Surrogacy: The Long and Winding Road Ahead

by
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Ms Cordelia Yeung graduated from Durham University with an LLB in 2014 and the University of Hong Kong with an LLM (Distinction) in 2016. In 2018, she was called to the Bar in Hong Kong and awarded the Middle Temple Society Advocacy Scholarship. In the following year, she joined Alan Leong, S.C.'s Chambers.

"We are better to face up to reality and move to a proper system of regulation [of surrogacy arrangements]." - Sir James Munby, the former President of the Family Division of the High Court of Justice in England and Wales

Many people believe that founding a family is a person's fundamental right. While many couples realise this right through ordinary means, others may employ assisted reproductive methods or surrogacy to do the same.

It has been more than 25 years since 1993, when the Parent and Child Ordinance (Cap.429) came into force in Hong Kong, enabling the making of parental orders to formalise the relationship between the intended parents and the child born through surrogacy. Yet, Hong Kong is only just starting to grapple with what surrogacy means to the wider society, and how it may ultimately redefine parenthood. In July 2019, the Court of First Instance issued the first comprehensive decision on surrogacy in Hong Kong, *FH, MH v WB and HB* [2019] HKCFI 1748 in which it highlighted that the current legal regime left much to be desired.

This course provides an overview of the key legal issues in Hong Kong arising from surrogacy arrangements. The course will draw lessons from the United Kingdom experience: the legal framework in Hong Kong consisting of the Parent and Child Ordinance (Cap.429) and the Human Reproductive Technology Ordinance (Cap.561) were largely modelled after the Surrogacy Arrangements Act 1985 and the Human Fertilisation and Embryology Act 2008 in the United Kingdom.

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The course will cover the following:

- How is surrogacy regulated in Hong Kong and the United Kingdom?
- What is a parental order, and what makes it unique?
- What issues concerning the child's welfare and rights are involved in the making of a parental order?
- Who can apply for a parental order?
- What conditions are involved in the making of a parental order, for example, conditions in respect of the time limits, expenses incurred, and the surrogate's consent?
- What criminal issues might arise in the context of surrogacy?
- What is the case for legal reform of the legislative framework for surrogacy?

Scan to Calendar

Code:	**EVT000000287**	Level:	**Intermediate**
Date:	**25 October 2019 (Friday)**	Language:	**English**
Time:	**09:30 - 12:45** (Reception starts at 09:00)	Accreditation(s):	**LSHK 3.0 CPD Points**
Venue:	**Kornerstone Institute** 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Request for Rerun:	**Please Contact Us for Details**

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