discount or priority in the provision of a service to the
4 person, but does not include the payment of reasonable expenses
5 incurred by the person in connection with the supply.

6 **16 No defence that human embryo could not survive**

7 It is not a defence to an offence under section 9, 10, 11, 12 or 14
8 that the human embryo did not survive or could not have survived.

9 **6 Division 2 of Part 2**

10 Repeal the Division, substitute:

11 **Division 2—Practices prohibited unless authorised by**
12 **licence**

13 **17 Offence—creating a human embryo clone**

14 A person commits an offence if:

- 15 (a) the person intentionally creates a human embryo clone; and
16 (b) the creation of the human embryo clone by the person is not
17 authorised by a licence, and the person knows or is reckless
18 as to that fact.

19 Maximum penalty: Imprisonment for 15 years.

20 Note: The licensing system is set out in Division 4 of the *Research Involving*
21 *Human Embryos Act 2002*.

22 **18 Offence—importing or exporting a human embryo clone**

23 (1) A person commits an offence if:

- 24 (a) the person intentionally imports a human embryo clone into
25 Australia; and
26 (b) the importation is not authorised by a licence and the person
27 knows or is reckless as to that fact.

28 Maximum penalty: Imprisonment for 10 years.

29 (2) A person commits an offence if:

- 30 (a) the person intentionally exports a human embryo clone from
31 Australia; and

1 (b) the export is not authorised by a licence and the person
2 knows or is reckless as to that fact.

3 Maximum penalty: Imprisonment for 10 years.

4 Note: The licensing system is set out in Division 4 of the *Research Involving*
5 *Human Embryos Act 2002*.

6 **18A Offence—importing or exporting a human embryo**

7 (1) A person commits an offence if:

8 (a) the person intentionally imports a human embryo into
9 Australia where:

10 (i) the creation of the embryo was not pursuant to a licence
11 issued under section 21 of the *Research Involving*
12 *Human Embryos Act 2002*; or

13 (ii) if the human embryo was created overseas it was
14 created by a process which could not have been
15 authorised by a licence issued under section 21 of the
16 *Research Involving Human Embryos Act 2002*; and

17 (b) the importation by the person is not authorised by a licence,
18 and the person knows or is reckless as to that fact.

19 Maximum penalty: Imprisonment for 10 years.

20 Note: The licensing system is set out in Division 4 of the *Research Involving*
21 *Human Embryos Act 2002*.

22 (2) A person commits an offence if:

23 (a) the person intentionally exports a human embryo from
24 Australia; and

25 (b) the creation is not authorised by a licence, and the person
26 knows or is reckless as to that fact.

27 Maximum penalty: Imprisonment for 10 years.

28 Note: The licensing system is set out in Division 4 of the *Research Involving*
29 *Human Embryos Act 2002*.

30 (3) The Minister for Customs must make regulations under the
31 *Customs Act 1901* permitting and prescribing the manner and
32 means of import or export where that import or export is licensed
33 in accordance with Division 4 of the *Research Involving Human*
34 *Embryos Act 2002*.

1 **19 Offence—creating a human embryo other than by fertilisation**

2 A person commits an offence if:

- 3 (a) the person intentionally creates a human embryo by a process
4 other than by fertilisation of a human egg by a human sperm;
5 and
6 (b) the creation of the human embryo by the person is not
7 authorised by a licence, and the person knows or is reckless
8 as to that fact.

9 Maximum penalty: Imprisonment for 10 years.

10 Note: The licensing system is set out in Division 4 of the *Research Involving*
11 *Human Embryos Act 2002*.

12 **19A Offence—developing a human embryo created other than by**
13 **fertilisation**

14 A person commits an offence if:

- 15 (a) the person intentionally develops a human embryo; and
16 (b) the human embryo was created by a process other than the
17 fertilisation of a human egg by a human sperm, and the
18 person knows or is reckless as to that fact; and
19 (c) the development of the human embryo by the person is not
20 authorised by a licence, and the person knows or is reckless
21 as to that fact.

22 Maximum penalty: Imprisonment for 10 years.

23 Note: The licensing system is set out in Division 4 of the *Research Involving*
24 *Human Embryos Act 2002*.

25 **20 Offence—creating a human embryo for a purpose other than**
26 **achieving pregnancy in a woman**

- 27 (1) A person commits an offence if the person intentionally creates a
28 human embryo outside the body of a woman, unless:
29 (a) the person's intention in creating the embryo is to achieve
30 pregnancy in a particular woman; or
31 (b) the creation of the embryo by the person is authorised by a
32 licence.

