

Abortion Bill

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Bill No: 40/1968

Read the first time: 3rd December 1968

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Abortion Bill

Bill No. 40/1968

Read the first time on 3rd December 1968.

An Act to reform and liberalize the law relating to abortion by establishing a Board to authorise, subject to certain safeguards, treatment to terminate pregnancy by registered medical practitioners, and to provide for such treatment in certain circumstances without the authority of the Board, to amend the Singapore Family Planning and Population

Board Act, 1965 (No. 32 of 1965) and the Penal Code (Chapter 119 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 and commencement

1. This Act may be cited as the Abortion Act, 1968, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

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

“applicant” means a person who applies to the Board for authorisation for treatment to terminate pregnancy and in the case of a person under eighteen years of age means the parent or guardian of that person;

“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;

“Board” means the Termination of Pregnancy Authorisation Board constituted under section 3 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. 119) and any rule of law relating to abortion;

“registered medical practitioner” means any person registered under the Medical Registration Ordinance (Cap. 191).

(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.

Establishment and composition of the Board

3.—(1) For the purposes of this Act, there shall be established a Board called “the Termination of Pregnancy Authorisation Board” consisting of eleven members.

(2) The following public officers and persons shall be members of the Board: —

(a) the Director of Medical Services for the time being who shall be the Chairman;

- (b) the Deputy Director of Medical Services (Health) for the time being;
- (c) the Deputy Director of Medical Services (Hospitals) for the time being;
- (d) an obstetrician and gynaecologist employed in the public service;
- (e) a psychiatrist employed in the public service;
- (f) the Director of Social Welfare for the time being; and
- (g) five other members to be appointed by the Minister, two of whom shall be females of whom one has had experience in social welfare work.

(3) Letters of appointment of the members of the Board under paragraphs (d), (e) and (g) of subsection (2) of this section shall issue from the Minister.

(4) The Chairman shall preside at all meetings of the Board and shall have a right to vote on any question coming before or arising at any meeting of the Board and in the absence of the Chairman such member, as the members present may elect, shall act as Chairman.

(5) The members of the Board appointed by the Minister under the provisions of paragraphs (d), (e) and (g) of subsection (2) of this section shall, unless their appointment is revoked by the Minister under the provisions of subsection (6) of this section or unless they resign during their term of office, hold office for a period of three years or for such shorter period as the Minister may in any case determine.

(6) The Minister may at any time revoke the appointment of any member of the Board appointed under paragraphs (d), (e) and (g) of subsection (2) of this section.

(7) If a vacancy occurs in the membership of the Board by death, resignation, revocation of the appointment under subsection (6) of this section, or for any other cause, the Minister shall appoint a qualified person to fill the vacancy in accordance with subsection (2) of this section and any person so appointed shall hold office so long as the member in whose place he is appointed would have held office.

(8) The quorum at all meetings of the Board shall be six members present, and no business shall be transacted unless a quorum is present.

(9) All questions coming before or arising at any meeting of the Board shall be decided by a majority of the members present and voting therein at that meeting of the Board, and in case of an equality of votes the person presiding at the meeting shall have a second or casting vote.

(10) The Board shall not be precluded from holding any meeting or acting in any matter merely by reason of any vacancy or vacancies in its membership.

(11) The Minister may, by notification in the *Gazette*, vary the composition of the

Board or the number of its members and provide in what manner additional members, if any, shall be appointed.

(12) The Board shall sit at such times and in such places as it may decide and, subject to this section, shall regulate its own procedure at meetings.

Board may appoint committees

4.—(1) The Board may from time to time appoint committees consisting of persons who may or may not be members of the Board, either for general or specific purposes, and may delegate to such committees power to do any specific act or carry out any specific function.

(2) Any committee appointed by the Board under subsection (1) of this section shall consist of such number of members as the Board may decide but in every committee, so appointed, one of the members shall be a registered medical practitioner and one of the members shall be a person who has had experience in social welfare work.

(3) The Chairman of the Board shall, by virtue of his office, be a member of every committee and, if present at any meeting, shall preside.

(4) Every committee shall report to the Board.

Medical termination of pregnancy

5.—(1) Subject to the provisions of this section, 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 under an authorisation granted in that regard by the Board.

(2) The Board may authorise treatment to terminate pregnancy to be carried out if it is of the opinion, formed in good faith —

- (a) that the continuance of the pregnancy would involve risk to the life of the pregnant woman or injury to the physical or mental health of the pregnant woman;
- (b) that the environment of the pregnant woman, both at the time when the child would be born and thereafter so far as is foreseeable, justifies the termination of her pregnancy.

The expression “environment” in this paragraph includes the family and financial circumstances of the pregnant woman;

- (c) that there is substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped; or
- (d) that the pregnancy is the result of rape under section 375 of the Penal Code