
STATUTORY INSTRUMENTS

2020 No. 503

The Abortion (Northern Ireland) (No. 2) Regulations 2020

PART 8

Amendments

Amendments to offence of child destruction

13.—(1) Section 25 of the Criminal Justice Act (Northern Ireland) 1945⁽¹⁾ (offence of child destruction) is amended as follows.

(2) In subsection (1) for “sub-section” substitute “section”.

(3) After subsection (1) insert—

“(1A) Subsection (1) does not apply to—

(a) the pregnant woman herself; or

(b) a registered medical professional (within the meaning of the Abortion (Northern Ireland) (No. 2) Regulations 2020) who terminates a pregnancy in accordance with regulations 3 to 8 of those Regulations.”.

(4) At the end insert—

“(3) Proceedings in respect of an offence under subsection (1) may be brought only by, or with the consent of, the Director of Public Prosecutions for Northern Ireland.”.

Amendments consequential on the repeal of sections 58 and 59 of the Offences against the Person Act 1861

14.—(1) In the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018⁽²⁾ omit section 4 (Secretary of State’s guidance).

(2) In section 26 of the Criminal Justice Act (Northern Ireland) 1945 (prosecution of child destruction offence) omit—

(a) in subsection (1), the words from “or for an offence under section fifty-eight” to “procure abortion)” and the words “or of an offence under the said section fifty-eight”; and

(b) subsection (2).

(1) 1945 c. 15 (N.I.). Section 25 was amended by the Criminal Justice Act (Northern Ireland) 1953 c.14 (N.I.).

(2) 2018 c. 28; section 4 was partially repealed by S.I. 2019/1514, reg. 5(2).