33 Maximum penalty: Imprisonment for 10 years.

34 Note: The licensing system is set out in Division 4 of the *Research Involving*
35 *Human Embryos Act 2002*.

- 1 (2) In this section, the scope of the licence is not to extend beyond
2 permitting research involving fertilisation of human eggs by human
3 sperm up to, but not including the first cell division.
- 4 (3) Despite subsection 13.3(3) of the *Criminal Code*, a defendant does
5 not bear an evidential burden in relation to any matter in
6 subsection (1) of this section.

7 **21 Offence—creating or developing a human embryo containing**
8 **mitochondrial genetic material provided by more than 2**
9 **persons**

10 A person commits an offence if:

- 11 (a) the person intentionally creates or develops a human embryo
12 containing mitochondrial genetic material provided by more
13 than 2 persons; and
14 (b) the creation or development of the type of human embryo
15 mentioned in paragraph (a) is not authorised by a licence, and
16 the person knows or is reckless as to that fact.

17 Maximum penalty: Imprisonment for 10 years.

18 Note: The licensing system is set out in Division 4 of the *Research Involving*
19 *Human Embryos Act 2002*.

20 **22 Offence—using precursor cells from a human embryo or a**
21 **human fetus to create a human embryo, or developing**
22 **such an embryo**

23 A person commits an offence if:

- 24 (a) the person uses precursor cells taken from a human embryo
25 or a human fetus, intending to create a human embryo, or
26 intentionally develops an embryo so created; and
27 (b) the person engages in activities mentioned in paragraph (a)
28 without being authorised by a licence, and the person knows
29 or is reckless as to that fact.

30 Maximum penalty: Imprisonment for 10 years.

31 Note: The licensing system is set out in Division 4 of the *Research Involving*
32 *Human Embryos Act 2002*.

1 **23 Offence—creating a chimeric embryo or a hybrid embryo**

- 2 (1) A person commits an offence if:
3 (a) the person intentionally creates a chimeric embryo; and
4 (b) the creation of the chimeric embryo by the person is not
5 authorised by a licence, and the person knows or is reckless
6 as to that fact.

7 Maximum penalty: Imprisonment for 10 years.

8 Note: The licensing system is set out in Division 4 of the *Research Involving*
9 *Human Embryos Act 2002*.

- 10 (2) A person commits an offence if:
11 (a) the person intentionally creates a hybrid embryo; and
12 (b) the creation of the hybrid embryo by the person is not
13 authorised by a licence, and the person knows or is reckless
14 as to that fact.

15 Maximum penalty: Imprisonment for 10 years.

16 Note: The licensing system is set out in Division 4 of the *Research Involving*
17 *Human Embryos Act 2002*.

- 18 (3) A person commits an offence if the person intentionally develops a
19 chimeric or hybrid embryo for a period of more than 14 days,
20 excluding any period where development is suspended.

21 Maximum penalty: Imprisonment for 15 years.

1
2 **Schedule 2—Amendment of the Research**
3 **Involving Human Embryos Act 2002**

4 **1 Section 7 (definition of *human embryo*)**

5 Repeal the definition, substitute:

6 *human embryo* means a discrete entity that has arisen from either:

7 (a) the first mitotic division when fertilisation of a human egg by
8 a human sperm is complete; or

9 (b) any other process that initiates organised development of a
10 biological entity with a human nuclear genome or altered
11 human nuclear genome that has the potential to develop up
12 to, or beyond, the stage at which the primitive streak appears;

13 and has not yet reached 8 weeks of development since the first
14 mitotic division.

15 **2 Part 2 (at the end of the heading)**

16 Add “or licensed embryos”.

17 **3 Section 8 (after the definition of *licence*)**

18 Insert:

19 *licensed embryo* means an embryo or human egg that is the subject
20 of a licence issued under section 21.

21 **4 Section 8 (definition of *proper consent*)**

22 After “excess ART embryo”, insert “or a licensed embryo”.

23 **5 Subsection 9(1) (at the end of the definition of *excess ART***
24 ***embryo*)**

25 Add:

26 ; or (c) is:

27 (iii) diagnosed by pre-implantation genetic diagnosis
28 according to such NHMRC guidelines on the use of
29 assisted reproductive technology in clinical practice and
30 research as may be prescribed; or

31 (iv) determined under such NHMRC objective criteria as
32 may be prescribed;

1 as being unsuitable for implantation”.

