

LEGISLATIVE ASSEMBLY

ABORTION LAW REFORM BILL 2008

(Amendments and New Clauses to be moved by Mr Stensholt)

1. Clause 5, omit this clause.
2. Clause 6, line 33, omit "pregnant." and insert "pregnant, if the administration or supply—
 - (a) is at the written direction of a registered medical practitioner; or
 - (b) is authorised or permitted under that Act."
3. Clause 7, line 9, omit "the medical practitioner".
4. Clause 7, lines 10 to 21, omit all words and expressions on these lines and insert—
 - "(a) the woman consents to the abortion being performed; and
 - (b) having regard to all relevant medical circumstances, the medical practitioner honestly believes on reasonable grounds that the abortion is necessary to preserve the woman from a risk of harm to her life or to her physical or mental health; and
 - (c) the medical practitioner has consulted a panel of not less than 2 registered medical practitioners; and
 - (d) the members of the panel have advised in writing that having regard to all relevant medical circumstances, the abortion is necessary to preserve the woman from a risk of harm to her life or to her physical or mental health."
5. Clause 7, after line 21 insert—
 - "(2) If the registered medical practitioner believes that the abortion may be necessary to preserve the woman from a risk of harm to her mental health, the panel referred to in subsection (1)(c) must include a registered medical practitioner who is a psychiatrist."
6. Clause 8, line 18, after "abortion" insert "or provide her with a schedule of family planning or pregnancy support services accredited under Part 3".
7. Clause 8, after line 32 insert—
 - "(5) Despite any conscientious objection to abortion, a registered pharmacist is under a duty to assist a registered medical practitioner by supplying drugs to cause, or for the performance of, an abortion in an emergency when the abortion is necessary to preserve the life of the pregnant woman."
8. Part heading preceding clause 9, omit "**3**" and insert "**4**".

9. Clause 11, line 23, after "person" insert "only for the purpose of performing an abortion in accordance with the **Abortion Law Reform Act 2008**".

NEW CLAUSES

10. Insert the following New Clause to follow clause 4—

"A Termination of pregnancy by registered medical practitioner after 24 weeks

- (1) A registered medical practitioner may perform an abortion on a woman who is more than 24 weeks pregnant only if—
- (a) the woman consents to the abortion being performed; and
 - (b) having regard to all relevant medical circumstances, the medical practitioner honestly believes on reasonable grounds that the abortion is necessary to preserve the woman from a risk of harm to her life or to her physical or mental health; and
 - (c) the medical practitioner has consulted a panel of not less than 2 registered medical practitioners; and
 - (d) the members of the panel have advised in writing that having regard to all relevant medical circumstances, the abortion is necessary to preserve the woman from a risk of harm to her life or to her physical or mental health.
- (2) If the registered medical practitioner believes that the abortion may be necessary to preserve the woman from a risk of harm to her mental health, the panel referred to in subsection (1)(c) must include a registered medical practitioner who is a psychiatrist."

11. Insert the following Part heading and New Clause to follow clause 8—

"PART 3—FAMILY PLANNING AND PREGNANCY SUPPORT SERVICES

B Family planning and pregnancy support services

- (1) The State must ensure the provision of family planning and pregnancy support services for the purposes of this Act.
- (2) The Secretary to the Department of Human Services may accredit family planning and pregnancy support services and must maintain a schedule of those services for the purposes of this Act."