

House of Representatives

Supplementary Order Paper

Tuesday, 10 September 2019

Abortion Legislation Bill

Proposed amendments

Jan Logie, in Committee, to move the following amendments:

Clause 11

In *clause 11*, insert as *subclause (1)* (page 9, before line 2):

- (1) In section 182(1),—
 - (a) replace “who causes the death” with “who assaults a pregnant person and causes the death”; and
 - (b) replace “guilty of murder” with “guilty of murder or manslaughter”.

In *clause 11*, *new section 182(2)(b)*, replace “in accordance with **section 10 or 11**” (page 9, line 7) with “as defined in **section 2** of the Contraception, Sterilisation, and Abortion Act 1977”.

Clause 12

Replace *clause 12* (page 9, lines 9 to 24) with:

12 Sections 182A to 187A repealed

Repeal sections 182A to 187A.

Explanatory note

This Supplementary Order Paper amends the Abortion Legislation Bill. This amendment would ensure abortion, as defined in *new section 2* of the Contraception, Sterilisation, and Abortion Act 1977 and done with the consent of the pregnant person, is no longer criminalised. This better reflects a health-based approach to abortion services. As with other medical procedures, there are offences under the Health Practitioners

Competence Assurance Act 2003 and the Medicines Act 1981 available to manage risks associated with unqualified providers. This is a more appropriate response than a criminal offence. This amendment would also clarify that the offence of killing an unborn child applies only to death to an unborn child caused by an assault on the pregnant person, differentiating this form of assault from an abortion sought by a pregnant person.