
 S T A T U T O R Y I N S T R U M E N T S

1976 No. 127 (S. 8)

MEDICAL PROFESSION

The Abortion (Scotland) Amendment Regulations 1976

<i>Made</i> - - - -	23rd January 1976
<i>Laid before Parliament</i>	5th February 1976
<i>Coming into Operation</i>	1st March 1976

In exercise of the powers conferred on me by section 2 of the Abortion Act 1967^(a) and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Abortion (Scotland) Amendment Regulations 1976 and shall come into operation on 1st March 1976.

(2) In these regulations “the Act” means the Abortion Act 1967, and “the principal regulations” means the Abortion (Scotland) Regulations 1968^(b), as amended^(c).

(3) The Interpretation Act 1889^(d) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of the principal regulations

2. The principal regulations shall be amended as follows:—

(a) in regulation 5 (restriction on disclosure of information) there shall be added after paragraph (g) the following paragraph:—

“or

(h) when requested by the President of the General Medical Council for the purpose of investigating whether there has been serious professional misconduct by a registered practitioner, to the President of the General Medical Council or a member of his staff authorised by him.”;

(b) in Schedule 1 (certificates to be completed before an abortion is performed under section 1 of the Act) for Certificate A there shall be substituted the certificate set out in the Schedule to these regulations;

(c) in Schedule 2 (form of notification to be given to the Chief Medical Officer of an abortion performed under section 1 of the Act)

(a) 1967 c. 87.

(c) S.I. 1974/1309 (1974 II, p. 4988).

(b) S.I. 1968/505 (1968 I, p. 1231).

(d) 1889 c. 63.

immediately before the words "NOTE: This form is to be completed by the operating practitioner" there shall be inserted the following:—

"If the operating practitioner joined in giving the certificate did he see/and examine* the pregnant woman before doing so?.....

Has the practitioner named at A certified that he saw/and examined* the pregnant woman before giving the certificate?.....

Has the practitioner named at B (if any) certified that he saw/and examined* the pregnant woman before giving the certificate?.....

*Delete as appropriate".

William Ross,
One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.
23rd January 1976.

SCHEDULE

Regulation 3(b)

IN CONFIDENCE

Certificate A

Not to be destroyed within three years of the date of operation

ABORTION ACT 1967

CERTIFICATE TO BE COMPLETED BEFORE AN ABORTION IS PERFORMED UNDER SECTION 1(1) OF THE ACT

I, (Name and qualifications of practitioner in block capitals)

of (Full address of practitioner)

have/have not* seen/and examined* the pregnant woman to whom this certificate relates at (Full address of place at which patient was seen or examined)

on

and I, (Name and qualifications of practitioner in block capitals)

of (Full address of practitioner)

have/have not* seen/and examined* the pregnant woman to whom this certificate relates at (Full address of place at which patient was seen or examined)

on

We hereby certify that we are of the opinion, formed in good faith, that in the case of (Full name of pregnant woman in block capitals)

of (Usual place of residence of pregnant woman in block capitals)

- 1. the continuance of the pregnancy would involve risk to the life of the pregnant woman greater than if the pregnancy were terminated;
2. the continuance of the pregnancy would involve risk of injury to the physical or mental health of the pregnant woman greater than if the pregnancy were terminated;

(Ring appropriate number(s))

*Delete as appropriate

3. the continuance of the pregnancy would involve risk of injury to the physical or mental health of the existing child(ren) of the family of the pregnant woman greater than if the pregnancy were terminated;

4. there is substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.

This certificate of opinion is given before the commencement of the treatment for the termination of pregnancy to which it refers and relates to the circumstances of the pregnant woman's individual case.

Signed

Date.....

Signed

Date.....

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, made under the Abortion Act 1967, further amend the Abortion (Scotland) Regulations 1968 to allow information furnished to the Chief Medical Officer of the Scottish Home and Health Department under these Regulations to be disclosed to the President of the General Medical Council, or any authorised member of his staff, for the purpose of investigating whether there has been serious professional misconduct by a doctor. Provision is also made for a doctor when giving a certificate under section 1(1) of the Abortion Act 1967 to state therein whether he has seen and examined the pregnant woman before doing so.

SI 1976/127
ISBN 0-11-060127-0

