

**House of Representatives**  
**Supplementary Order Paper**

**[DATE] 2020**

**Abortion Legislation Bill**

*Proposed amendment for the consideration of the Committee of the Whole House*

**Simon O'Connor, MP**, in Committee, to move the following amendment:

*Clause 7*

After section 12, insert:

**22 Care of child born after abortion**

- (1) This section applies if an abortion results in a child being born.
- (2) A qualified health practitioner who performed the abortion that results in the birth of a child, or any other health practitioner present at the time the child is born, has a duty to provide the child with appropriate medical care and treatment.
- (3) For the avoidance of doubt, the duty owed by any health practitioner to provide medical care and treatment to a child born as a result of an abortion is no different than the duty owed to provide medical care and treatment to a child born other than as a result of an abortion.

**Explanatory note**

This amendment ensures that if an abortion is unsuccessful and a child is born, that child will receive the same medical care and treatment as any other child born. The duty is to provide “appropriate medical care and treatment” which ensures that the health practitioner has the discretion to provide treatment that is in accordance with acceptable medical practice, taking into account factors such as the child’s gestation and health condition.