

Council on Human Reproductive Technology launches consultation on proposed amendments to Code of Practice on Reproductive Technology and Embryo Research

The following is issued on behalf of the Council on Human Reproductive Technology:

The Council on Human Reproductive Technology (Council) today (March 13) launched a consultation with stakeholders, including licensed centres and relevant organisations, on the proposed amendments to the Code of Practice on Reproductive Technology and Embryo Research (Code). The consultation period is until April 13. Details of the proposed amendments to the Code have been uploaded to the Council's website (<https://www.chrt.org.hk>).

Currently, under section 15(2) of the Human Reproductive Technology (Licensing) Regulation (Cap. 561A), gametes or embryos for own use can be stored for at most 10 years. For cancer patients or any other patients who may be rendered infertile as a result of chemotherapy, radiotherapy, surgery, or other medical treatments, the maximum storage period for embryos is 10 years, and that for gametes is 10 years or until the patient reaches 55 years of age, whichever is the longer.

Pursuant to section 45(2)(f) of the Human Reproductive Technology Ordinance (Cap. 561), the Council may make regulations on the maximum period of storage of embryos and gametes. Based on the feedback from stakeholders during the consultation of the last review of the Code in 2023, and referencing the practices in other jurisdictions, the Council conducted a comprehensive review of the legal limits on the storage of gametes (including sperms and eggs) or embryos from medical, ethical, social and legal perspectives. The relevant work has recently been completed and the Council preliminarily proposes to amend the Code based on the following major principles:

(i) lifting the legal restrictions on the storage period of gametes or embryos for own use, irrespective of the gender, age, or medical conditions of the patient;

(ii) the Council will amend the operational measures in the Code accordingly to ensure that the public is fully aware of the associated medical risks before engaging in unnecessary and prolonged storage of gametes or embryos without medical reasons;

(iii) the amended Code will require licensed centres to provide patients with

relevant information, such as the risks of egg-retrieval procedures, the rapid decline in fertility or pregnancy rate associated with ageing of women, the risks of advanced maternal age, as well as the social impacts of delayed childbearing. Patients must sign a consent form to acknowledge the receipt of such information. After storing the gametes or embryos for a certain period, licensed centres are required to provide counselling tailored to the individual circumstances of the patients, and the storage of their gametes or embryos may only be extended with the written consent of the patients; and

(iv) the amended Code will request licensed centres to provide additional statistical data for regulatory purposes.

Members of the public are also welcome to submit their comments on the above recommendations to the Council by post (The Secretariat, the Council on Human Reproductive Technology, Boards and Councils Office, Department of Health, Room 58, 17/F, Wu Chung House, 213 Queen's Road East, Wan Chai) or by email (hrtc@dh.gov.hk) before the end of the consultation period. The Council will consider the views received before making the official final recommendation to the Government.