

THE STATUTES OF THE REPUBLIC OF SINGAPORE

TERMINATION OF PREGNANCY ACT

(CHAPTER 324)

**Act
24 of 1974**

**Amended by
32 of 1980**

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Termination of Pregnancy Act

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An Act relating to termination of pregnancy by authorised medical practitioners and for matters connected therewith.

[27th December 1974]

1. This Act may be cited as the Termination of Pregnancy Act. Short title.
2. In this Act, unless the context otherwise requires — Interpre-
tation.
32/80.
 - “approved institution” means any institution, hospital, maternity home, clinic or other place for the time being approved by the Minister for the purposes of this Act;
 - “authorised medical practitioner” means any medical practitioner who is authorised under any regulations made under this Act to carry out treatment to terminate pregnancy;

“Government hospital” means any hospital, maternity home or clinic under the control of the Minister;

Cap. 224.

“law relating to abortion” means sections 312, 313, 314 and 315 of the Penal Code;

Cap. 174.

“medical practitioner” means any person registered under the Medical Registration Act.

Medical
termination
of pregnancy.
32/80.

3.—(1) Subject to the provisions of this Act, no person shall be guilty of an offence under the law relating to abortion when a pregnancy is terminated by an authorised medical practitioner acting on the request of a pregnant woman and with her written consent.

(2) Except as provided by section 10, every treatment to terminate pregnancy shall be carried out by an authorised medical practitioner in a Government hospital or in an approved institution.

(3) No treatment to terminate pregnancy shall be carried out by an authorised medical practitioner unless the pregnant woman —

- (a) is a citizen of Singapore or is the wife of a citizen of Singapore;
- (b) is the holder, or is the wife of a holder, of an employment pass or a work permit pass issued under the Immigration Act; or
- (c) has been resident in Singapore for a period of at least 4 months immediately preceding the date on which such treatment is to be carried out,

Cap. 133.

but this subsection shall not apply to any treatment to terminate pregnancy which is immediately necessary to save the life of the pregnant woman.

(4) Any person who contravenes or fails to comply with this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both.

4.—(1) No treatment for the termination of pregnancy shall be carried out —

(a) if the pregnancy is of more than 24 weeks duration unless the treatment is immediately necessary to save the life or to prevent grave permanent injury to the physical or mental health of the pregnant woman; or

(b) if the pregnancy is of more than 16 weeks duration but less than 24 weeks duration unless the treatment is carried out by an authorised medical practitioner who —

(i) is in possession of such surgical or obstetric qualifications as may be prescribed; or

(ii) has acquired special skill in such treatment either in practice or by virtue of holding an appointment in a Government hospital or in an approved institution over such period as may be prescribed.

(2) For the purposes of subsection (1), the duration of the pregnancy shall be calculated from the first day of the last normal menstruation of the pregnant woman to the end of the 24th week or to the end of any week between the 16th and the 24th week, as the case may be, or the duration of the pregnancy may be ascertained by clinical examination.

5. Any person who, by means of coercion or intimidation, compels or induces a pregnant woman against her will to undergo treatment to terminate pregnancy shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both.

6.—(1) Subject to subsection (3), no person shall be under any duty whether by contract or by any statutory or legal requirement to participate in any treatment to terminate pregnancy authorised by this Act to which he has a conscientious objection.

(2) In any legal proceedings the burden of proof of conscientious objection referred to in subsection (1) shall rest on the person claiming to rely on it and that burden may

Treatment to terminate pregnancy not to be carried out if pregnancy is of more than a certain duration unless in special circumstances. 32/80.

Coercion or intimidation.

Conscientious objection to participate in treatment to terminate pregnancy.

be discharged by such person testifying on oath or affirmation that he has a conscientious objection to participating in any treatment to terminate pregnancy.

(3) Nothing in subsection (1) shall affect any duty to participate in such treatment which is immediately necessary to save the life or to prevent grave permanent injury to the physical or mental health of a pregnant woman.

Privilege
against
disclosure of
matters
relating to
treatment for
termination
of pregnancy.

7.—(1) No person who —

- (a) is concerned with the keeping of medical records in connection with treatment to terminate a pregnancy; or
- (b) participates in any treatment to terminate a pregnancy,

shall, unless the pregnant woman expressly gives her consent thereto, disclose any facts or information relating to the treatment except to such persons and for such purposes as may be prescribed.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both.

Power to
inspect
approved
institutions
and examine
records, etc.

8. Any public officer, appointed by the Minister for the purpose, shall have power to enter any approved institution for the purpose of ensuring that the provisions of this Act, and any regulations made thereunder, are being complied with and may examine and make copies of or take extracts from any records or documents connected with any treatment to terminate pregnancy.

Charges for
treatment to
terminate
pregnancy.

9.—(1) Where treatment to terminate a pregnancy is carried out in a Government hospital the fee payable for the treatment shall be \$5.

(2) Any additional hospital costs that may be incurred in the Government hospital where the treatment is carried out shall be borne by the pregnant woman.

(3) The Minister may from time to time by notification in the *Gazette* vary the fee payable for the treatment specified in subsection (1).

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*Section 9 in the 1970 Revised Edition was repealed by Act 32/80.

10. Notwithstanding anything in this Act, where the treatment to terminate pregnancy consists solely of the use of drugs prescribed by an authorised medical practitioner and does not, therefore, include any surgical operation or procedure it shall not be necessary —

Relief from certain restrictions where treatment consists solely of drugs.
32/80.

- (a) for the authorised medical practitioner to hold the prescribed qualifications or to have acquired skill in the treatment over such period as may be prescribed; and
- (b) for the treatment to be carried out in a Government hospital or in an approved institution.

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11.—(1) The Minister may make regulations for, or in respect of, every purpose which is considered by him necessary for carrying out the provisions of this Act and for prescribing any matter which is authorised or required under this Act to be so prescribed.

Regulations.
32/80.

(2) Without prejudice to the generality of subsection (1) the Minister may make regulations —

- (a) requiring authorised medical practitioners to keep records of termination of pregnancy and to forward the records to the Director of Medical Services together with such information relating to the termination as the Director may require;
- (b) providing for the preservation and disposal of records in respect of the treatment to terminate pregnancy and for the use of the records for statistical or research purposes so long as such use does not disclose the identities of the persons who have received the treatment under this Act;
- (c) providing for the general or limited authorisation of medical practitioners to carry out treatment to terminate pregnancy;
- (d) prescribing the qualifications and experience of medical practitioners for the purpose of being authorised to carry out treatment to terminate pregnancy; and
- (e) prescribing the form of consent to be given by a pregnant woman undergoing treatment for termination of pregnancy.

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