Western Australia

Health and Disability Services (Complaints) Act 1995
Health (Miscellaneous Provisions) Act 1911
Public Health Act 2016

Health Regulations Amendment (Abortion Legislation Reform) Regulations 2024

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Health and Disability Services (Complaints) Act 1995
Health (Miscellaneous Provisions) Act 1911
Public Health Act 2016

Health Regulations Amendment (Abortion Legislation Reform) Regulations 2024

Made by the Governor in Executive Council.

## Part 1 — Preliminary

##### 1. Citation

 These regulations are the *Health Regulations Amendment (Abortion Legislation Reform) Regulations 2024*.

##### 2. Commencement

 These regulations come into operation as follows —

 (a) Part 1 — on the day on which these regulations are published on the WA legislation website;

 (b) the rest of the regulations — on 27 March 2024.

## Part 2 — *Health and Disability Services (Complaints) Regulations 2010* amended

##### 3. Regulations amended

 This Part amends the *Health and Disability Services (Complaints) Regulations 2010*.

##### 4. Schedule 1A Division 3 amended

 Delete Schedule 1A Division 3 item 15.

##### 5. Schedule 1A Division 7A inserted

 After Schedule 1A Division 7 insert:

Division 7A — Offences under *Public Health Act 2016*

| **Item**  | **Provision** | **Description of offence** |
| --- | --- | --- |
| 1. | s. 202MN | Performance of abortion by unqualified person |

## Part 3 — *Health (Notifications by Midwives) Regulations 1994* amended

##### 6. Regulations amended

 This Part amends the *Health (Notifications by Midwives) Regulations 1994*.

##### 7. Regulation 4 amended

 In regulation 4(a) delete “stillbirth, or abortion; and” and insert:

 stillbirth; and

## Part 4 — *Public Health Regulations 2017* amended

##### 8. Regulations amended

 This Part amends the *Public Health Regulations 2017*.

##### 9. Part 3A inserted

 After regulation 13B insert:

Part 3A — Abortion

13C. Prescribing practitioner

 (1) In this regulation —

 endorsed midwife means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the midwifery profession whose registration is endorsed under section 94 of that Law.

 (2) For the purposes of paragraph (b) of the definition of ***prescribing practitioner*** in section 202MD(1) of the Act, the following classes of registered health practitioners are prescribed —

 (a) endorsed midwife;

 (b) nurse practitioner.

## Part 5 — Repeal

##### 10. *Health (Section 335 (5) (d) Abortion Notice) Regulations 1998* repealed

 The *Health (Section 335 (5) (d) Abortion Notice) Regulations 1998* are repealed.

N. HAGLEY, Clerk of the Executive Council

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