
STATUTORY INSTRUMENTS

2021 No. 365

**HEALTH AND PERSONAL SOCIAL
SERVICES, NORTHERN IRELAND**

The Abortion (Northern Ireland) Regulations 2021

Approved by both Houses of Parliament

<i>Made</i>	- - - -	<i>22nd March 2021</i>
<i>Laid before Parliament</i>		<i>23rd March 2021</i>
<i>Coming into force</i>	- -	<i>31st March 2021</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 9(4) and 11(2) of the Northern Ireland (Executive Formation etc) Act 2019(1).

Citation, commencement and extent

1. These Regulations—
 - (a) may be cited as the Abortion (Northern Ireland) Regulations 2021;
 - (b) come into force on 31st March 2021;
 - (c) extend to Northern Ireland only.

Commencement Information

II Reg. 1 in force at 31.3.2021, see [reg. 1\(b\)](#)

Implementation of CEDAW recommendations

2.—(1) If the Secretary of State considers that any action capable of being taken by a relevant person is required for the purpose of implementing the recommendations in paragraphs 85 and 86 of the CEDAW report, the Secretary of State may direct that the action must be taken.

[^{F1}(1A) The fact that a matter has not been brought to the attention of, or discussed and agreed by, the Executive Committee of the Northern Ireland Assembly is to be disregarded when determining what a relevant person could do for the purposes of paragraph (1).

(1B) A relevant person must comply with a direction under paragraph (1) irrespective of whether any matter has been brought to the attention of, or discussed and agreed by, the Executive Committee of the Northern Ireland Assembly.]

- (2) After giving a direction under paragraph (1), the Secretary of State must—
- (a) lay a copy of the direction before Parliament, and
 - (b) publish the direction in such a manner as the Secretary of State considers appropriate.
- (3) For the purposes of paragraph (1), a “relevant person” means—
- (a) the First Minister;
 - (b) the deputy First Minister;
 - (c) a Northern Ireland Minister;
 - (d) a Northern Ireland department;
 - (e) [^{F2}a Local Commissioning Group appointed under section 9] of the Health and Social Care (Reform) Act (Northern Ireland) 2009(2);
 - (f) the Regional Agency for Public Health and Social Well-being established by section 12(1) of that Act.

F1 Reg. 2(1A)(1B) inserted (20.5.2022) by [The Abortion \(Northern Ireland\) Regulations 2022 \(S.I. 2022/554\)](#), regs. 1(1)(b), **2(2)**

F2 Words in reg. 2(3)(e) substituted (20.5.2022) by [The Abortion \(Northern Ireland\) Regulations 2022 \(S.I. 2022/554\)](#), regs. 1(1)(b), **2(3)**

Commencement Information

I2 Reg. 2 in force at 31.3.2021, see [reg. 1\(b\)](#)

Robin Walker
Minister of State
Northern Ireland Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations confer on the Secretary of State the power to direct the First Minister, deputy First Minister, a Northern Ireland Minister, a Northern Ireland department, the Regional Health and Social Care Board, and the Regional Agency for Public Health and Social Well-being.

The power to direct is exercisable where the Secretary of State considers that there is action those persons are capable of taking and that the action is required for the purpose of implementing the recommendations in paragraphs 85 and 86 of the CEDAW report.

The CEDAW report means the Report of the Inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women published on 6 March 2018 (CEDAW/C/OP.8/GBR/1). The CEDAW report is available at the following website:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fOP.8%2fGBR%2f1&Lang=en

A hard copy of the report may be requested in writing from the Northern Ireland Office, Stormont House, Stormont Estate, Belfast, BT4 3SH.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

Changes to legislation:

There are currently no known outstanding effects for the The Abortion (Northern Ireland) Regulations 2021.