Briefing for decision

Tabling of ACART and ECART annual reports for 2023-2024

Date due to MO:	2 March 2026	**Action required by:**	9 March 2026
Security level:	IN CONFIDENCE	**Reference:**	H2025076543
To:	Hon Casey Costello, Associate Minister of Health		
Consulted:	Health New Zealand: ☐		
Proactive release:	This **title** is proposed by the Ministry of Health for proactive release: ☐		

Contact for telephone discussion

Name	Position	Telephone
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Minister's office to complete:

☐ Approved	☐ Decline	☐ Overtaken by events
☐ Needs change	☐ Seen	
☐ See Minister's Notes	☐ Withdrawn	

Comment:

Briefing for decision

Tabling of ACART and ECART annual reports for 2023-2024

Security level:	IN CONFIDENCE	**Date:**	3 March 2026
To:	Hon Casey Costello, Associate Minister of Health		

Purpose of report

1. This briefing seeks your agreement to table in the House of Representatives the Advisory Committee on Assisted Reproductive Technology (ACART) and the Ethics Committee on Assisted Reproductive Technology (ECART) annual report for the 2023–2024 year.

Summary

2. ACART is required to provide an annual report on its activities under the Human Assisted Reproductive Technology Act 2004. ECART is required to provide an annual report under its Terms of References. Both committees' annual reports are required to be tabled in the House.

3. The 2023–2024 reports for both committees describe routine committee membership, governance, work programmes, and ECART's consideration of assisted reproductive procedure and extended storage applications.

4. During the reporting period, ACART updated its Guidelines for extending the storage of gametes and embryos and progressed work on its posthumous reproduction guidelines and Ethical Framework. The report also references preparatory work on guidelines for research involving human gametes and embryos. This work has since been deprioritised.

5. During the reporting period ECART reviewed 60 assisted reproductive procedure applications and 166 extended storage applications, this aligns with previous years' volume.

6. While preparation of the reports was delayed due to the time required to collect birth outcome data from fertility clinics, the Ministry considers the associated risk to be minimal. The content of both reports is consistent with previous years and is unlikely to attract significant public or media interest.

Recommendations

We recommend you:

a)	Agree to present the ACART and ECART annual reports for 2023-2024 to the House of Representatives.	**Yes/No**
b)	Note that once you have presented both of the reports, we will publish them on the ACART and ECART websites.	**Noted**

Jennie Kerr

Acting Deputy Director-General
Regulatory Services
Date: 2 March 2026

Hon Casey Costello

Associate Minister of Health
Date:

Approval of ACART and ECART annual reports for 2023-2024

Background

7. Under the Human Assisted Reproductive Technology (HART) Act 2004, the Advisory Committee on Assisted Reproductive Technology (ACART) is required, as soon as practicable after each 12-month period ending on 30 June, to provide you with a report on:
   a. its progress in carrying out its functions
   b. the number and kinds of decisions made by the Ethics Committee on Assisted Reproductive Technology (ECART) in that period.
8. Under its terms of reference, ECART is also required to prepare an annual report for publishing on its website. The Ministry of Health supports both committees to produce the reports.
9. Following receipt of the ACART annual report, you are required to present the report to the House of Representatives.
10. Delays to the 2023–2024 ACART and ECART annual reports reflect the time required to collect and validate birth outcome data from fertility clinics. Risk is minimal, with limited stakeholder interest and only one media enquiry to date. The 2024–2025 reports are in progress and will be provided for approval by mid-2026.

ACART annual report for 2023-2024

11. The ACART annual report for 2023-2024 (see **Appendix 1**) includes information on:
    a. membership of the committee and their attendance at meetings
    b. work undertaken by ACART during the reporting period
    c. ECART decisions during the reporting period
    d. governance of the committee.
12. The attached report notes that during the 2023-2024 year, ACART published amended *Guidelines for extending the storage of gametes and embryos*. The committee also undertook work on its *Guidelines for posthumous reproduction* as well as its *Ethical Framework*.
13. Page 3 of the annual report refers to preparatory work undertaken by ACART in relation to its Guidelines for research involving human gametes and embryos. This work has since been deprioritised.

ECART annual report 2023-2024

14. The ECART annual report for 2023-2024 (see **Appendix 2**) includes information on:

    a. membership of the Committee and their attendance at meetings

    b. a summary of the applications reviewed during the year

    c. the number and type of applications for assisted reproductive procedures and human reproductive research, ECART's decisions and the reason for deferring or declining any applications

    d. any area of review that caused difficulty in making decisions.

15. This is a standard annual report for ECART, and the number of applications received and declined is consistent with previous years.

16. The report notes one declined application for an assisted reproductive procedure and one declined application for the extended storage of gametes. We have summarised these items below. There is likely to be minimal media interest in these items.

Table 1: The total number of applications and declined applications reviewed by ECART in 2023/2024

Total assisted reproductive procedure & human reproductive research applications reviewed	60
Declined assisted reproductive procedure & human reproductive research applications	1
Total Extended Storage applications reviewed	166
Declined Extended Storage applications	1

17. ECART declined one application for within family gamete donation as it did not consider that the reason for the intended donation met the 'best or only opportunity' provision in the ACART guidelines for the intended parents to have a child. The purpose of this provision is to ensure that the benefits and risks from using an assisted reproductive procedure are justified when compared against the alternative options that may be available.

18. ECART declined one application for extended storage of gametes or embryos between 2023/2024. The declined application was for an extension to the storage of sperm. The application was received after the material's storage expiry date. ECART declined the application because section 10 of the Human Assisted Reproductive Technology (HART) Act does not allow the Committee to consider applications received after their storage expiry date.

19. ECART has continued to raise concerns with ACART about the practical difficulties that section 10 of the HART Act creates. ECART considers that the provision can lead to unjust outcomes, with significant and disproportionate consequences for applicants who submit applications late.

Equity

20. ACART and ECART include Māori members whose participation supports the application of tikanga and te ao Māori in committee deliberations. This contributes to the protection of Māori interests in fertility treatment and outcomes, including consideration of whakapapa, whānau, and intergenerational impacts. ACART also undertakes engagement and consultation with Māori as part of its guideline and policy development work, supporting culturally informed and equitable approaches to assisted reproductive technology.

Next steps

21. Once you have presented the ACART and ECART annual reports for 2023-2024 to the House, we will publish the reports on the ACART and ECART websites.

ENDS.