# NATIONAL ASSEMBLY

**FOR WRITTEN REPLY**

**QUESTION NO. 3699**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 16 OCTOBER 2015**

**(INTERNAL QUESTION PAPER NO. 40)**

**Mrs C Dudley (ACDP) to ask the Minister of Health:**

Whether, in light of the trauma suffered by mothers of still-born babies who are not allowed to bury their babies if they are born at 26 weeks or younger and do not survive (details furnished), (a) his department is aware of this consequence of the existing legislation and (b) he intends to introduce amendments to current legislation that regulates the disposal of medical waste; if not, why not, in each case; if so, what are the relevant details in each case?

###### NW4380E

**REPLY:**

(a)-(b) We are aware of the provisions of the Births and Deaths Registrations Act (Act No 51 of 1992), which is the responsibility of the Department of Home Affairs. According to the Act a death below 26 weeks of intrauterine life, is not classified as a still-birth and thus does not qualify to receive a death certificate. Midwives and doctors provide counselling to the mother and her partner to come to terms with the still-birth and refer them for further counselling should this be necessary.

END.