2 **6 Section 10 (at the end of the heading)**

3 Add “or use of or creation of a licensed embryo”.

4 **7 Subsection 10(1)**

5 After “embryo”, insert “or uses or creates a licensed embryo”.

6 **8 Paragraph 10(1)(a)**

7 After “use”, insert “or creation”.

8 **9 Section 11 (at the end of the heading)**

9 Add “or a licensed embryo”.

10 **10 Paragraphs 11(a) and (b)**

11 Repeal the paragraphs, substitute:

12 (a) the person intentionally uses, outside the body of a woman, a
13 human embryo that is not an excess ART embryo or a
14 licensed embryo; and

15 (b) the use is not for a purpose:

16 (i) relating to the assisted reproductive technology
17 treatment of a woman carried out by an accredited ART
18 centre, and the person knows or is reckless as to that
19 fact; or

20 (ii) for which use has been licensed.

21 **11 At the end of section 16**

22 Add:

23 (7) It is the intention of the Parliament that any vacancy on the
24 NHMRC Licensing Committee be filled as soon as possible.

25 (8) If there is a vacancy in the membership of the NHMRC Licensing
26 Committee for a period of two months the Minister must, within
27 three sitting days of the expiration of that two months, table in each
28 House of the Parliament a written statement of reasons for the
29 failure to fill the vacancy.

30 **12 Before section 20**

31 Insert:

1 **19A Purpose of Division**

2 The purpose of this Division is to licence practices specified in
3 Division 2 of Part 2 of the *Prohibition of Human Cloning Act*
4 *2002*.

5 **13 Subsection 20(1)**

6 Omit “authorising use of excess ART embryos”.

7 **14 Paragraph 21(3)(a)**

8 Repeal the paragraph, substitute:

- 9 (a) that appropriate protocols pursuant to NHMRC guidelines
10 are in place:
11 (i) to enable proper consent to be obtained before an excess
12 ART embryo or a licensed embryo is used under the
13 licence; and
14 (ii) to enable compliance with any restrictions on such
15 consent;

16 **15 Paragraph 21(4)(a)**

17 After “excess ART embryos”, insert “or licensed embryos”.

18 **16 Paragraph 21(4)(b)**

19 After “excess ART embryos”, insert “or licensed embryos”.

20 **17 Subsection 24(1)**

21 Repeal the subsection, substitute:

- 22 (1) A licence is subject to the condition that before an excess ART
23 embryo or a licensed embryo is used as authorised by the licence:
24 (a) if an excess ART embryo is to be used—that each
25 responsible person in relation to the excess ART embryo
26 must have given proper consent to that use; or
27 (b) the egg donor must have given proper consent to the use; or
28 (c) the somatic cell donor must have given proper consent to the
29 use; and
30 (d) the licence holder must have reported in writing to the
31 NHMRC Licensing Committee that such consent under
32 paragraph (a), (b) or (c) has been obtained, and any
33 restrictions to which the consent is subject.
-

1 **18 Subsection 24(2)**

2 After “excess ART embryo”, insert “or a licensed embryo”.

3 **19 Subsection 24(5)**

4 After “excess ART embryos” (wherever occurring), insert “or licensed
5 embryos”.

6 **20 Subsection 24(6)**

7 After “excess ART embryos”, insert “or licensed embryos”.

8 **21 Paragraph 24(7)(b)**

9 After “excess ART embryos”, insert “or licensed embryos”.

10 **22 After section 28**

11 Insert:

12 **28A Action taken under a licence valid**

13 (1) An irregularity in the issuing of a licence in accordance with this
14 Division does not affect the validity of any action taken by a
15 person who has relied in good faith on the licence for that action.

16 (2) Subsection (1) does not apply where a licence has been issued on
17 the basis of false or fraudulent information supplied by the licence
18 holder and the person relying on the licence knows or ought to
19 have known that the information supplied was false or fraudulent.

20 **23 After paragraph 35(2)(a)**

21 Insert:

22 (aa) the entry is made under a warrant under section 36A; or

23 **24 At the end of section 35**

24 Add:

25 (3) For the purposes of paragraph (1)(a), *any premises* includes
26 premises where the occupier of the premises is carrying out
27 activities without a licence issued under section 21 and an
28 inspector has reasonable grounds for suspecting that the activities
29 being carried out on the premises may be in breach of this Act or
30 the *Prohibition of Human Cloning Act 2002*.

1 **25 After section 36**

2 Insert:

3 **36A Monitoring warrants**

4 (1) An inspector may apply to a federal magistrate acting in a personal
5 capacity for a warrant under this section in relation to premises.

6 (2) Subject to subsection (3), the magistrate may issue the warrant if
7 the magistrate is satisfied by information on oath that it is
8 reasonably necessary that one or more inspectors should have
9 access to the premises for the purposes of finding out whether this
10 Act or the regulations have been complied with.

