
STATUTORY INSTRUMENTS

2020 No. 503

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

PART 5

Certification of opinion and notification of termination

Certification of opinion by registered medical professional

- 9.—(1) An opinion given for the purposes of these Regulations must be certified—
- (a) in a case falling within regulation 3 or 5, in a certificate signed and dated by the registered medical professional;
 - (b) in a case falling within regulation 4, 6 or 7, in a certificate signed and dated by both registered medical professionals.
- (2) The certificate in a case falling within regulation 3 or 5 must state—
- (a) the full name and address of the registered medical professional;
 - (b) the Health and Care number of the pregnant woman;
 - (c) whether or not the registered medical professional has seen, or seen and examined, the pregnant woman; and
 - (d) that the registered medical professional is of the opinion, formed in good faith, that the ground mentioned in the regulation in question is fulfilled.
- (3) The certificate in a case falling within regulation 4, 6 or 7 must state—
- (a) the full name and address of each of the registered medical professionals;
 - (b) the Health and Care number of the pregnant woman;
 - (c) whether or not each registered medical professional has seen, or seen and examined, the pregnant woman; and
 - (d) that each registered medical professional is of the opinion, formed in good faith, that one and the same ground mentioned in the regulation in question is fulfilled.
- (4) A certificate must be given—
- (a) before the commencement of the treatment for the termination of the pregnancy to which it relates; or
 - (b) in the case of a termination falling within regulation 5 where compliance with subparagraph (a) is not reasonably practicable, not later than 24 hours after the termination.
- (5) A certificate—
- (a) must be preserved by the registered medical professional who terminated the pregnancy to which it relates for a period of not less than 3 years beginning with the date of termination; and
 - (b) must, at the end of that period, be destroyed by the person in whose custody it then is.

(6) A person who intentionally contravenes any provision of this regulation commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(7) Proceedings in respect of an offence under paragraph (6) may be brought only by, or with the consent of, the Director of Public Prosecutions for Northern Ireland.

(8) The Department may provide forms for the purpose of certifying the opinions of registered medical professionals.

Notification of termination to Chief Medical Officer

10.—(1) A registered medical professional who terminates a pregnancy must give to the Chief Medical Officer of the Department—

- (a) notice of the termination; and
- (b) such other information relating to the termination as is specified in the Schedule to these Regulations.

(2) Notice and information under paragraph (1) must be given—

- (a) within 14 days beginning with—
 - (i) in a case where the termination is by treatment with Mifepristone, the date of that treatment; or
 - (ii) in all other cases, the date on which the termination occurred; and
- (b) in a sealed envelope or by e-mail.

(3) Any notice or information given to the Chief Medical Officer under this regulation must not be disclosed except—

- (a) for the purpose of carrying out the functions of the Department, to an officer of the Department authorised by the Chief Medical Officer;
- (b) for the purpose of carrying out the functions of the Registrar General for Northern Ireland, to the Registrar General or a member of the staff of the General Register Office;
- (c) for the purpose of investigating whether an offence has been committed under these Regulations, to a police officer not below the rank of superintendent or a person authorised by that officer;
- (d) for the purpose of carrying out functions in relation to offences under these Regulations, to the Director of Public Prosecutions for Northern Ireland or a member of the staff of the Public Prosecution Service authorised by the Director;
- (e) pursuant to a court order, for the purposes of proceedings which have begun;
- (f) for the purposes of bona fide scientific research;
- (g) to the registered medical professional who terminated the pregnancy;
- (h) to a registered medical professional, with the consent in writing of the woman whose pregnancy was terminated;
- (i) to the General Medical Council or the Nursing and Midwifery Council when requested by that Council for the purpose of investigating whether the fitness to practise of a registered medical professional is impaired; or
- (j) to the woman whose pregnancy was terminated, on her supplying to the Chief Medical Officer the date and place of the termination and written evidence of her identity.

(4) A person who intentionally contravenes any provision of this regulation commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(5) Proceedings in respect of an offence under paragraph (4) may be brought only by, or with the consent of, the Director of Public Prosecutions for Northern Ireland.

(6) The Department may provide forms for the purpose of giving notice and information under paragraph (1).