

Bill #3
The Human Biological Freedoms Act

Moved By: Minister of Revenue

WHEREAS the modification of genes and cloning of human tissues and embryos is prohibited in Canadian law¹; and

WHEREAS afflictions like Huntington's disease and cystic fibrosis are caused by genetic defects and may be permanently cured via genetic modification²; and

WHEREAS companies that offer personal genotyping services such as 23andMe and Ancestry have become infamous for profiting off the sale of genetic information of customers to third parties without their consent, leading to conflicts where customers have been discriminated against and prosecuted with bought genetic information.³

THEREFORE HER MAJESTY, BY AND WITH THE ADVICE AND CONSENT OF THE YOUTH PARLIAMENT OF MANITOBA, ENACTS AS FOLLOWS:

Purpose

- 1 The purpose of this Act is to
 - (1) Legalize and deregulate the manipulation of human genetic material by private individuals and researchers.
 - (2) Give all individuals the right to information relating to their genetic or physiological state.
 - (3) Make it a criminal offense to violate an individual's right to their own genetic or physiological information.

Definitions

- 2 In this bill, the following terms are defined as
 - (1) **Germline engineering:** Genetic modification that is inheritable to further generations.
 - (2) **Sex selection:** The use of genetic tests to select the biological sex of an embryo before implantation.
 - (3) **Physiological state:** Refers to any information unique to an individual's body, including but not limited to fingerprints, irises, and health condition.
 - (4) **Genome:** A person's complete genetic code.

¹ Assisted Human Reproduction Act, S.C. 2004, c. 2.

² James F. Gusella and Marcy E. MacDonald, "Huntington's Disease: The Case for Genetic Modifiers," *Genome Med.* 1, no. 8 (2009); Patrick L. Sinn, Reshma M. Anthony, and Paul B. McCray, Jr., "Genetic Therapies for Cystic Fibrosis Lung Disease," *Hum Mol Genet.* 20, R1 (April 2011).

³ Maggie Fox, "What You're Giving Away with Those Home DNA Tests," *NBC News*, November 29, 2017, <https://www.nbcnews.com/health/health-news/what-you-re-giving-away-those-home-dna-tests-n824776>.

Legalization of Research Activities

- 3 The following activities are hereby legalized and deregulated, and the right to their performance is protected by the Government of Canada:
 - (1) The creation of human embryos solely for research purposes.
 - (2) Germline engineering as defined in (2.1).
 - (3) The creation of human/non-human hybrids.
 - (4) Cloning.

Legalization of Private Activities

- 4 The following activities are hereby legalized and deregulated, and the right to their performance is protected by the Government of Canada:
 - (1) Sex selection.
 - (2) The sale of human reproductive cells and embryos.
 - (3) Any manipulation by an individual of their own genetic material.

Physiological State and Genome are Intellectual Property of the Individual

- 5 Any information (or product derived from information) related to a person's physiological state or genome is their intellectual property and may not be replicated, distributed, released, purchased, or sold without their explicit consent.
- 6 Anyone whose physiological information or genome has been replicated

Offenses

- 7 Anyone that fails to acquire explicit consent before replicating, distributing, releasing, purchasing, or selling information related to an individual's physiological state or genome is guilty of an indictable offense and liable to a \$10 million fine and to imprisonment for a term not exceeding 20 years.