WELSH STATUTORY INSTRUMENTS

2002 No. 2879 (W.275)

MEDICAL PROFESSION, WALES

The Abortion (Amendment) (Wales) Regulations 2002

Made - - - -	*20th November 2002*
Coming into force - -	*17th December 2002*

The National Assembly for Wales in exercise of the powers conferred upon it by section 2 of the Abortion Act 1967 (**1**) hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These regulations may be cited as the Abortion (Amendment) (Wales) Regulations 2002, and shall come into force on the 17 December 2002.

(2) In these Regulations, "the principal Regulations" means the Abortion Regulations 1991(**2**).

(3) These Regulations apply to Wales only.

Amendment 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(**3**);

"practitioner" means a registered medical practitioner;

"solicitor" means a person qualified to act as a solicitor as provided by section 1 of the Solicitors Act 1974."(**4**)

Amendment of regulation 3

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

(**1**) 1967 c. 87; section 2(2) was amended by the Transfer of Functions (Health and Social Security) Order 1988 (S.I.1988/1843), article 5(4) and Schedule 3 and by the Scotland Act (Consequential Modifications) (No. 1) Order 1999 (S.I.1999/1042), article 5 and Schedule 3. The functions of the Secretary of State under section 2 of the Act are transferred to the National Assembly for Wales under article 2 of, and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.199/672).
(**2**) S.I.1991/499.
(**3**) 2000 c. 7.
(**4**) 1974 c. 47.

"**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 I 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.

(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 I to these Regulations; or

(ii) in a certificate giving the full name and address of the practitioner and containing:—

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

(b) 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 "or her within 14 days of the termination either in a sealed envelope or by electronic communication transmitted by an electronic communications system solely used for the transfer of confidential information to him or her";

(b) in paragraph (2)—

(i) insert the figure "79" before the word "Whitehall";

(ii) for the words "of the Welsh Office, Cathays Park, Cardiff, CF1 3NQ" substitute the words "for Wales, National Assembly for Wales, Cathays Park, Cardiff, CF10 3NQ.".

Amendment of regulation 5

5. In regulation 5 of the principal Regulations (restriction on disclosure of information)—

(a) in sub-paragraph (a)(i)—

(i) for the words "the Welsh Office" substitute "the National Assembly for Wales";

(ii) for the words "of that Office" substitute "for Wales";

(b) after sub-paragraph (a)(ii) there shall be added—