



Assisted Human Reproduction, Human Cloning and Stem Cell Research

Developments in medical technology have led to a number of interventions designed to assist human reproduction. Procedures such as artificial insemination, in vitro fertilization, surrogacy, and embryo transfer increasingly provide new options for some of the estimated one in eight Canadian couples experiencing infertility. Now more than ever, Canadians are turning to assisted human reproduction (AHR) procedures to help build their families.

Since 1993, the federal government has been working to respond to recommendations made by the Royal Commission on New Reproductive Technologies. Recently, on March 29, 2004, *An Act respecting assisted human reproduction and related research*, became law. The legislation is the result of over 10 years of careful and thorough consideration.

The three primary objectives of the *AHR Act* are to:

- prohibit certain unacceptable activities such as human cloning;
- protect the health and safety of Canadians using AHR to build their families, by regulating acceptable practices such as *in vitro* fertilization (IVF);
- ensure that AHR related research, which may help find treatments for infertility and other diseases, takes place within a controlled environment.

There are certain prohibitions in the Act for activities such as human cloning and payment to egg and sperm donors along with provisions on “controlled activities” such as the manipulation of human reproductive material to create a human embryo.

In addition, the Act calls for the establishment of the Assisted Human Reproduction Agency of Canada, to license, inspect and enforce activities controlled under the AHR Act.

The Agency will perform several essential functions under the legislation, including issuing licences for AHR procedures or research involving the *in vitro* human embryo, inspecting AHR clinics and research laboratories to ensure health and safety, and collecting and analysing health reporting information.



This will be followed by the coming into force of the provisions relating to the full functioning of the Agency and all remaining sections of the *AHR Act*, once the necessary staff have been hired and trained, and the regulatory/licensing regime is developed.

HUMAN CLONING

- Consistent with the values of Canadians and in recognition of health and safety concerns, human cloning is prohibited under the *AHR Act*.
- The *AHR Act* clearly prohibits all forms of human cloning, whether for reproductive, research or therapeutic purposes; and regardless of the cloning techniques used, whether currently known or still to be developed.

STEM CELL RESEARCH

- The *AHR Act* governs all research in Canada involving the *in vitro* human embryo, including the derivation of embryonic stem cells.
- It does not facilitate or promote embryo research. Instead, future regulations will establish clear boundaries, where none existed before, as to what will be acceptable research and under what conditions such research can be undertaken. Research in this context can be undertaken only on embryos originally created for reproductive purposes, but no longer require for that purpose.
- Regulations regarding embryo research will be developed in consultation with stakeholders and all interested parties.

CANADIAN INSTITUTES OF HEALTH RESEARCH AND THE *AHR ACT*

- The *AHR Act* governs private and public sector research involving the *in vitro* human embryo, including embryonic stem cell derivation (but not stem cells once derived). The Canadian Institutes of Health Research (CIHR) guidelines address the federal funding of all stem cell research regardless of source (adult, fetal and embryonic).
- The *AHR Act* and the CIHR funding guidelines are consistent in policy where there is overlap, although the overlap is limited to the use of the *in vitro* human embryo to derive stem cells for research purposes. However, as the *AHR Act* is a statute, it takes precedence over CIHR guidelines

FOR MORE INFORMATION VISIT THE BIOTECHNOLOGY THEME AT HEALTH CANADA'S WEB SITE:

www.healthcanada.ca/biotech

or visit the following Web sites:

Assisted Human Reproduction

http://www.hc-sc.gc.ca/hl-vs/reprod/index_e.html

The Canadian Institutes of Health Research (CIHR)

<http://www.cihr-irsc.gc.ca/e/193.html>

Or contact us at:

Health Canada

Office of Biotechnology and Science

AL 0702A, Tunney's Pasture

Ottawa, Ontario K1A 0L2

Fax: (613) 957-0362

Email: obs-bbs@hc-sc.gc.ca ●