

*These notes refer to the Serious Crime Act 2015 (c.9)
which received Royal Assent on 3rd March 2015*

SERIOUS CRIME ACT 2015

EXPLANATORY NOTES

TERRITORIAL EXTENT

Part 6: Miscellaneous and General

Commentary on Sections

Section 84: Termination of pregnancy on grounds of sex of foetus

336. Section 1 of the Abortion Act 1967 sets out the grounds for an abortion and, in so doing, provides a defence to the abortion offences in sections 58 and 59 of the Offences against the Person Act 1861. The Government's view is that the Abortion Act 1967 does not allow a pregnancy to be terminated on the grounds of the sex of the foetus alone. In response to concerns that abortions may be taking place solely on such grounds, this section imposes two duties on the Secretary of State (in practice, the Health Secretary). First, the Secretary of State is required to arrange for an assessment to be made of the evidence of termination of pregnancy on the grounds of the sex of the foetus and to publish the outcome of such an assessment within six months of Royal Assent (that is, by 3 September 2015). The second duty is to consider the assessment and either determine and publish a strategic plan to tackle substantiated concerns identified in the assessment, or publish a statement and explanation as to why such a plan is not required. Where the Secretary of State determines that a strategic plan is needed he or she has a further six months (from the date of the publication of the assessment) to lay a copy of the plan before Parliament.