

Serial 35

Termination of Pregnancy Law Reform Legislation Amendment Bill 2021
Ms Fyles

A Bill for an Act to amend the *Termination of Pregnancy Law Reform Act 2017*, the *Termination of Pregnancy Law Reform Regulations 2017* and the Criminal Code

NORTHERN TERRITORY OF AUSTRALIA

TERMINATION OF PREGNANCY LAW REFORM LEGISLATION
AMENDMENT ACT 2021

Act No. [] of 2021

Table of provisions

Part 1	Preliminary matters	
1	Short title	1
2	Commencement	1
Part 2	Amendment of Termination of Pregnancy Law Reform Act 2017	
3	Act amended	1
4	Section 4 amended (Definitions).....	2
5	Section 7 amended.....	2
6	Section 9 replaced.....	2
9	Termination of pregnancy by a medical practitioner at more than 24 weeks	
7	Act further amended	3
Part 3	Amendment of Termination of Pregnancy Law Reform Regulations 2017	
8	Regulations amended.....	3
9	Part 2 repealed	3
10	Regulation 8 amended (Prescribed information)	3
Part 4	Consequential amendment of Criminal Code	
11	Act amended	4
12	Section 208A amended (Termination of pregnancy performed by unqualified person)	4
Part 5	Repeal	
13	Repeal of Act.....	4
Schedule	Act further amended	



NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2021

An Act to amend the *Termination of Pregnancy Law Reform Act 2017*, the *Termination of Pregnancy Law Reform Regulations 2017* and the Criminal Code

[Assented to [] 2021]
[Introduced [] 2021]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Termination of Pregnancy Law Reform Legislation Amendment Act 2021*.

2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

Part 2 Amendment of Termination of Pregnancy Law Reform Act 2017

3 Act amended

This Part amends the *Termination of Pregnancy Law Reform Act 2017*.

4 Section 4 amended (Definitions)

Section 4, definition *suitably qualified medical practitioner*
omit

5 Section 7 amended

(1) Section 7, heading

omit, insert

7 Termination of pregnancy by a medical practitioner at not more than 24 weeks

(2) Section 7

omit

suitably qualified

(3) Section 7

omit

14

insert

24

6 Section 9 replaced

Section 9

repeal, insert

9 Termination of pregnancy by a medical practitioner at more than 24 weeks

A medical practitioner may perform a termination on a woman who is more than 24 weeks pregnant if:

(a) the medical practitioner has consulted with at least one other medical practitioner who has assessed the woman; and

(b) each medical practitioner considers the termination is appropriate in all the circumstances, having regard to each of the matters mentioned in section 7.

7 Act further amended

The Schedule has effect.

Part 3 Amendment of Termination of Pregnancy Law Reform Regulations 2017**8 Regulations amended**

This Part amends the *Termination of Pregnancy Law Reform Regulations 2017*.

9 Part 2 repealed

Part 2

repeal

10 Regulation 8 amended (Prescribed information)

Regulation 8(1)

omit, insert

- (1) For section 17 of the Act, the following information is prescribed:
- (a) the date of birth of the woman who received the termination;
 - (b) whether the woman who received the termination is an Aboriginal person;
 - (c) the region of the usual place of residence of the woman who received the termination;
 - (d) whether a follow up appointment in relation to the termination was arranged;
 - (e) the date the termination was performed or initiated;
 - (f) whether the termination was performed or initiated in an emergency situation under section 10 of the Act;
 - (g) the method of termination;
 - (h) the number of gestational weeks at which the termination was performed or initiated;

-
- (i) the full name and provider number of:
 - (i) the medical practitioner who performed or initiated the termination or directed the performance or initiation of the termination; and
 - (ii) for a termination performed at more than 24 gestational weeks – any other medical practitioner who was consulted and who assessed the woman prior to the termination;
 - (j) the location where the termination was performed or initiated;
 - (k) for a termination by surgical procedure, or by a combination of both a surgical procedure and use of a termination drug – the name of the premises where the surgical procedure was performed;
 - (l) for a termination by use of a termination drug – whether the woman who received the termination drug was informed of the requirement to remain within 2 hours driving distance of a hospital.

Part 4 Consequential amendment of Criminal Code

11 Act amended

This Part amends the Criminal Code.

12 Section 208A amended (Termination of pregnancy performed by unqualified person)

- (1) Section 208A(5)(a)
omit
suitably qualified
- (2) Section 208A(6), definition ***suitably qualified medical practitioner***
omit

Part 5 Repeal

13 Repeal of Act

This Act is repealed on the day after it commences.

Schedule Act further amended

section 7

Provision	Amendment
	<i>omit</i>
sections 8(1), (3)(a) and (4)(a) and 12(1)	suitably qualified
section 13(1)	(including a medical practitioner who is not a suitably qualified medical practitioner)
section 18(2)(f)	whole paragraph
