

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, the 11th Day of October 1977

CONTRACEPTION, STERILISATION, AND ABORTION BILL

Proposed Amendments

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

Clause 4: To insert in line 18 on page 6, after the words "care of any female," the words "or any registered medical practitioner in the course of treatment of any female,".

To omit from lines 25 and 26 on that page the words "apply to any intra-uterine device or to the administering of", and substitute the words "authorise any person who is not a registered medical practitioner to fit any intra-uterine device or to administer any".

Clause 5: To insert on page 7, after subclause (1), the following subclause:

(1A) Without limiting subsection (1) of this section, where any patient complains of rape to any registered medical practitioner (whether or not she also lays a complaint of rape with the Police), it shall be the duty of that medical practitioner to comply with the terms of that subsection.

To insert in line 6 on page 7, after the words "with subsection (1)", the words "or subsection (1A)".

Clause 6: To insert in line 10 on page 7, after the words "manufacture for sale", the words "or sell".

To insert on that page, after subclause (1), the following subclause:

(1A) Without limiting anything in section 48 of the Customs Act 1966, the importation of condoms is hereby prohibited, except with the consent of the Minister of Health which shall be given if, but only if, he is satisfied that they comply with a standard for the time being approved by him for the purposes of this section.

To insert in line 14 on that page, after the words "manufactures for sale", the words "or sells or imports"; and also to insert in line 15 on that page, after the words "or subsection (1)", the words "or subsection (1A)".

Proposed clause 6A: To insert on page 7, after clause 6, the following clause:

6A. Importation of approved contraceptives to be free of Customs duties—Notwithstanding anything in Part V of the Customs Act 1966, or in the Customs Tariff for the time being in force for the purposes of that Part, no Customs duties shall be payable in respect of any contraceptive substance or device imported into New Zealand or entered therein for home consumption after the commencement of this section, if the substance or device complies with a standard for the time being approved for the purposes of this section by the Minister of Health by notice in the *Gazette*.

Proposed new heading and clause 6B: To insert on page 7, after the proposed clause 6A (above), the following heading and clause:

Family Planning Services

6B. Contraceptive services, in cases of hardship, and pregnancy tests to be free of charge—(1) For the purposes of the Drug Tariff 1974, the term “approved condition” shall mean, in addition to the meaning given to it by clause 3 of Part I of the Schedule thereto, a pharmaceutical requirement supplied pursuant to a prescription endorsed with the words “Approved condition” written in the practitioner’s own handwriting or signed or initialled by the practitioner, and ordered—

(a) For contraceptive purposes in a case where there is financial hardship or a medical condition that would be aggravated by pregnancy; or

(b) As a pregnancy test.

(2) The said Drug Tariff 1974 is hereby consequentially amended—

(a) By revoking subparagraphs (x) and (xii) of clause 3 (b):

(b) By omitting from the said clause 3 of Part I of the Schedule the words “, but neither for contraceptive purposes nor as a pregnancy test”:

(c) By inserting in Part II of the Schedule, in their appropriate alphabetical order, the items “contraceptive substances and devices” and “pregnancy tests”.

(3) The Social Security (Laboratory Diagnostic Services) Regulations 1946 are hereby amended—

(a) By revoking paragraph (f) of regulation 4 (2) (as added by regulation 2 of the Social Security (Laboratory Diagnostic Services) Regulations 1946, Amendment No. 12):

(b) By adding to the Schedule (as substituted by regulation 2 of the Social Security (Laboratory Diagnostic Services) Regulations 1946, Amendment No. 13), the heading “*Pregnancy Testing*”, and thereunder the item “Pregnancy tests—\$2.00”.

(4) The Social Security (Laboratory Diagnostic Services) Regulations 1946, Amendment No. 12 are hereby consequentially revoked.

Clause 12: To omit the clause on pages 9 and 10.

Clause 62: To insert in line 14 on page 31, after the words “or a gynaecological department”, the words “or a maternity unit”.

To insert in that line on that page, after the words “for patients”, the words “, without charge”.

To add to the clause on that page, after the proposed section 64D, the following proposed sections:

“64E. **Mobile clinics**—Every Board shall provide a multi-purpose mobile health clinic, equipped to provide family planning and other health services, to serve its district.

“64F. **Home-visiting family planning service**—Every Board shall provide a home-visiting family planning service, as part of its community health programme.

“64G. **Family planning staff**—In appointing any person for the purposes of any of the services referred to in sections 64C to 64F of this Act, every Board shall ensure that the person has the ability to understand the personal family planning problems of the people he is likely to be dealing with and to identify with such people in a sympathetic way.”

Clause 66: To add to the proposed section 43A (1) of the Medical Practitioners Act 1968, on page 32, the words “, and to display a notice to that effect in his waiting-room or other convenient place so as to be easily read by members of the public visiting his professional premises.”

EXPLANATORY NOTE

Clause 4: The amendments authorise registered medical practitioners to administer contraceptives to mentally subnormal females, including intra-uterine devices and those administered by injection.

Clause 5: The amendment requires every medical practitioner who is consulted by a rape victim to give her the advice and assistance referred to in the clause.

Clause 6: The amendments prohibit the importation, and the sale, of condoms that do not comply with a standard for the time being approved by the Minister of Health. This implements recommendation 14 set out on page 114 of the Royal Commission's report.

Clause 6A: The clause exempts from Customs duties contraceptives that comply with a standard for the time being approved by the Minister of Health. This implements recommendation 12 set out on page 114 of the Royal Commission's report.

Clause 6B: The clause brings contraceptives, in cases of hardship or where there is a particular medical condition, and pregnancy testing, within the Drug Tariff 1974 and the Social Security (Laboratory Diagnostic Services) Regulations 1946, thereby relieving the patient of the cost of such services. The amendments implement recommendations 9 and 10 on page 114, and recommendation 5 on page 197, of the Royal Commission's report.

Clause 12: It is proposed to oppose this clause.

Clause 62: The amendments—

- (a) Make it clear that the obligation imposed on Hospital Boards by the proposed *section 64c* extends to maternity units;
- (b) Provide that the services referred to in that *section 64c* are to be available without charge to the patient;
- (c) Require Hospital Boards to provide mobile clinics (incorporating family planning services), and home-visiting family planning services;
- (d) Require Hospital Boards to ensure that staff employed in the provision of family planning services have an appropriate sympathetic attitude towards and understanding of the needs of the people they are dealing with.

Clause 66: The amendment requires medical practitioners who do not provide family planning advice to display a notice to that effect in their premises.
