

c2019-136A
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LEGISLATIVE COUNCIL

Reproductive Health Care Reform Bill 2019

Second print

Proposed amendments

No. 1 **Termination at not more than 22 weeks**

Page 3, proposed section 5, lines 3–9. Omit all words on those lines. Insert instead—

5 Termination at not more than 22 weeks

- (1) A medical practitioner may perform a termination on a person who is not more than 22 weeks pregnant if—
 - (a) the medical practitioner is satisfied there is a serious danger to the life, physical health or mental health of the person in accordance with section 7, and
 - (b) the medical practitioner has ensured that, if the person was interested in accessing counselling as referred to in section 8, the person has had the opportunity to access the counselling, and
 - (c) the medical practitioner has obtained the person's informed consent to the termination, and
 - (d) the termination is performed at—
 - (i) a hospital controlled by a statutory health organisation within the meaning of the *Health Services Act 1997*, or
 - (ii) an approved health facility.
- (2) To remove any doubt, subsection (1)(d) does not require that any ancillary services necessary to support the performance of a termination be carried out only at the hospital or approved health facility at which the termination is, or is to be, performed.
- (3) In an emergency, a medical practitioner may perform a termination on a person who is not more than 22 weeks pregnant, without complying with subsection (1), if the medical practitioner considers it necessary to perform the termination to—
 - (a) save the person's life, or
 - (b) save another foetus.

No. 2 **Termination after 22 weeks**

Page 3, proposed section 6, lines 10–44. Omit all words on those lines. Insert instead—

6 Termination after 22 weeks

- (1) A specialist medical practitioner may perform a termination on a person who is more than 22 weeks pregnant if—
 - (a) the specialist medical practitioner is satisfied there is a serious danger to the life, physical health or mental health of the person in accordance with section 7, and
 - (b) the specialist medical practitioner has consulted with another specialist medical practitioner and the other specialist medical practitioner is also satisfied there is a serious danger to the life, physical health or mental health of the person in accordance with section 7, and
 - (c) the specialist medical practitioner has ensured that, if the person was interested in accessing counselling as referred to in section 8, the person has had the opportunity to access the counselling, and
 - (d) the specialist medical practitioner has obtained the person's informed consent to the termination, and
 - (e) the termination is performed at—
 - (i) a hospital controlled by a statutory health organisation within the meaning of the *Health Services Act 1997*, or
 - (ii) an approved health facility.
- (2) To remove any doubt, subsection (1)(e) does not require that any ancillary services necessary to support the performance of a termination be carried out only at the hospital or approved health facility at which the termination is, or is to be, performed.
- (3) In an emergency, a medical practitioner may perform a termination on a person who is more than 22 weeks pregnant, without acting under subsection (1), if the medical practitioner considers it necessary to perform the termination to—
 - (a) save the person's life, or
 - (b) save another foetus.

No. 3

Meaning of "ancillary services"

Page 8, proposed Schedule 1. Insert after line 5—

ancillary services means—

- (a) tests or other medical procedures, or
- (b) the administration, prescription or supply of medication, or
- (c) another treatment or service prescribed by the regulations.