

House of Assembly—No 15

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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

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*

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

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

- (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
 - (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
- (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

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—
- (a) the medical practitioner considers that, in all the circumstances—
- (i) the termination is necessary to save the life of the pregnant person; or
- (ii) there is a case, or significant risk, of serious foetal anomalies associated with the pregnancy that would be incompatible with survival after birth; and
- (b) a second medical practitioner is consulted and that practitioner considers that, in all the circumstances—
- (i) the termination is necessary to save the life of the pregnant person; or
- (ii) there is a case, or significant risk, of serious foetal anomalies associated with the pregnancy that would be incompatible with survival after birth; and
- (c) the termination is performed at a prescribed hospital.
- (2) In considering whether a termination is medically appropriate, a medical practitioner must consider—
- (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 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

Section 9, heading—after "after 22 weeks and 6 days" insert:

and up to and including 24 weeks and 6 days

5 **7—Amendment of section 17—Conduct and performance of registered health practitioners**

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

, 6A