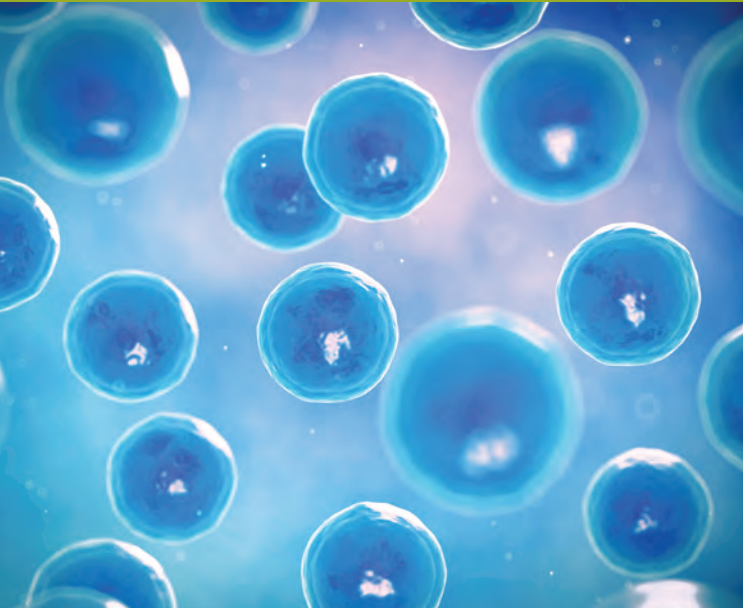


Surplus embryos



Fertility New Zealand is a registered charity supporting people with fertility issues

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Surplus embryos are frozen embryos which remain after people have decided that their family is complete – the embryos are surplus to their own needs. They are a chance outcome of fertility treatment.

People undergoing fertility treatment are typically focussed on getting the best chance of having a baby. Usually, the number of viable embryos at the completion of a treatment cycle is limited by natural attrition along the IVF process, from egg collection, fertilisation, and embryo development. An alternative to the possibility of having surplus embryos is to have one egg fertilised at a time and for surplus eggs to be frozen, but this makes the IVF process more expensive and does have implications for chances of success. Another option is not to freeze 'spare' embryos, however this also limits the chance of success.

An IVF cycle usually involves selecting the best embryo to transfer into the woman's uterus. Typically, any embryos remaining from the cycle will be frozen and may be used if a live birth did not result from the first embryo, or if further children are desired.

Sometimes, a family will be completed without all frozen embryos being used. This situation is becoming increasingly common as clinics continually improve success rates. People with frozen embryos will be contacted by the clinic each year to ask if they wish to renew storage of their embryos, for which there is an annual fee.

Legal framework

The Human Assisted Reproductive Technology (HART) Act 2004 limits storage of embryos to 10 years, at which point they must be discarded unless the person has obtained approval for extended storage from the Ethics Committee on Assisted Reproductive Technology (ECART). Clinics assist with this process of requests for storage extension.

Current options for surplus embryos in New Zealand are to donate them to others for use in fertility treatment, or discard them. Donating

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embryos for research is not currently an option in New Zealand. To either donate embryos or discard them requires the permission of both parties if the embryos were created by a couple. If the embryos contain donor gametes, the consent of the donor is required before the embryos can be donated but the donor's consent is not required to discard. At present embryos cannot be donated if donor sperm or donor eggs were used, but this is under review. At present it is usually not possible to donate embryos if one party dies, however this is currently under review and, in the meantime, it is important to have your specific wishes on your treatment consent form.

Embryo donation

Embryo donation has been described as 'adoption with benefits' and some countries even refer to it as 'embryo adoption'. Although the recipient parents have no genetic link to the child, a prospective mother can achieve a biological link through pregnancy, childbirth and breastfeeding. Prospective recipients of donated embryos must have embryo donation recommended by a fertility specialist as medically being an appropriate option for them to have a child.

Embryo donation means that there could be full siblings growing up in a maximum of two families (this includes the donor family). Issues for people considering donating embryos include: their level of attachment to the embryos; reasons for wishing



◀ to donate versus discarding; relinquishment of control over the way that child would be raised; and the possible range of future relationships between children in the recipient and donor families. Implications counselling is essential for ensuring the best long-term outcome for all parties involved, especially the child(ren). A joint counselling session with donors and recipients is also a requirement for embryo donation in New Zealand, i.e. donors and recipients must meet.

Embryo donation is a complex process that requires case by case approval from the Ethics Committee on Assisted Reproductive Technology (ECART). There is a time commitment needed from all parties in this process, and a cost to potential recipients. ECART approval is required in all cases of embryo donation, even when it is a known donation between family members or friends.

If you would like to donate your embryo(s), you should notify your clinic who will then attempt to match you with people who are seeking donor embryos. You have the right to restrict the

donation to certain groups, such as geographical area or family type. Clinic counsellors will be able to assist with further information and support.

Discarding embryos

Many couples choose to ask the clinic to remove their embryos from storage and allow them to be respectfully discarded by the clinic. You can also ask to have the embryos returned to you. In either case, you may choose to mark the event in a way that is meaningful to you such as planting a tree (or flower pot if you'd prefer it to be portable), writing a poem/ journal entry, walking along your favourite beach, or placing charms on a bracelet – one for each embryo.

Emotional considerations

When people are trying-to-conceive, they are typically focussed on achieving a pregnancy and a healthy baby. Needing to undergo fertility treatment in order to achieve a pregnancy requires physical and emotional (and sometimes financial) investment and there is often the sense of the treatment taking centre stage in your life. In situations where the journey is long and particularly difficult, the possibility of having surplus embryos at the end of treatment may be especially difficult to contemplate.

Potential embryo donors may feel differing levels of attachment to their surplus embryos. For some people, surplus embryos may feel like a representation of the journey that led to the creation of the embryos, and they are seen as highly valuable. Often too, questions of 'when does life begin', may come into decision making for many people contemplating what to do with surplus embryos. It is also not uncommon for partners to have differing views and for final decisions to take up to 2-3 years.

Your obligations

Importantly, please remember that you are responsible for informing the clinic at which your embryos are stored, if you move or your

circumstances change. It may come as a surprise to know that fertility clinics all over the world, including New Zealand, contain embryos belonging to untraceable couples. Eventually, at the end of the legal storage period, these embryos are discarded, without the people ever being able to be contacted. If you move a long way from the clinic or overseas, it is possible to ship frozen embryos to another more convenient clinic.

Seeking further information and support

Counsellors at fertility clinics are experienced at helping people navigate options around surplus embryos. Counsellors can assist if you have surplus embryos and you are making decisions about what to do with them, and they can also assist if you are a potential recipient of donated embryos. Fertility New Zealand can also put you in touch with others who have navigated such decisions already. ■

Please note that the information presented in this brochure is intended only as a brief summary. For specific advice on your particular medical situation you should always consult your professional health care provider.
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