C-122.


THE HOUSE OF COMMONS OF CANADA.

BILL C-122.

An Act to amend the Criminal Code (Abortion).


Mrs. MacInnis.

THE HOUSE OF COMMONS OF CANADA.

BILL C-122.

An Act to amend the Criminal Code (Abortion).

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsection (2) of section 209 of the Criminal Code is repealed and the following substituted therefor:

“(2) Notwithstanding the provisions of subsection (1) of this section, and of sections 237 and 238 of this Act, a person shall not be guilty of an offence of killing an unborn child or of procuring miscarriage when a pregnancy is terminated by a registered medical practitioner if that practitioner and another medical practitioner, acting in good faith, are of the opinion

(a) that the continuance of the pregnancy would involve serious risk to the life or grave injury to the health, either physical or mental, of the pregnant woman;

(b) that there is a substantial risk of a defective child being born; or

(c) that the pregnancy is a result of rape or incest.”
EXPLANATORY NOTES.

The purpose of this Bill is to legalize the termination of a pregnancy under certain definite circumstances, by a registered medical practitioner if that practitioner and another registered medical practitioner are of the opinion, formed in good faith, that the continuance and natural outcome of such a pregnancy would be harmful.

Section 209 at present reads as follows:

"209. (1) Every one who causes the death of a child that has not become a human being, in such a manner that, if the child were a human being, he would be guilty of murder, is guilty of an indictable offence and is liable to imprisonment for life.

(2) This section does not apply to a person who, by means that, in good faith he considers necessary to preserve the life of the mother of a child that has not become a human being, causes the death of the child."