



# Abortion Act 1967

## 1967 CHAPTER 87

### 1 **Medical termination of pregnancy.** **E+W+S**

(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 if two registered medical practitioners are of the opinion, formed in good faith—

- [<sup>F1</sup>(a) that the pregnancy has not exceeded its twenty-fourth week and that the continuance of the pregnancy would involve risk, greater than if the pregnancy were terminated, of injury to the physical or mental health of the pregnant woman or any existing children of her family; or
- (b) that the termination is necessary to prevent grave permanent injury to the physical or mental health of the pregnant woman; or
- (c) that the continuance of the pregnancy would involve risk to the life of the pregnant woman, greater than if the pregnancy were terminated; or
- (d) that there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.]

(2) In determining whether the continuance of a pregnancy would involve such risk of injury to health as is mentioned in paragraph (a) [<sup>F2</sup>or (b)] of subsection (1) of this section, account may be taken of the pregnant woman's actual or reasonably foreseeable environment.

(3) Except as provided by [<sup>F3</sup>subsections (3B) to] (4) of this section, any treatment for the termination of pregnancy must be carried out in a hospital vested in [<sup>F4</sup>the Secretary of State for the purposes of his functions under the [<sup>F5</sup>National Health Service Act 2006] or the National Health Service (Scotland) Act 1978 [<sup>F6</sup>or in a hospital vested in <sup>F7</sup>... a National Health Service trust][<sup>F8</sup>or an NHS foundation trust] or in a place approved for the purposes of this section by the Secretary of State]

[<sup>F9</sup>(3A) The power under subsection (3) of this section to approve a place—

- [ includes power, in relation to treatment consisting primarily in the use of such
- <sup>F10</sup>(a) medicines as may be specified in the approval and carried out in such manner as may be so specified, to approve a class of places
- [ is not limited by subsections (3C) and (3D).]]

*Changes to legislation: Abortion Act 1967, Section 1 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

<sup>F11</sup>(b)

[<sup>F12</sup>(3B) Subsections (3C) and (3D) apply where—

- (a) the treatment referred to in subsection (3) consists of the prescription and administration of medicine, and
- (b) the registered medical practitioner terminating the pregnancy is of the opinion, formed in good faith, that, if the medicine is administered in accordance with their instructions, the pregnancy will not exceed ten weeks at the time when the medicine is administered (or in the case of a course of medicine, when the first medicine in the course is administered).

(3C) If the usual place of residence of the registered medical practitioner terminating the pregnancy is in England or Wales, the medicine may be prescribed from that place by the registered medical practitioner.

(3D) If the pregnant woman's usual place of residence is in England or Wales and she has had a consultation (in person, by telephone or by electronic means) with a registered medical practitioner, registered nurse or registered midwife about the termination of the pregnancy, the medicine may be self-administered by the pregnant woman at that place.]

(4) Subsection (3) of this section, and so much of subsection (1) as relates to the opinion of two registered medical practitioners, shall not apply to the termination of a pregnancy by a registered medical practitioner in a case where he is of the opinion, formed in good faith, that the termination is immediately necessary to save the life or to prevent grave permanent injury to the physical or mental health of the pregnant woman.

#### Textual Amendments

- F1** S. 1(1)(a)-(d) substituted (1.4.1991) for s. 1(1)(a)(b) by [Human Fertilisation and Embryology Act 1990 \(c. 37, SIF 83:1\)](#), **s. 37(1)** (with savings (in force 1.8.1991) in ss. 39(3) and 43(2)); S.I. 1991/480, **art. 2(a)**; S.I. 1991/1400
- F2** Words in s. 1(2) inserted (1.4.1991) by [Human Fertilisation and Embryology Act 1990 \(c. 37, SIF 83:1\)](#), **s. 37 (2)**, (with savings (in force 1.8.1991) in ss. 39(3) and 43(2)); S.I. 1991/480, **art. 2(a)**; S.I. 1991/1400
- F3** Words in s. 1(3) substituted (30.8.2022) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 178(2)**, 186(6); S.I. 2022/734, **reg. 4** (with **regs. 13, 29, 30**)
- F4** Words substituted by [Health Services Act 1980 \(c. 53, SIF 113:2\)](#), ss. 1, 2, **Sch. 1 para. 17(1)**
- F5** Words in s. 1(3) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 8(2), **Sch. 1 para. 30** (with **Sch. 3 Pt. 1**)
- F6** Words inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), s. 66(1), **Sch. 9 para. 8**
- F7** Words in s. 1(3) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 9**; S.I. 2013/160, **art. 2(2)** (with **arts. 7-9**)
- F8** Words in s. 1(3) inserted (1.4.2004 for E.W. and otherwise prosp.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 34, 199, **Sch. 4 para. 10**; S.I. 2004/759, **arts. 1(3), 2**,
- F9** S. 1(3A) inserted (1.4.1991) by [Human Fertilisation and Embryology Act 1990 \(c. 37, SIF 83:1\)](#), **s. 37 (3)**, (with savings (in force 1.8.1991) in ss. 39(3) and 43(2)); S.I. 1991/480, **art. 2(a)**; S.I. 1991/1400
- F10** Words in s. 1(3A) renumbered as s. 1(3A)(a) (30.8.2022) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 178(3)(a)**, 186(6); S.I. 2022/734, **reg. 4** (with **regs. 13, 29, 30**)
- F11** S. 1(3A)(b) inserted (30.8.2022) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 178(3)(b)**, 186(6); S.I. 2022/734, **reg. 4** (with **regs. 13, 29, 30**)

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**F12** S. 1(3B)-(3D) inserted (30.8.2022) by Health and Care Act 2022 (c. 31), **ss. 178(4), 186(6)**; S.I. 2022/734, reg. 4 (with regs. 13, 29, 30)

**Modifications etc. (not altering text)**

**C1** S. 1(3): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1(1), 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**

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**Changes and effects yet to be applied to :**

- s. 1(3) words inserted by [2012 c. 7 Sch. 14 para. 43](#)