

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Wednesday, the 5th Day of October 1977

CONTRACEPTION, STERILISATION, AND ABORTION BILL

Proposed Amendments

Mr HUNT, in Committee, to move the following amendments:

Clauses 7 to 11: To omit these clauses on pages 7 to 9.

Clause 54: To insert in the proposed section 187A (1) of the Crimes Act 1961 on page 28, after paragraph (b), the following paragraph:

(ba) That the pregnancy is the result of rape, whether or not the woman or girl has laid a complaint to that effect with the Police:

EXPLANATORY NOTE

Clauses 7 to 11: It is intended to oppose these clauses, which empower the Supreme Court to make an order authorising the sterilisation of a person who is mentally subnormal. The effect of omitting these clauses would be to leave the present law relating to sterilisation operations in such cases unaffected. While the point has not been tested in New Zealand (and is therefore not beyond doubt), it is thought that section 61 of the Crimes Act 1961 would provide a defence to the surgeon where the operation was medically beneficial to the patient.

Clause 54: The amendment, in effect, authorises the performance of an abortion where the doctor believes that the pregnancy has resulted from rape. It also makes it clear that this ground is available whether or not the woman has complained of rape to the Police.
