



**AUSTRALIAN HIGH COMMISSION
NEW DELHI**

To whom it may concern,

This letter has been provided in response to Indian Medical visa requirements as outlined on the Indian High Commission website.

In Australia, the legal transfer of parentage following surrogacy arrangements is the responsibility of state and territory governments. Most states and territories in Australia have legislated to regulate surrogacy arrangements in Australia and have provided for transfer of the legal parentage of children where the surrogacy arrangement meets the requirements set out in legislation. We note that New South Wales, the Australian Capital Territory and Queensland have legislation making it an offence for their residents to enter into overseas commercial surrogacy arrangements.

To bring a child to Australia to live, the intended parent(s) of the child will need to apply for either Australian citizenship by descent or a permanent visa for the child. Where a child becomes an Australian citizen by descent, the intended parents will also need to apply for an Australian passport for the child.

Before a visa can be granted or citizenship by descent registered, the person seeking the visa or citizenship must lodge a valid application and be assessed as meeting the legislative requirements under the Migration Act 1958 or the Australian Citizenship Act 2007 respectively. A valid application for a visa or for citizenship by descent for a child can only be lodged after a child is born.

A child born from a surrogacy arrangement overseas may obtain an Australian passport if he or she meets the eligibility criteria under the Australian Passports Act 2005.



Australian High Commission
New Delhi