



## **NORTH WEST PROVINCIAL LEGISLATURE**

Legislature Building  
Dr James Moroka Ave  
Private Bag x2018  
Mmabatho  
2735

**Office of the Speaker**

Tel: (018) 392 7000/1/9  
Fax: (018) 392 7166

Matshidiso@nwpl.org.za

### **FINAL MANDATE**

**12 September 2007**

### **HEALTH PORTFOLIO COMMITTEE**

Report on the final mandate on Choice on Termination of Pregnancy Bill.  
[B 21 - 2007]

#### **1. TERMS OF REFERENCE**

The Choice on Termination of Pregnancy Bill was referred to the Portfolio Committee for consideration as a matter of urgency.

#### **2. BRIEFINGS**

On the 2<sup>nd</sup> August 2007, Dr. N. Khaole from the NCOP came to brief the Portfolio Committee on the above bill. Present at the briefings was the Department, The Departmental legal unit and Legislature legal unit.



### **3. COMMENTS/INPUTS RAISED BY THE PUBLIC**

#### **Who should do it?**

- Medical practitioners and nurses who have the necessary training and access to facilities
- Professional people should do it, traditional healers should also be involved in the cleansing process
- Professionals so that they can keep records of people who have terminated the pregnancy.
- When there are complications such as excess loss of blood, traditional healers would not have necessary facilities to help the patient and hence not allowed to perform termination of pregnancy.

#### **Where should it be done?**

- It should be done by professionals in Hospitals
- In Hospitals by Doctors as termination of pregnancy requires someone who is skilled and well trained
- It should be done in Clinics which are easily accessible.

#### **Approval of facilities by the MEC**

- The MEC should be allowed to approve facilities e.g. Hospitals and Clinics offering 24 hour services.
- The decision has to be taken by all three spheres of government.

#### **Penalty for people performing illegal abortion**

- Penalty for people performing illegal abortion should be 5, 10 and 15 years imprisonment .
- They should be fined and imprisoned; their certificates should be nullified if they have any.
- People who are going for these illegal operations should also be imprisoned.

#### **Minister Dealing with applications**

- This should be done by the Minister, MEC, Heads of Districts within the Health department.

### **MEC Dealing with application in the Province**

- The MEC and the Executive Council responsible for the relevant portfolios.

### **Statistics by the MEC**

- They should be released once a year.

Minister should be empowered to exercise powers of the MEC if nothing is being done in that province.

### **On where termination of pregnancy must be performed**

The meeting was unanimous in the thought that only accredited centres that meet special requirements must perform the terminations. However, a further point was that the relevant authorities must bring facilities such as hospitals and local clinics to the required level of accreditation to facilitate access to termination facilities for the public at large.

### **On authorization of practitioners**

Only the registered practitioners must be allowed to perform termination of pregnancy. There must also be penalties for unauthorized practitioners.

**On responsibility for the approval/accreditation of facilities**

All spheres of government, that is, local, provincial and national must be involved in accrediting facilities. However, it was thought that the MEC must play a facilitating role.

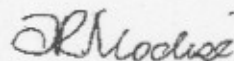
**4. RECOMMENDATIONS BY COMMITTEE**

- The Committee recommended that the bill should be provided in different languages for ease of reference and to accommodate especially those individuals that are not fluent in English.
- The word (assist) must be inserted in Section 5(1)(d) of the Amendment Bill to cover a person who might not be terminating or allowing termination of pregnancy but assisting in any other way whatsoever.
- The reporting of Minister or MEC should be twice a year not once, because once a year is an annual report.
- Only accredited centres that meet special requirements should be allowed to perform the termination of pregnancy.
- Penalty should be increased for people performing illegal termination of pregnancy.
- Sensitivity should be taken into consideration during pre-counseling of termination of pregnancy.
- Termination of Pregnancy should be done under the supervision of parents/legal guardian.

**5. RESOLUTIONS**

The Portfolio Committee having considered the briefing notes and updated amendments of the Select Committee resolved that the permanent delegate should discuss in line with other provinces and therefore supports the essence and principle of the Bill.

**SIGNED:**



---

**HON T.R. MODISE  
SPEAKER: NWPL**