

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

CRIMES (AMENDMENT) BILL (No. 2) 1994

EXPLANATORY MEMORANDUM

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CRIMES (AMENDMENT) BILL (No. 2) 1994

OUTLINE

This Bill amends the Crimes Act 1900 by repealing those sections clauses which make abortion illegal. by statute and to abrogate any common law rule to similar effect.

FINANCIAL IMPLICATIONS

The bill has no financial implications.

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Clause 1 cites the short title of the Act as being the *Crimes (Amendment) Act 1994*.

Clause 2 provides that the Act commences on the day it is notified in the *Gazette*.

Clause 3 cites the Principal Act as the *Crimes Act 1900*.

Clause 4 repeals sections 42, 43 and 44 of the Principal Act.

These clauses make it illegal for :-

1. a woman to procure an abortion ;
2. for someone to perform an abortion ; or
3. for someone to provide drugs which may be used to perform an abortion.

The intent is to remove these clauses so that there will be no penalty under the *Crimes Act 1900* for abortion.

Clause 5 abolishes any common law rule relating to an offence of procuring a woman's miscarriage that may have survived the enactment of the above-mentioned statutory provisions.