11 (3) The magistrate must not issue the warrant unless the inspector or
12 some other person has given to the magistrate, either orally or by
13 affidavit, such further information (if any) as the magistrate
14 requires concerning the grounds on which the issue of the warrant
15 is being sought.

16 (4) The warrant must:

17 (a) authorise one or more inspectors (whether or not named in
18 the warrant), with such assistance and by such force as is
19 necessary and reasonable:

20 (i) to enter the premises; and

21 (ii) to exercise the powers set out in section 36 in relation to
22 the premises; and

23 (b) state whether the entry is authorised to be made at any time
24 of the day or night or during specified hours of the day or
25 night; and

26 (c) specify the day (not more than 15 days after the issue of the
27 warrant) on which the warrant ceases to have effect; and

28 (d) state the purpose for which the warrant is issued; and

29 (e) where the occupier of the premises is present, be shown to
30 the occupier prior to its execution.

31 **26 After section 47**

32 Insert:

1 **47A Further review of operation of Act**

- 2 (1) The Minister and the CEO of the NHMRC must cause an
3 independent joint review of the operation of this Act and the
4 *Prohibition of Human Cloning Act 2002* as amended by the
5 *Somatic Cell Nuclear Transfer (SCNT) and Related Research*
6 *Amendment Act 2006* (the **amending Act**) to be undertaken as soon
7 as possible after the third anniversary of the day on which the
8 amending Act received the Royal Assent.
- 9 (2) The review is to be undertaken by persons chosen by the Minister
10 with the agreement of each State.
- 11 (3) The persons undertaking the joint review must give to the Council
12 of Australian Governments and both Houses of the Parliament a
13 written report of the review before the fourth anniversary of the
14 day on which the amending Act received the Royal Assent.
- 15 (4) The persons undertaking the joint review must consider and report
16 on the scope and operation of this Act and the *Prohibition of*
17 *Human Cloning Act 2002* taking into account the following:
18 (a) developments in technology in relation to assisted
19 reproductive technology;
20 (b) developments in medical research and scientific research and
21 the potential therapeutic applications of such research;
22 (c) community standards;
23 (d) an analysis of the extent of therapeutic research and scientific
24 techniques which have not been able to be undertaken
25 because of legislative restrictions;
26 (e) the results or outcomes arising from licenses granted under
27 this Act;
28 (f) the impact of the Acts on ART, particularly in the areas of
29 service delivery, quality control, access to and quality of
30 care;
31 (g) the requirement for and effectiveness of consent provisions
32 for egg and embryo donation for non-ART research;
33 (h) the effectiveness of the licensing regime;
34 (i) the extent of Commonwealth-State cooperation in the area of
35 somatic cell nuclear transfer research and the requirement for
36 further Commonwealth or State legislation on the matter;

- 1 (j) the need (if any) to increase or decrease the range of matters
2 for which the NHMRC Licensing Committee may issue an
3 authorising licence.
- 4 (5) The report must contain recommendations about amendments (if
5 any) that should be made to this Act or the *Prohibition of Human*
6 *Cloning Act 2002*, having regard to the matters mentioned in
7 subsection (4).
- 8 (6) The persons undertaking the joint review must consult:
9 (a) the Commonwealth and the States; and
10 (b) a broad range of persons with expertise in or experience of
11 relevant disciplines.
- 12 (7) The views of the Commonwealth, the States and the persons
13 mentioned in paragraph (6)(b) must be set out in the report to the
14 extent that it is reasonably practicable to do so.

15 **47B Development of framework for national stem cell bank**

- 16 (1) There must be established by March 2007 an interdepartmental
17 working group, comprising officers of the Department of Health
18 and the Attorney General's Department to develop a framework for
19 a national stem cell bank.
- 20 (2) The interdepartmental working group must report to the Minister
21 by 23 November 2007.
- 22 (3) The report of the interdepartmental working group must include
23 recommendations for:
24 (a) such draft legislative provisions (if any) as may be required;
25 (b) the structure of management, control and governance
26 required for a national stem cell bank;
27 (c) a code of practice for the operation of the national stem cell
28 bank including:
29 (i) access to the bank, including controls on deposits of and
30 access to stem cell lines;
31 (ii) control of quality, risk management, safety with
32 reference to State, national and international legal
33 requirements;
34 (iii) methods of donor selection, ethical issues, accreditation
35 and authorisation;

- 1 (iv) information and consent, intellectual property,
2 ownership, fees and charges.
- 3 (4) The Minister must cause a copy of the report of the working group
4 to be tabled in both Houses of the Parliament within 3 sitting days
5 of each House after its receipt by the Minister, or by 30 November
6 2007, whichever occurs first.