

March 21, 2002

The Hon. Michael Baker, Q.C.  
Minister of Justice & Attorney  
General of Nova Scotia  
5151 Terminal Rd, 3rd Flr  
PO Box 7 Stn Central  
Halifax, NS  
B3J 2L6

Dear Minister Baker,

**Re: Reproductive and Genetic Technology**

We are writing to urge your government to develop legislative initiatives pertaining to reproductive and genetic technology (RGT) and to harmonize those initiatives with those of the federal government and other provincial and territorial governments.

The Report of the Royal Commission on New Reproductive Technologies was issued in 1993. Since that time, there has been an exponential growth in the ability and the potential of medical technology. Many issues arise from the application of these technologies, including:

- prohibiting certain technology and activity;
- licencing and regulation of clinics and research facilities;
- privacy and the right to medical information;
- legal parentage when technology has been used to achieve pregnancy, including custody and access rights;
- eligibility under succession laws and wills; and
- child support obligations.

RGTs touch areas of exclusive federal jurisdiction, exclusive provincial and territorial jurisdiction and shared jurisdiction between the levels of government. At the same time, it is of utmost importance that Canadians have consistent standards right across the country to ensure common treatment of these issues and to prevent “forum shopping”.

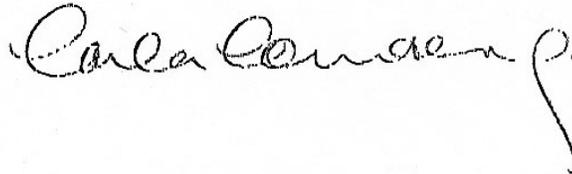
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We enclose a resolution on this subject approved by the CBA at its 2001 annual convention in Saskatoon this past August.

Yours truly,



Eric Rice, Q.C.  
President



Carla Courtenay  
Chair, National Family  
Law Section



Brent Windwick  
Chair, National Health  
Law Section

c.c. Brian A. Tabor, President - Nova Scotia Branch  
Leah E. Hutt, Chair - Nova Scotia Branch Health Law Section  
Robyn L. Elliott, Chair - Nova Scotia Branch Family Law Section  
Alison Davidson, Executive Director - CBA Nova Scotia Branch

March 21, 2002

The Hon. Martin Cauchon, P.C., M.P.  
Minister of Justice & Attorney  
General of Canada  
284 rue Wellington  
Ottawa, Ontario  
K1A 0H8

Dear Minister Cauchon,

**Re: Reproductive and Genetic Technology**

We are writing to urge your government to develop legislative initiatives pertaining to reproductive and genetic technology (RGT) and to harmonize those initiatives with those of the federal government and other provincial and territorial governments.

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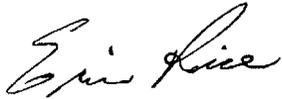
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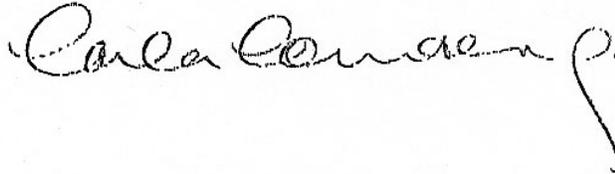
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Carla Courtenay  
Chair, National Family  
Law Section



Brent Windwick  
Chair, National Health  
Law Section

March 21, 2002

The Hon. Bradley Green, Q.C.  
Minister of Justice & Attorney  
General of New Brunswick  
Rm 412 Centennial Bldg PO Box 6000 Stn A  
Fredericton, NB  
E3B 5H1

Dear Minister Green,

**Re: Reproductive and Genetic Technology**

We are writing to urge your government to develop legislative initiatives pertaining to reproductive and genetic technology (RGT) and to harmonize those initiatives with those of the federal government and other provincial and territorial governments.

