

# Tono ki te Whakapuaki Kōrero Tautuhi

## Access to and Disclosure of Identifying Information

### Human Assisted Reproductive Technology Act 2004

This completed form must be given to the fertility clinic and/or Births, Deaths and Marriages (BDM)

#### Donor Offspring

Can donor offspring find out about their donor/s? (section 50)

**Donor offspring 18 years or older—**

- Can obtain all information about their donor/s, including identifying information, kept by the fertility clinic or BDM.

**Donor offspring under 18 years—**

- Can make a request but the information provided will exclude donor/s' identifying information.
- Guardian can also make a request and receive all information kept about the donor/s, including identifying information.

**Note:**

- An access request can be refused if disclosure is likely to endanger any person.
- A person given access to donor information will be advised they may wish to seek counselling.
- The fertility clinic or BDM must tell the donor/s if someone is given access to their identifying information.

Can donor offspring find out what information is held about them? (section 57)

**Donor offspring 18 years or older—**

- Can obtain all information about them kept by the fertility clinic or BDM, including their donor/s' information.

**Donor offspring under 18 years—**

- Can make a request but the information provided will exclude donor/s' identifying information.
- Guardian can also make a request and receive all information kept about the donor offspring and their donor/s.

**Note:**

- A donor offspring or their guardian must be told if the donor/s have asked for information about the donor offspring.
- A person given access to donor offspring information will be advised they may wish to seek counselling.

Can donor offspring find out if they share a donor? (section 58)

- Donor offspring can ask the fertility clinic or BDM if their donor/s have other donor offspring (ie, do they have a sibling?)

**If both donor offspring are 18 years or older—**

- Offspring **A** may be told about offspring **B**, and if **B** consents the information can include identifying information.
- Information about other donor offspring cannot be provided to a donor offspring's guardian.

**If one donor offspring is under 18 years—**

- If offspring **A** is under 18 years, information about offspring **B** can be provided to **A**'s guardian.
- If offspring **A** is 18 years or over but offspring **B** is under 18, **A** can be told about **B**, but **B**'s guardian must consent before identifying information can be provided.

**If both donor offspring are under 18 years—**

- Guardians can request information about other donor offspring, but identifying information cannot be provided unless the other offspring's guardian consents.

**Note:**

- This form can be used to give consent or, if consent has already been given, to cancel it.

Donor offspring can give consent for a named donor to receive their identifying information (section 60)

A donor can ask for non-identifying information about their donor offspring at any time. A donor offspring 18 years or older can give consent for a named donor to receive their identifying information. Consent can be cancelled at any time.

**Note:**

- This form can be used to give consent or, if consent has already been given, to cancel it.
- An access request can be refused if disclosure is likely to endanger any person.

## Donor

### Can donors find out what information is held about them? (section 49)

A donor can ask a fertility clinic—

- for access to any of their information the fertility clinic has kept
- if their donor offspring has asked for information about them.

### Can donors find out about their donor offspring? (sections 60 and 61)

A donor can ask a fertility clinic or BDM—

- if they have any donor offspring, and the sex of each offspring
- for their offspring's identifying information, if the offspring has given their consent for the donor to receive that information.

**Note:**

- An access request can be refused if disclosure is likely to endanger any person.

### Voluntary Register (section 63)

- BDM maintains the voluntary register, which contains information provided by donors, donor offspring, and guardians about donations and conceptions that occurred before 22 August 2005.

#### Access

The donor can access their own information. A donor may also obtain information about their donor offspring, unless there is a restriction in place.

**Donor offspring 18 years or older** can access their own information.

Unless there is a restriction in place, they can also obtain information about —

- the donor,
- donor offspring they share a donor with.

**Donor offspring under 18 years**—a guardian can request and receive donor and donor offspring information unless there is a restriction in place.

**Note:**

- An access request can be refused if disclosure is likely to endanger any person.
- A person given access to donor information will be advised they may wish to seek counselling.

#### Restrictions

A donor, donor offspring 18 years or older or the guardian of an under 18 offspring can request BDM restrict access to information they provided for the voluntary register.

Use the appropriate form:

- *Application to Record (or Update) Donor Details on the Human Assisted Reproductive Technology Register (Voluntary Scheme) BDM401*
- *Application to Record (or Update) Donor Offspring Details on the Human Assisted Reproductive Technology Register (Voluntary Scheme) BDM 402*

A donor offspring 18 years or older can revoke a restriction or change a restriction put in place by their guardian before they turned 18.

### Can I authorise an agent to obtain information on my behalf? (section 45)

A donor, donor offspring 18 years or older, or the guardian of an under 18 offspring may authorise another person to obtain information they are entitled to access. Use the form *Authorisation for Disclosure of Information to Agent BDM 405*.

### Email your completed form

Email **OR** post the form. Do not post the form if you are emailing it.



