

# House of Representatives

# Supplementary Order Paper

**Tuesday, 3 March 2020**

## **Abortion Legislation Bill**

### *Proposed amendments*

Jan Logie, in Committee, to move the following amendments:

#### *Clause 5*

In *clause 5, new section 2*, in the definition of **abortion**, *paragraph (a)*, replace “woman’s” (page 3, line 18) with “woman’s or other person’s”.

#### *Clause 7*

In *clause 7, new section 10*, replace “woman” (page 5, line 18) with “woman or other person”.

In *clause 7, new section 11(1)*, replace “woman” (page 5, line 21) with “woman or other person”.

In *clause 7, new section 11(2)(b)(ii)*, replace “woman’s” (page 5, line 31) with “pregnant woman’s or other pregnant person’s”.

In *clause 7, new section 13(1)*,—

(a) replace “advise a woman” (page 6, line 9) with “advise a pregnant woman or other pregnant person”; and

(b) replace “if the woman” (page 6, line 10) with “if the woman or other person”.

In *clause 7, new section 13(2)*, replace “to a woman, require the woman” (page 6, line 16) with “to a pregnant woman or other pregnant person, require the woman or other person”.

In *clause 7, new section 14*, replace “to a woman, require the woman” (page 6, line 20) with “to a pregnant woman or other pregnant person, require the woman or other person”.

In *clause 7, new section 20D(2)*, replace “woman” (page 11, line 36) with “woman or other person”.

**Proposed amendments to  
Abortion Legislation Bill**

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In *clause 7, new section 20E(3)*, replace “woman” (page 12, line 13) with “woman or other person”.

*Clause 12*

In *clause 12, new section 183(1)(a)*, replace “woman” (page 14, line 5) with “pregnant woman or other pregnant person”.

In *clause 12, new section 183(1)(b)*, replace “woman” (page 14, line 6) with “pregnant woman or other pregnant person”.

In *clause 12, new section 183(2)*, replace “woman” (page 14, line 7) with “pregnant woman or other pregnant person”.

*Schedule 1*

In *Schedule 1, new Schedule 2, item 2*, replace “the woman to whom” (page 18, line 6) with “the pregnant woman or other pregnant person to whom”.

In *Schedule 1, new Schedule 2, item 2(a)*, replace “woman’s” (page 18, line 8) with “woman’s or other person’s”.

In *Schedule 1, new Schedule 2, item 2(b)*, replace “woman’s” (page 18, line 9) with “woman’s or other person’s”.

In *Schedule 1, new Schedule 2, item 2(c)*, replace “woman” (page 18, line 10) with “woman or other person”.

In *Schedule 1, new Schedule 2, item 2(d)*, replace “woman” (page 18, line 11) with “woman or other person”.

In *Schedule 1, new Schedule 2, item 2(e)*, replace “woman’s” (page 18, line 12) with “woman’s or other person’s”.

### **Explanatory note**

This Supplementary Order Paper amends the Abortion Legislation Bill. It would replace the word “woman” with “pregnant woman or other pregnant person” or “woman or other person”, as appropriate for the context of the provision. This recognises that New Zealand law allows for gender to be changed on birth certificates, so a person may be legally recorded as male while being able to become pregnant. It ensures there is no doubt about the eligibility of transgender men or non-binary people to receive abortion services if needed under this legislation. It also better reflects the ordinary meaning of “woman” as relating to adults, ensuring a 14-year-old girl would be able to access services without being considered a “woman” under this law. This change is in keeping with a general shift towards gender-neutral language throughout all legislation.