

Summary of the Queensland Termination of Pregnancy Legislation

Effective from 3 December 2018, the [Termination of Pregnancy Bill 2018](#) ('The Act') will enable lawful, reasonable and safe access by women to terminations of pregnancy up to a gestational limit of 22 weeks.

The Act ensures terminations of pregnancy are treated and regarded as a health issue rather than a legal issue in the state of Queensland. By positioning terminations of pregnancy as a health issue, the Act:

- supports a woman's right to choose including reproductive health and autonomy
- regulates the conduct of registered health practitioners in relation to terminations
- brings Queensland in line with other Australian jurisdictions

Key provisions

- Registered medical practitioners may perform a lawful termination of pregnancy on request up to a gestational limit of 22 weeks.
- A woman may request a termination, for any reason, without disclosing the reason to the doctor.
- For a woman who is greater than 22 weeks pregnant, a termination may be performed by a medical practitioner if at least two medical practitioners consider that, under the circumstances, the termination should be performed.
- The gestational limit is set at 22 weeks because:
 - 22 weeks represents the stage immediately before the 'threshold of viability' under current clinical practice.
 - the limit is consistent with the Department of Health's Clinical Services Capability Framework, which requires terminations after 22 weeks be referred to hospitals.
 - foetal anomalies are usually diagnosed at the 18–20 weeks morphology scan. Additional testing may be required at times and the results may take days or even weeks.
- A medical practitioner, nurse, midwife, pharmacist, or Aboriginal and Torres Strait Islander health practitioner may assist in a termination within their scope of practice. Aboriginal and Torres Strait Islander health practitioners may assist in providing culturally safe and appropriate advice and support to Aboriginal and Torres Strait Islander women in rural and remote areas.
- A woman may consent to, assist in, or perform a termination (e.g. by taking prescribed medication, also known as a medical termination).
- It is an offence for an unqualified person to perform or assist in a termination.
- Safe access zones of 150 meters are established around premises that provide terminations of pregnancy to protect the safety and wellbeing and respect the privacy and dignity of women, staff and others who need to access the premises.
- A medical practitioner may refuse to provide or participate in terminations of pregnancy because it conflicts with the doctor's own personal beliefs, values or moral concerns. This constitutes a 'conscientious objection'.

What is a conscientious objection?

Conscientious objection occurs when a registered health practitioner refuses to perform, or assist in, a lawful treatment or procedure because it conflicts with his or her own personal beliefs, values or moral concerns.

The Act recognizes the right of clinicians to be conscientious objectors, but requires them to refer or advise the patient of another health practitioner or health service who may be able to provide the service and does not hold a conscientious objection.

Termination services:

The options available to you will depend on the gestation of your pregnancy, where you live, your personal circumstances and the type of termination procedure you require. Your GP or other health practitioner can discuss your options with you.

For more information about termination of pregnancy you can visit the following websites:

- [Queensland Health](#)
- [Queensland Government](#)
- [Clinical Excellence Division](#)

You can access additional information and advice from:

- [13 HEALTH](#) – Ph: 13 43 25 84
- [Children by Choice](#) – Ph: 1800 177 725
- [Pregnancy Birth and Baby](#) – Ph: 1800 882 436
- [Lifeline](#) – Ph: 13 11 14
- [Womens Health Queensland](#) – Ph: 1800 017 676
- [True Relationships and Reproductive Health](#) – Ph: 07 5531 263

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