
 STATUTORY INSTRUMENTS

1976 No. 15

MEDICAL PROFESSION

The Abortion (Amendment) Regulations 1976

<i>Made</i> - - - -	7th January 1976
<i>Laid before Parliament</i>	15th January 1976
<i>Coming into Operation</i>	1st March 1976

The Secretary of State for Social Services, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred by section 2 of the Abortion Act 1967(a), as amended by the Transfer of Functions (Wales) Order 1969(b), and now vested in them(c), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Abortion (Amendment) Regulations 1976, and shall come into operation on 1st March 1976.

Interpretation

2.—(1) In these regulations “the Act” means the Abortion Act 1967, as amended, and “the principal regulations” means the Abortion Regulations 1968(d), as amended(e).

(2) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(f) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

Amendment of regulation 5 of the principal regulations

3. In regulation 5 of the principal regulations (restriction on disclosure of information) there shall be added after paragraph (g) the following paragraph:—

“or (h) when requested by the President of the General Medical Council for the purpose of investigating whether there has been serious professional misconduct by a registered medical practitioner, to the President of the General Medical Council or a member of his staff authorised by him.”.

Amendment of Schedule 1 to the principal regulations

4. In Schedule 1 to the principal regulations (certificates to be completed before an abortion is performed under section 1 of the Act) for Certificate A there shall be substituted the certificate set out in the Schedule to these regulations.

(a) 1967 c. 87.

(b) S.I. 1969/388 (1969 I, p. 1070).

(c) See Secretary of State for Social Services Order 1968 (S.I. 1968/1699; 1968 III, p. 4585).

(d) S.I. 1968/390 (1968 I, p. 1060).

(e) S.I. 1969/636 (1969 II, p. 1756).

(f) 1889 c. 63.

Amendment of Schedule 2 to the principal regulations

5. In Schedule 2 to the principal regulations (form of notification to be given to the Chief Medical Officer of an abortion performed under section 1 of the Act) immediately before the part of the Schedule headed "*Other information relating to the termination*" there shall be inserted the following:—

"If the operating practitioner joined in giving the certificate did he see/and examine† the pregnant woman before doing so?.....

Has the practitioner named at A certified that he saw/and examined† the pregnant woman before giving the certificate?.....

Has the practitioner named at B (if any) certified that he saw/and examined† the pregnant woman before giving the certificate?.....

†Delete as appropriate".

Barbara Castle,

Secretary of State for Social Services.

2nd January 1976.

John Morris,

Secretary of State for Wales.

7th January 1976.

SCHEDULE

Regulation 4
Certificate A

IN CONFIDENCE

Not to be destroyed within three years of the date of operation

ABORTION ACT 1967

CERTIFICATE TO BE COMPLETED BEFORE AN ABORTION IS PERFORMED UNDER
SECTION 1(1) OF THE ACT

I,
(Name and qualifications of practitioner in block capitals)
of

(Full address of practitioner)

Have/have not* seen/and examined* the pregnant woman to whom this certificate
relates at

(Full address of place at which patient was seen or examined)

on
and I,

(Name and qualifications of practitioner in block capitals)

of
(Full address of practitioner)

Have/have not* seen/and examined* the pregnant woman to whom this certificate
relates at

(Full address of place at which patient was seen or examined)

on

We hereby certify that we are of the opinion, formed in good faith, that in the case
of

(Full name of pregnant woman in block capitals)

of
(Usual place of residence of pregnant woman in block capitals)

Ring
appropriate
number(s))

1. the continuance of the pregnancy would involve risk to the life of the pregnant woman greater than if the pregnancy were terminated;
2. the continuance of the pregnancy would involve risk of injury to the physical or mental health of the pregnant woman greater than if the pregnancy were terminated;
3. the continuance of the pregnancy would involve risk of injury to the physical or mental health of the existing child(ren) of the family of the pregnant woman greater than if the pregnancy were terminated;
4. there is substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.

This certificate of opinion is given before the commencement of the treatment for the termination of pregnancy to which it refers and relates to the circumstances of the pregnant woman's individual case.

Signed
Date.....

Signed
Date.....

*Delete as appropriate.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, made under the Abortion Act 1967, further amend the Abortion Regulations 1968 to allow information furnished to the Chief Medical Officers under those regulations to be disclosed to the President of the General Medical Council, or any authorised member of his staff, for the purpose of investigating whether there has been serious professional misconduct by a doctor. Provision is also made for a doctor when giving a certificate under section 1(1) of the Abortion Act 1967 to state therein whether he has or has not seen and examined the pregnant woman before doing so.

SI 1976/15
ISBN 0-11-060015-0

