

Abortion Bill

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Bill No: 31/1974

Read the first time: 23rd October 1974

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Abortion Bill

Bill No. 31/1974

Read the first time on 23rd October 1974.

An Act to consolidate and amend the law relating to termination of pregnancy by registered medical practitioners, to repeal the Abortion Act (Chapter 150 of the Revised Edition) and for matters connected therewith.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

Short title

1. This Act may be cited as the Abortion Act, 1974.

Interpretation

- 2.—(1) In this Act, unless the context otherwise requires —

“approved institution” means any institution, hospital, maternity home, clinic or other place for the time being approved by the Minister for the purposes of this Act;

“Government hospital” means any hospital, maternity home or clinic under the control of the Minister;

“law relating to abortion” means sections 312, 313, 314 and 315 of the Penal Code (Cap. 103) and any other written law relating to abortion;

“registered medical practitioner” means any person registered under the Medical Registration Act (Cap. 218), who —

- (a) is in possession of such medical qualifications as may be prescribed; or
- (b) has acquired skill in the treatment to terminate pregnancy either in practice or by virtue of holding an appointment in a Government hospital or in an approved institution over such period as may be prescribed.

(2) The word “abortion” in this Act shall have the same meaning as the word “miscarriage” has under sections 312, 313, 314 and 315 of the Penal Code (Cap. 103).

Medical termination of pregnancy

3.—(1) Subject to the provisions of this Act, a person shall not be guilty of an offence under the law relating to abortion when a pregnancy is terminated by a registered medical practitioner acting on the request of a pregnant woman and with her written consent.

(2) Subject to section 11, every treatment to terminate pregnancy shall be carried out by a registered medical practitioner in a Government hospital or in an approved institution.

(3) No treatment to terminate pregnancy shall be carried out by a registered medical practitioner unless the pregnant woman is a citizen of Singapore, or is the wife of a citizen of Singapore or unless she has been resident in Singapore for a period of at least four months immediately preceding the date on which such treatment is to be carried out but the provisions of this subsection shall not apply in any case where such treatment is immediately necessary to save the life of the pregnant woman.

(4) Any person who contravenes or fails to comply with the provisions of this section shall be guilty of an offence under this Act and shall be liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding three thousand dollars or to both such imprisonment and fine.

Treatment to terminate pregnancy not to be carried out if pregnancy is of more than a certain duration unless in special circumstances

4.—(1) No treatment for the termination of pregnancy shall be carried out —

- (a) if the pregnancy is more than twenty-four weeks duration unless such treatment is immediately necessary to save the life or to prevent grave

permanent injury to the physical or mental health of the pregnant woman;
or

- (b) if the pregnancy is of more than sixteen weeks duration but less than twenty-four weeks duration unless the treatment is carried out by a registered medical practitioner who —
 - (i) is in possession of such surgical or obstetric qualifications as may be prescribed; or
 - (ii) has acquired special skill in such treatment either in practice or by virtue of holding an appointment in a Government hospital or in an approved institution over such period as may be prescribed.

(2) For the purposes of subsection (1), the duration of the pregnancy shall be calculated from the first day of the last normal menstruation of the pregnant woman to the end of the twenty-fourth week or to the end of any week between the sixteenth and the twenty-fourth week, as the case may be, or the duration of the pregnancy may be ascertained by clinical examination.

Coercion or intimidation

5. Any person who, by means of coercion or intimidation, compels or induces a pregnant woman against her will to undergo treatment to terminate pregnancy shall be guilty of an offence under this Act and shall be liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding three thousand dollars or to both such imprisonment and fine.

Conscientious objection to participate in treatment to terminate pregnancy

6.—(1) Subject to subsection (3), no person shall be under any duty whether by contract or by any statutory or legal requirement to participate in any treatment to terminate pregnancy authorised by this Act to which he has a conscientious objection.

(2) In any legal proceedings the burden of proof of conscientious objection referred to in subsection (1) shall rest on the person claiming to rely on it and that burden may be discharged by such person testifying on oath or affirmation that he has a conscientious objection to participating in any treatment to terminate pregnancy.

(3) Nothing in subsection (1) shall affect any duty to participate in such treatment which is immediately necessary to save the life or to prevent grave permanent injury to the physical or mental health of a pregnant woman.

Privilege against disclosure of matters relating to treatment for termination of