

REPUBLIC OF SOUTH AFRICA

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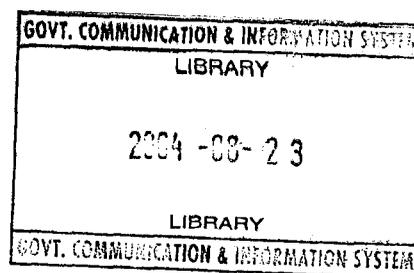
**PORTFOLIO COMMITTEE AMENDMENTS  
AND REJECTED AMENDMENTS  
TO  
CHOICE ON TERMINATION OF  
PREGNANCY AMENDMENT  
BILL**

[B 72—2003]

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*(As agreed to and rejected by the Portfolio Committee on Health  
(National Assembly))*

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[B 72A—2003]

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## AMENDMENTS AGREED TO

### CHOICE ON TERMINATION OF PREGNANCY AMENDMENT BILL [B 72—2003]

#### CLAUSE 1

1. On page 2, in line 15, to omit paragraph (c) and to substitute:
  - (c) by the substitution for the definition of “**registered midwife**” of the following definition:
 

“registered midwife” means a person registered as such under the Nursing Act, 1978 (Act No. 50 of 1978), and who has in addition undergone prescribed training in terms of this Act; and
2. On page 2, in line 16, to omit “~~rape~~” and to substitute “**registered midwife**”.
3. On page 2, in line 18, after “has” to insert “in addition”.

#### CLAUSE 2

1. On page 3, after line 21, to insert:
 

(b) The person in charge of a health facility contemplated in paragraph (a) must notify the relevant Member of the Executive Council that the health facility has a 24-hour maternity service which complies with the requirements referred to in subsection (1)(a) to (j).

#### CLAUSE 6

1. On page 4, in line 15, to omit “[**midwife**]” and to substitute “midwife or registered”.

#### CLAUSE 7

1. On page 4, in line 28, to omit “registered nurse” and to substitute “registered midwife or registered nurse”.

#### LONG TITLE

1. On page 2, in the first line, to omit “delete” and to substitute “amend”.

## AMENDMENTS REJECTED

### CHOICE ON TERMINATION OF PREGNANCY AMENDMENT BILL [B 72—2003]

#### Amendment of sec 1 of Act 92 of 1996

##### Clause 1

- 1(c) “registered midwife” means a person registered as such under the Nursing Act, 1978, and who has in addition undergone prescribed TOP training in terms of this Act;
- 1(d) “registered nurse” means a person registered as such under the Nursing Act, 1978, and who has in addition undergone prescribed TOP training in terms of this Act.

#### Substitution of section 3 of Act 92 of 1996

##### Clause 2

- 3(1)(a) gives access to medical and nursing staff with TOP training who are prepared to participate in Termination of pregnancy
- 3(1) (k) becomes (l)
- 3(1)(k) has access to ultrasound equipment which must be used to accurately assess the stage of pregnancy before TOP procedure is considered
- 3(3)(b) The person in charge of a health facility contemplated in 3(3)(a) must notify the relevant MEC of their intention to provide TOP
- 3(6) It is an offence to receive payment of any kind in return for TOP services and will carry a penalty of imprisonment not exceeding 5 years or fine not exceeding R20,000

#### Amendment of section 10 of Act 92 of 1996

- 6(2) Any person who has an objection against rendering TOP services or against participating in TOP procedures or training on grounds of conscience based on compelling religious, ethical or moral beliefs must not be discriminated against or compelled in any way to act against their conscience.
- 6(3) It is an offence to administer TOP without adequate proof that sufficient and relevant counselling has been given enabling the person concerned to give informed consent.