

LEGISLATIVE ASSEMBLY

Read 1° 12 September 1979

(Brought in by Mr Roper and Mr Cain)

A BILL

To amend the *Status of Children Act 1974* with respect to Children conceived by Artificial Insemination.

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

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1. (1) This Act may be cited as the *Status of Children (Artificial Insemination) Act 1979*. Short title.
- (2) The *Status of Children Act 1974* is in this Act referred to as the Principal Act. Principal Act No. 8602.
- 10 (3) This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.
2. After section 5 of the Principal Act there shall be inserted the following section: New section inserted.
- 15 "5A. (1) A child born to a woman during her marriage or within ten months after the marriage has been dissolved by death or otherwise being a child conceived by her with the consent of her husband after artificial insemination with semen donated by a man not her husband shall be presumed to be the child of its mother and her husband or former husband, as the case may be. Presumption where child conceived by artificial insemination.

Certificate of medical practitioner to be evidence.

(2) Without prejudice to any other mode of proof the production of a certificate filed with the Health Commission of Victoria purporting to be the certificate of a legally qualified medical practitioner who supervised the artificial insemination of a woman in the circumstances referred to in sub-section (1) that the insemination was performed in those circumstances with the consent in writing of the woman and her husband on the day and at the place referred to in the certificate shall be sufficient evidence of the facts stated in the certificate. 5

Confidential treatment of certificates.

(3) Where the Health Commission of Victoria receives a certificate described in sub-section (2) the Commission shall cause it to be filed and kept confidential unless otherwise required by the order of a court." 10