



THE STATUTES OF THE REPUBLIC OF SINGAPORE

TERMINATION OF PREGNANCY ACT

(CHAPTER 324)

(Original Enactment: Act 24 of 1974)

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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]

Short title

1. This Act may be cited as the Termination of Pregnancy Act.

Interpretation

2. In this Act, unless the context otherwise requires —
“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;

“law relating to abortion” means sections 312, 313, 314, and 315 of the Penal Code [Cap. 224];

“medical practitioner” means any person registered under the Medical Registration Act [Cap. 174].

[32/80]

Medical termination of pregnancy

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.

[32/80]

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

[26/2001 wef 01/09/2001]

(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 a work pass issued under the Employment of Foreign Manpower Act (Cap. 91A); or

[30/2007 wef 01/07/2007]

(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,

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.

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

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 an approved institution over such period as may be prescribed.

[32/80]

[26/2001 wef 01/09/2001]

(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.

Coercion or intimidation

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.

Conscientious objection to participate in treatment to terminate pregnancy

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 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.

9. *[Repealed by Act 26/2001 wef 01/09/2001]*

Relief from certain restrictions where treatment consists solely of drugs

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 —

- (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 an approved institution.

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[32/80]

[26/2001 wef 01/09/2001]

Regulations

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.

[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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LEGISLATIVE HISTORY
TERMINATION OF PREGNANCY ACT
(CHAPTER 324)

This Legislative History is provided for the convenience of users of the Termination of Pregnancy Act. It is not part of the Act.

1. Act 24 of 1974 — Abortion Act 1974

Date of First Reading : 23 October 1974
(Bill No. 22/1974 published on
25 October 1974)

Date of Second and Third Readings : 6 November 1974

Date of commencement : 27 December 1974

2. Act 32 of 1980 — Abortion (Amendment) Act 1980

Date of First Reading : 31 October 1980
(Bill No. 20/1980 published on
7 November 1980)

Date of Second and Third Readings : 28 November 1980

Date of commencement : 9 January 1981

3. 1985 Revised Edition — Termination of Pregnancy Act

Date of operation : 30 March 1987

4. Act 26 of 2001 — Statutes (Miscellaneous Amendments and Repeal) Act 2001

Date of First Reading : 11 July 2001
(Bill No. 24/2001 published on
12 July 2001)

Date of Second and Third Readings : 25 July 2001

Date of commencement : 1 September 2001
(section 18)

5. Act 30 of 2007 — Employment of Foreign Workers (Amendment) Act 2007

(Consequential amendments made to Act by)

Date of First Reading : 9 April 2007
(Bill No. 17/2007 published on
10 April 2007)

Date of Second and Third Readings : 22 May 2007

Date of commencement : 1 July 2007