After the form is fully completed and signed:

1. Scan page 4 of this application (do not scan the notes pages)
3. Attach the scan of the form to an email
4. Email the scan to [BDM.Hart@dia.govt.nz](mailto:BDM.Hart@dia.govt.nz)

or post the form to:

Births, Deaths and Marriages  
PO Box 10526  
Wellington 6143  
New Zealand

### Contact Details

Births, Deaths and Marriages:

- Website [www.govt.nz/bdm](http://www.govt.nz/bdm)
- Freephone 0800 22 52 52 (New Zealand only). If overseas phone + 64 4 463 9362
- Email [bdm.nz@dia.govt.nz](mailto:bdm.nz@dia.govt.nz)

Last updated 22 June 2017

## What identifying information is available and can be released if consent is given?

### Donor (sections 47, 53, and 63)

#### Donor information at a fertility clinic

Fertility clinics may have donor information that includes some or all of:

- (a) the donor's name and gender:
- (b) the donor's address:
- (c) the date, place, and country of the donor's birth:
- (d) the donor's height, and eye and hair colour:
- (e) the donor's ethnicity and any relevant cultural affiliation:
- (f) in the case of a Māori donor, the donor's whanau, hapū, and iwi, to the extent that the donor is aware of those affiliations:
- (g) any aspects, considered significant by the provider, of the medical history of—the donor; the donor's parents and grandparents; the donor's children (if any); and the donor's siblings (if any):
- (h) the donor's reasons for donating.

#### Birth of a donor offspring

If a fertility clinic learns a donor offspring has been born, the clinic must give BDM the most up-to-date information it has for:

- (a) the donor's name:
- (b) the donor's address:
- (c) the date, place, and country of the donor's birth:

#### Voluntary register (before 22 August 2005)

BDM may have some or all of the following information if there is an entry in the voluntary register

- (a) the donor's name and gender:
- (b) the donor's address:
- (c) the date, place, and country of the donor's birth:
- (d) the donor's height, and eye and hair colour:
- (e) the donor's ethnicity and cultural affiliation:
- (f) in the case of a Māori donor, the donor's whanau, hapū, and iwi, to the extent that the donor is aware of those affiliations:
- (g) any aspects, considered significant by the provider, of the medical history of—the donor; the donor's parents and grandparents; the donor's children (if any); and the donor's siblings (if any):
- (h) the name of the provider who received any donated embryo or donated cell from the donor:
- (i) the donor's reasons for donating:
- (j) any number or other symbol used by the provider to identify the donor, if known.

### Donor Offspring (sections 53 and 63)

#### Birth of a donor offspring

If a fertility clinic learns a donor offspring has been born, the clinic must give BDM the most up-to-date information it has for:

- (a) the date and place of the donor offspring's birth:
- (b) the donor offspring's sex:
- (c) the donor offspring's name:
- (d) the name/s and address/es of the donor offspring's guardian/s.

#### Voluntary register (before 22 August 2005)

BDM may have some or all of the following information if there is an entry in the voluntary register

- (a) the donor offspring's name and gender:
- (b) the donor's address:
- (c) the date and place of the donor offspring's birth:
- (d) if the information is given by the guardian, the guardian's name and address:
- (e) the donor's ethnicity and cultural affiliation:
- (f) in the case of a Māori donor, the donor's whanau, hapū, and iwi, to the extent that the donor is aware of those affiliations:
- (g) any aspects, considered significant by the provider, of the medical history of the donor offspring:
- (h) the name of the provider who received the donated embryo or donated cell concerned:
- (i) any number or other symbol used by the provider to identify the donor offspring, if known.

## Privacy Statement

The information on this form is collected under the Human Assisted Reproductive Technology Act 2004. As part of processing your request, your identification details will be checked against records held by Births, Deaths, Marriages, Citizenship and Translations or other government agencies, as authorised by law.

## Tono ki te Whakapuaki Kōrero Tautuhi Access to and Disclosure of Identifying Information

To  Births, Deaths and Marriages

Name and address of the fertility clinic

Fertility Clinic

I am a Donor

My identifier (if known)

I am a Donor offspring

### I give my consent to the release of my identifying information

- I am a donor and I consent to the donor offspring receiving my identifying information
- I am a donor offspring and I consent to donor offspring that share my donor receiving my identifying information
- I am a donor offspring and I consent to my donor receiving my identifying information

### I cancel the consent I have given

- I am a donor and I cancel the consent for my donor offspring to receive my identifying information
- I am a donor offspring and I cancel the consent for donor offspring that share my donor to receive my identifying information
- I am a donor offspring and I cancel the consent for my donor to receive my identifying information

### My details

First names

Surname

First names at birth (if different from above)

Surname at birth (if different from above)

Place of birth (town or city), including country if not New Zealand

Date of birth (dd/mm/yyyy)

### I declare that the information about me entered on this form is true and correct

Signature

Date signed (dd/mm/yyyy)

### Referee's declaration (Must be completed by another person 16 years or older)

I am 16 years of age or older. I have known the person named above for at least 6 months, or have seen their government issued photo identification. I am satisfied the named person's identity information stated in this form is true and correct.

Signature of referee

Date signed by referee

Full name of referee

Contact address of referee

Phone number of referee