



Queensland

Termination of Pregnancy (Live Births) Amendment Bill 2024



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2024

A Bill

for

An Act to amend the *Termination of Pregnancy Act 2018* to clarify particular matters relating to the provision of medical care and treatment to persons born as a result of a termination

	The Parliament of Queensland enacts—	1
Clause 1	Short title	2
	This Act may be cited as the <i>Termination of Pregnancy (Live Births) Amendment Act 2024</i> .	3 4
Clause 2	Commencement	5
	This Act commences, or is taken to have commenced, immediately after the commencement of the <i>Health and Other Legislation Amendment Act (No. 2) 2024</i> , part 6.	6 7 8
Clause 3	Act amended	9
	This Act amends the <i>Termination of Pregnancy Act 2018</i> .	10
Clause 4	Insertion of new s 9A	11
	After section 9—	12
	<i>insert—</i>	13
	9A Care of person born after termination	14
	(1) This section applies if a termination results in a person being born.	15 16
	(2) Nothing in this Act prevents a relevant person for the termination from exercising any duty to provide the person who is born with medical care and treatment that is—	17 18 19 20
	(a) clinically safe; and	21
	(b) appropriate to the person’s medical condition.	22 23
	(3) To avoid any doubt, it is declared that the duty owed by a registered health practitioner to provide medical care and treatment to a person born as a result of a termination is no different than the duty	24 25 26 27

- owed to provide medical care and treatment to a person born other than as a result of a termination. 1
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- (4) In this section— 3
- relevant person*, for a termination resulting in a person being born, means— 4
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- (a) if the termination is performed under section 5 or 6—the medical practitioner who performed the termination; or 6
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- (b) if the termination is performed under section 6A—the registered health practitioner who performed the termination; or 9
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- (c) a prescribed practitioner who is present when the person is born; or 12
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- (d) a prescribed student assisting a medical practitioner mentioned in paragraph (a) or a registered health practitioner mentioned in paragraph (b) under section 7(3) who is present when the person is born. 14
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