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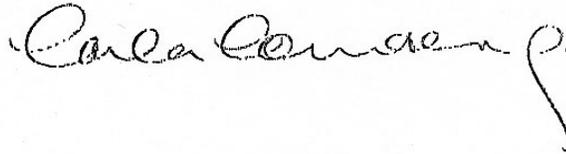
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Carla Courtenay  
Chair, National Family  
Law Section



Brent Windwick  
Chair, National Health  
Law Section

c.c. J. Paul M. Harquail, President - New Brunswick Branch  
David G. O'Brien, Chair - New Brunswick Branch Health Law Section  
Janet A. Steeves, Chair - New Brunswick Branch Family Law Section  
Lia A. Daborn, Executive Director - New Brunswick Branch

March 21, 2002

The Hon. David Hancock, Q.C.  
Minister of Justice of Alberta  
Rm 320 Legislature Bldg 10800 97 Ave NW  
Edmonton, AB  
T5K 2B6

Dear Minister Hancock,

**Re: Reproductive and Genetic Technology**

We are writing to urge your government to develop legislative initiatives pertaining to reproductive and genetic technology (RGT) and to harmonize those initiatives with those of the federal government and other provincial and territorial governments.

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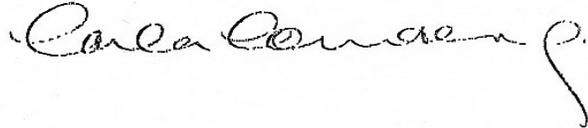
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Chair, National Family  
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Brent Windwick  
Chair, National Health  
Law Section

- c.c. Virginia A. Engel, President - Alberta Branch  
Anjali D. McKenzie, Chair - Alberta (Calgary) Branch Health Law Section  
Sheila J. Torrance, Chair - Alberta (Edmonton) Branch Health Law Section  
Edward McCann, Chair - Alberta (Calgary) Branch Family Law Section  
Debra A. Yungwirth, Chair - Alberta (Edmonton) Branch Family Law Section  
Terry Evenson, Executive Director, Alberta Branch

March 21, 2002

The Hon. Jeffrey Lantz  
Attorney General of PEI  
95 Rochford St, 4th Flr  
PO Box 2000  
Charlottetown, PE  
C1A 7N8

Dear Minister Lantz,

**Re: Reproductive and Genetic Technology**

We are writing to urge your government to develop legislative initiatives pertaining to reproductive and genetic technology (RGT) and to harmonize those initiatives with those of the federal government and other provincial and territorial governments.

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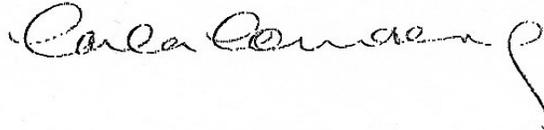
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Carla Courtenay  
Chair, National Family  
Law Section



Brent Windwick  
Chair, National Health  
Law Section

c.c. Alan C. Cheverie, President - Prince Edward Island Branch  
Kimberley M. Petrie, Chair - Prince Edward Island Branch Health Law Section  
Ronald J. Profit, Chair - Prince Edward Island Branch Family Law Section  
Chris Brennan, Executive Director - Prince Edward Island Branch

March 21, 2002

The Hon. Gordon Mackintosh  
Minister of Justice of Manitoba  
Rm 104 Legislative Bldg 450 Broadway  
Winnipeg, MB  
R3C 0V8

Dear Minister Mackintosh,

**Re: Reproductive and Genetic Technology**

We are writing to urge your government to develop legislative initiatives pertaining to reproductive and genetic technology (RGT) and to harmonize those initiatives with those of the federal government and other provincial and territorial governments.

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Carla Courtenay  
Chair, National Family  
Law Section



Brent Windwick  
Chair, National Health  
Law Section

c.c. Wayne M. Onchulenko, President - Manitoba Branch  
Keith J. Ferbers, Chair - Manitoba Branch Health Law Section  
Peter J. Bruckshaw, Chair - Manitoba Branch Family Law Section  
Stacy Nagle, Executive Director - Manitoba Branch

March 21, 2002

The Hon. Chris Axworthy, Q.C.  
Minister of Justice & Attorney  
General of Saskatchewan  
Rm 335 Legislative Bldg 2405 Legislative Dr  
Regina, SK  
S4S 0B3

Dear Minister Axworthy,

**Re: Reproductive and Genetic Technology**

We are writing to urge your government to develop legislative initiatives pertaining to reproductive and genetic technology (RGT) and to harmonize those initiatives with those of the federal government and other provincial and territorial governments.

