

**Legislative Council—No 8**

As introduced and read a first time, 20 May 2026

South Australia

**Termination of Pregnancy (Restrictions on  
Terminations After 24 Weeks and 6 Days)  
Amendment Bill 2026**

A BILL FOR

An Act to amend the *Termination of Pregnancy Act 2021*.

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**The Parliament of South Australia enacts as follows:**

### Part 1—Preliminary

#### 1—Short title

- 5 This Act may be cited as the *Termination of Pregnancy (Restrictions on Terminations After 24 Weeks and 6 Days) Amendment Act 2026*.

#### 2—Commencement

This Act comes into operation 3 months after the day on which it is assented to by, or on behalf of, the Crown.

### Part 2—Amendment of *Termination of Pregnancy Act 2021*

#### 10 3—Amendment of section 5—Terminations may be lawfully performed in South Australia

Section 5(2)—delete subsection (2) and substitute:

- 15 (2) A medical practitioner may perform a termination on a person—
  - (a) who is more than 22 weeks and 6 days pregnant and less than or equal to 24 weeks and 6 days pregnant, if the medical practitioner is acting in the ordinary course of the practitioner's profession and the termination is performed in accordance with section 6; or
  - 20 (b) who is more than 24 weeks and 6 days pregnant, if the medical practitioner is acting in the ordinary course of the practitioner's profession and the termination is performed in accordance with section 6A.

**4—Amendment of section 6—Terminations by medical practitioner after 22 weeks and 6 days**

- (1) Section 6, heading—after "after 22 weeks and 6 days" insert:  
and up to and including 24 weeks and 6 days
- 5 (2) Section 6(1)—after "22 weeks and 6 days pregnant" insert:  
and less than or equal to 24 weeks and 6 days pregnant
- (3) Section 6(3)—after "22 weeks and 6 days pregnant" insert:  
and less than or equal to 24 weeks and 6 days pregnant

**5—Insertion of section 6A**

10 After section 6 insert:

**6A—Terminations by medical practitioner after 24 weeks and 6 days**

- (1) A medical practitioner may perform a termination on a person who is more than 24 weeks and 6 days pregnant if—
- 15 (a) the medical practitioner considers that, in all the circumstances, the termination is necessary to save the life of the pregnant person; and
- (b) a second medical practitioner is consulted and that practitioner considers that, in all the circumstances, the  
20 termination is necessary to save the life of the pregnant person; and
- (c) the termination is performed at a prescribed hospital.
- (2) In considering whether a termination is medically appropriate, a medical practitioner must consider—
- 25 (a) all relevant medical circumstances; and
- (b) the professional standards and guidelines that apply to the medical practitioner in relation to the performance of the termination.
- (3) Without limiting section 13 of the *Consent to Medical Treatment and Palliative Care Act 1995*, a medical practitioner may, in an  
30 emergency, perform a termination on a person who is more than 24 weeks and 6 days pregnant, without complying with paragraphs (b) and (c) of subsection (1).

**6—Amendment of section 9—Mandatory considerations for medical practitioners performing terminations after 22 weeks and 6 days**

35 Section 9, heading—after "after 22 weeks and 6 days" insert:  
and up to and including 24 weeks and 6 days

**7—Amendment of section 17—Conduct and performance of registered health practitioners**

Section 17(1)(a)—after "section 5, 6" insert:

, 6A