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STATUTORY INSTRUMENTS

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**2002 No. 887**

**The Abortion (Amendment) (England) Regulations 2002**

**Citation, commencement, interpretation and extent**

1.—(1) These Regulations may be cited as the Abortion (Amendment) (England) Regulations 2002, and shall come into force on 18th April 2002.

(2) In these Regulations “the principal Regulations” means the Abortion Regulations 1991<sup>(1)</sup>.

(3) These Regulations extend to England only.

**Substitution of regulation 2**

2. For Regulation 2 (interpretation) of the principal Regulations substitute—

“2. In these Regulations—

“the Act” means the Abortion Act 1967;

“electronic communication” has the same meaning as in section 15 of the Electronic Communications Act 2000<sup>(2)</sup>;

“practitioner” means a registered medical practitioner;

“solicitor” means a person who is qualified to act as a solicitor as provided by section 1 of the Solicitors Act 1974.”<sup>(3)</sup>

**Amendment of regulation 3**

3. For regulation 3(1) of the principal Regulations (certificate of opinion) substitute—

“3.—(1) Any opinion to which section 1 of the Act refers shall be certified—

(a) in the case of a pregnancy terminated in accordance with section 1(1) of the Act, either—

(i) in the form set out in Part I of Schedule 1 to these Regulations; or

(ii) in a certificate signed and dated by both practitioners jointly or in separate certificates signed and dated by each practitioner stating:—

(a) the full name and address of each practitioner;

(b) the full name and address of the pregnant woman;

(c) whether or not each practitioner has seen or examined, or seen and examined, the pregnant woman; and

(d) that each practitioner is of the opinion formed in good faith that at least one and the same ground mentioned in paragraph (a) to (d) of section 1(1) of the Act is fulfilled.

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<sup>(1)</sup> S.I.1991/499.

<sup>(2)</sup> 2000 c. 7.

<sup>(3)</sup> 1974 c. 47.

- (b) in the case of a pregnancy terminated in accordance with section 1(4) of the Act, either—
  - (i) in the form set out in Part II of Schedule 1 to these Regulations; or
  - (ii) in a certificate giving the full name and address of the practitioner and containing the full name and address of the pregnant woman and stating that the practitioner is of the opinion formed in good faith that one of the grounds mentioned in section 1(4) of the Act is fulfilled.”.

#### **Amendment of regulation 4**

- 4. In regulation 4 of the principal Regulations (notice of termination):—
  - (a) in paragraph (1)—
    - (i) in sub-paragraph (b) omit the words “in the form set out”;
    - (ii) for the words “in a sealed envelope within 7 days of termination” substitute the words “within 14 days of the termination either in a sealed envelope or by an electronic communication transmitted by an electronic communications system used solely for the transfer of confidential information to him.”;
  - (b) in paragraph (2)(a) insert the figure “79” before the word “Whitehall”.

#### **Amendment of regulation 5**

- 5. In regulation 5 of the principal Regulations (restriction on disclosure of information):—
  - (a) after paragraph (a)(ii) there shall be added—
    - “(iii) to an individual authorised by the Chief Medical Officer who is engaged in setting up, maintaining and supporting a computer system used for the purpose of recording, processing and holding such notice or information; or”;
  - (b) after paragraph (h) there shall be added—
    - “(i) to the woman whose pregnancy was terminated, on her supplying to the Chief Medical Officer written details of her date of birth, the date and place of the termination and a copy of the certificate of registration of her birth certified as a true copy of the original by a solicitor or a practitioner.”.

#### **Substitution**

- 6. For Schedule 2 to the principal Regulations (abortion notification) there is substituted the Schedule set out in the Schedule to these Regulations.

Signed by authority of the Secretary of State for Health

27th March 2002

*Yvette Cooper*  
Parliamentary Under Secretary of State,  
Department of Health