

A BILL

To

Amend the Human Reproductive Technology Ordinance to provide for a new offence in respect of publishing or distributing advertisements purporting to promote sex selection services.

Enacted by the Legislative Council.

1. Short title and commencement

- (1) This Ordinance may be cited as the Human Reproductive Technology (Amendment) Ordinance 2015.
- (2) This Ordinance comes into operation on a day to be appointed by the Secretary for Food and Health by notice published in the Gazette.

2. Human Reproductive Technology Ordinance amended

The Human Reproductive Technology Ordinance (Cap. 561) is amended as set out in sections 3 and 4.

3. Section 15 amended (prohibitions in connection with embryos, against sex selection and against the provision of reproductive technology procedures to unmarried persons)

After section 15(3)—

Add

“(3A) A person must not cause to be published or distributed, or knowingly publish or distribute, an advertisement purporting to promote sex selection services, whether or not the services are provided in Hong Kong.

(3B) In subsection (3A)—

sex selection services (性別選擇服務) means services provided for selecting the sex of an embryo by means of a reproductive technology procedure, whether directly or indirectly (including by the implantation of an embryo of a particular sex in the body of a woman).”.

4. Section 39 amended (offences)

Section 39(1), after “(3)”—

Add

“, (3A)”.

Explanatory Memorandum

The object of this Bill is to amend the Human Reproductive Technology Ordinance (Cap. 561) (*Ordinance*) to provide for a new offence in respect of publishing or distributing advertisements purporting to promote sex selection services.

2. Clause 1 sets out the short title and provides for commencement.
3. Clause 3 adds new section 15(3A) and (3B) to the Ordinance to create the new offence and define the meaning of *sex selection services*.
4. Clause 4 amends section 39(1) of the Ordinance to provide for the penalty of the new offence.