

**ROYAL NORWEGIAN MINISTRY
OF HEALTH AND SOCIAL AFFAIRS**

1987

June

12

Nr. 68 Lov om
kultis

**Act no 68 of 12. June 1987 relating to artificial
procreation**

defruktning

Chap. 1. General Provisions

§ 1.

For the purposes of this Act, artificial procreation is defined as artificial insemination and extracorporeal fertilisation.

§ 2.

Artificial procreation may take place only at institutions which are specifically authorised for this purpose by the Ministry of Health and Social Affairs.

All institutions carrying out artificial procreation shall report on their activities in writing to the Ministry. The Ministry shall lay down more specific rules concerning the duty to report.

§ 3.

Only those institutions which, pursuant to § 2, are entitled to carry out artificial procreation may freeze or by any other means store sperm. The import of sperm may take place only with permission from the Directorate of Health.

The freezing of unfertilised eggs is prohibited.

Only those institutions which, pursuant to § 2, are entitled to carry out artificial procreation may freeze fertilised eggs. These fertilised eggs may be used exclusively for returning to the woman, and may not be stored for more than 12 months.

Research on fertilised eggs is prohibited.

§ 4.

Artificial procreation may be carried out only on a woman who is married.

Before treatment is embarked on written consent must have been obtained from the woman and from her husband.

§ 5.

The decision to undertake treatment with a view to artificial procreation shall be made by a physician. The decision shall be based on medical and psychosocial assessment of the couple.

The couple shall be given information about the treatment and about the medical and legal consequences it may have.

§ 6.

The King may issue regulations laying down more specific conditions for artificial procreation.

Chap. II. Artificial Insemination

§ 7.

For the purposes of this Act, artificial insemination is defined as the introduction of sperm into a woman's vagina or cervix by a method other than sexual intercourse.

§ 8.

Artificial insemination may take place only when the husband is infertile or the carrier of a grave hereditary disease.

§ 9.

The physician providing the treatment shall choose a suitable sperm donor.

§ 10.

Medical staff are obliged to ensure that the sperm donor's identity be kept secret. A sperm donor may not be given information concerning the couple's or the child's identity.

Chap. III. Extracorporeal Fertilisation

§ 11.

For the purposes of this Act, extracorporeal fertilisation is defined as the fertilisation of eggs outside the woman's body.

§ 12.

Extracorporeal fertilisation may take place only if the woman is sterile. Such treatment may be carried out only with the couple's own egg and sperm cells. Fertilised eggs may only be implanted back into the woman from whom they originate.

Chap. IV. Other Provisions

§ 13.

The King may issue regulations to supplement and implement the Act.

§ 14.

Anyone who wilfully carries out artificial procreation, stores eggs or sperm, or conducts research in contravention of this Act shall be liable to a fine, or imprisonment of up to 3 months. Anyone acting as accessory is liable to the same penalty.

If a punishable offence as specified in the first paragraph above is committed by someone who has been acting on behalf of a company, association or foundation, a government, country or other public body, the enterprise or the public body shall be liable to a fine.

§ 15.

This Act enters into force on the date decided by the King. This Act enters into force on 1 of July 1987.

On the same date, the following amendments to other Acts shall take effect:

1. Act No. 57 of 19 June 1969 relating to Hospitals etc (The Hospital Act): Section 9 a is repealed.

Act No. 7 of 8 April 1981 relating to Children and Parents (The Children Act) new third and fourth paragraphs in Section 9 shall read:

If the mother has been artificially inseminated, and the husband has given his consent to the insemination, a court shall pronounce him to be the father, provided it is not improbable that the child was conceived as a result of the insemination.

The sperm donor may not be pronounced by a court to be the father. However, this does not apply if the insemination has been effected with sperm from the husband and it is not improbable that the child was conceived as a result of the insemination.