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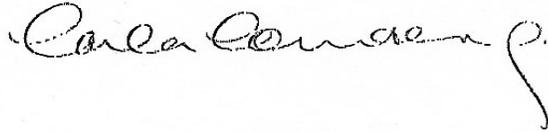
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Chair, National Family  
Law Section



Brent Windwick  
Chair, National Health  
Law Section

- c.c. Barry H. Rossmann, President - Saskatchewan Branch  
Christopher C. Boychuk, Chair - Saskatchewan (North) Branch Health Law Section  
Jeffrey D. Scott, Chair - Saskatchewan (South) Branch Health Law Section  
Alma Wiebe, Q.C., Chair - Saskatchewan (North) Branch Family Law Section  
Sherry L. Fitzsimmons, Chair - Saskatchewan (South) Branch Family Law Section  
Brenda Hesje, Executive Director - Saskatchewan Branch

March 21, 2002

Mr. Geoff Plant  
Attorney General  
Legislative Assembly of BC  
Room 232, Parliament Bldg  
Victoria, BC  
V8V 1X4

Dear Minister Plant,

**Re: Reproductive and Genetic Technology**

We are writing to urge your government to develop legislative initiatives pertaining to reproductive and genetic technology (RGT) and to harmonize those initiatives with those of the federal government and other provincial and territorial governments.

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Brent Windwick  
Chair, National Health  
Law Section

- c.c. Carman J. Overholt, President - BC Branch  
Karen F. Douglas, Chair - British Columbia Branch Health Law Section  
David C. Dundee, Chair - BC (Kamloops) Branch Family Law Section  
Kristin M. Rongve, Chair - BC (Nanaimo) Branch Family Law Section  
Nancy Johnson, Chair - BC (Okanagan) Branch Family Law Section  
Saundra E. Elson, Chair - BC (Prince George) Branch Family Law Section  
Dinyar Marzban, Chair - BC (Vancouver) Branch Family Law Section  
Sandra J. Harper, Chair - BC (Victoria) Branch Family Law Section  
Carol W. Hickman, Chair - BC (Westminster) Branch Family Law Section  
Valerie M. Little, Chair - BC (Westminster) Branch Family Law Section  
Frank C. Kraemer, Executive Director - BC Branch

March 21, 2002

The Hon. Paul Okalik  
Government of Nunavut  
P.O. Box 2410  
Iqaluit, Nunavut  
X0A 0H0

Dear Minister Okalik,

**Re: Reproductive and Genetic Technology**

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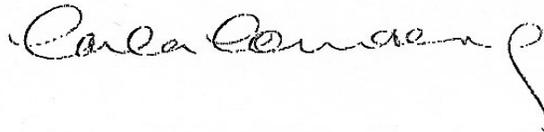
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Carla Courtenay  
Chair, National Family  
Law Section



Brent Windwick  
Chair, National Health  
Law Section

March 21, 2002

The Hon. Roger Allen  
Minister of Justice  
Government of the Northwest Territories  
PO Box 1320 Stn Main  
Yellowknife, NT  
X1A 2L9

Dear Minister Allen,

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Brent Windwick  
Chair, National Health  
Law Section

c.c. Gregory C. Nearing, President - Northwest Territories Branch  
Elaine Keenan Bengts, Chair - Northwest Territories Branch Family Law Section  
Linda G. Whitford, Executive Director - Northwest Territories Branch

March 21, 2002

The Hon. James McLachlan  
Minister of Justice  
2071 Second Ave PO Box 2703 Stn Main  
Whitehorse, YT  
Y1A 2C6

Dear Minister McLachlan,

**Re: Reproductive and Genetic Technology**

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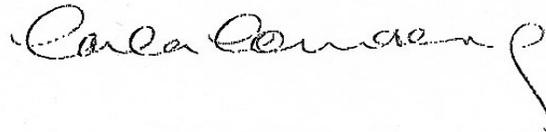
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Brent Windwick  
Chair, National Health  
Law Section

c.c. Bruce L. Willis, Q.C., President - Yukon Branch  
John R. Laluk, Chair - Yukon Branch Family Law Section  
Darlene Bellamy, Executive Director - Yukon Branch

March 21, 2002

The Hon. David Young  
Attorney General & Minister Resp.  
for Native Affairs-Executive Council of Ontario  
720 Bay St, 11th Flr  
Toronto, ON  
M5G 2K1

Dear Minister Young,

**Re: Reproductive and Genetic Technology**

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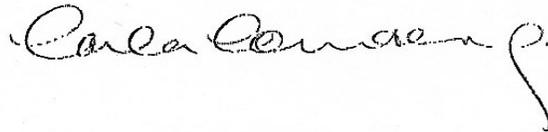
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Brent Windwick  
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Law Section

c.c. James F. O'Brien, President - Ontario Branch  
Susan Davidson, Chair - Ontario Branch Health Law Section  
Jacqueline Mills, Chair - Ontario Branch Family Law Section  
Douglas H. Simpson, Executive Director - Ontario Branch

March 21, 2002

The Hon. Kelvin Parsons, Q.C.  
Minister of Justice & Attorney  
General Newfoundland  
PO Box 8700 Stn A  
St. John's, NF  
A1B 4J6

Dear Minister Parsons,

**Re: Reproductive and Genetic Technology**

We are writing to urge your government to develop legislative initiatives pertaining to reproductive and genetic technology (RGT) and to harmonize those initiatives with those of the federal government and other provincial and territorial governments.

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- c.c. Peter N. Browne, President - Newfoundland Branch  
Liam P. O'Brien, Chair - Newfoundland Branch Health Law Section  
Sandra M. Burke, Chair - Newfoundland Branch Family Law Section  
Jean V. Dawe, Chair - Newfoundland Branch Family Law Section  
Roxane Dean, Executive Director - Newfoundland Branch

## Reproductive and Genetic Technology

## Techniques de reproduction et de génétique

**WHEREAS** the federal government has introduced draft legislation dealing with issues pertaining to reproductive and genetic technology;

**ATTENDU QUE** le gouvernement fédéral a déposé un projet de loi sur des questions relatives aux techniques de reproduction et de génétique;

**WHEREAS** this is a matter of shared jurisdiction between the federal, provincial and territorial governments;

**ATTENDU QU'**il s'agit là d'une question de compétence partagée entre les gouvernements fédéral, provinciaux et territoriaux;

**WHEREAS** none of the provinces or territories have taken action to deal with the issues relating to reproductive and genetic technology;

**ATTENDU QUE** ni les provinces, ni les territoires n'ont encore pris de mesures pour traiter des questions relatives aux techniques de reproduction et de génétique;

**WHEREAS** consistency in dealing with these issues across Canada is of utmost importance;

**ATTENDU QU'** il est de la plus haute importance de traiter de façon uniforme ces questions dans l'ensemble du Canada;

**BE IT RESOLVED THAT** the Canadian Bar Association urge the provincial and territorial governments to develop and harmonize with each other and the federal government, legislative initiatives pertaining to reproductive and genetic technology.

**QU'IL SOIT RÉSOLU QUE** L'Association du Barreau canadien exhorte les gouvernements provinciaux et territoriaux à élaborer et harmoniser entre eux et avec le gouvernement fédéral des projets législatifs en matière de techniques de reproduction et de génétique.

*Certified true copy of a resolution carried as amended by the Council of the Canadian Bar Association at the Annual Meeting held in Saskatoon, SK, August 11-12, 2001.*

*Copie certifiée d'une résolution adoptée, tel que modifiée, par le Conseil de l'Association du Barreau canadien, lors de son Assemblée annuelle, à Saskatoon, SK les 11 et 12 août 2001.*



**John D.V. Hoyles**  
**Executive Director/Directeur exécutif**