



An Roinn Sláinte
Department of Health

NOTIFICATIONS
IN ACCORDANCE WITH SECTION 20 OF THE
HEALTH (REGULATION OF TERMINATION OF PREGNANCY) ACT 2018

ANNUAL REPORT 2019

Published 30 June 2020

1. Introduction

Until 2018, the Protection of Life During Pregnancy Act 2013 regulated access to lawful termination of pregnancy in Ireland. Under that legislation, a termination of pregnancy could only be carried out to avert a real and substantial risk to the life of the pregnant woman. Amending the legal position on abortion required a change to Article 40.3.3 of the Constitution.

Until 2018, Article 40.3.3 provided that: *“The State acknowledges the right to life of the unborn and with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right. This subsection shall not limit freedom to travel between the State and another state. This subsection shall not limit freedom to obtain or make available, in the State, subject to such conditions as may be laid down by law, information relating to services lawfully available in another state.”*

On 25 May 2018, the Referendum on the Thirty-sixth Amendment of the Constitution Bill (concerning regulation of termination of pregnancy) was held. The referendum passed, with 66.4% in favour to 33.6% against.

Following the amendment to the Constitution, Article 40.3.3 now reads: *“Provision may be made by law for the regulation of termination of pregnancy.”*

The Health (Regulation of Termination of Pregnancy) Act 2018 (“the Act of 2018”) was passed by the Houses of the Oireachtas on 13 December 2018 and signed into law by the President on 20 December 2018. The new Act repealed the *Protection of Life During Pregnancy Act 2013* and the *Regulation of Information (Services Outside the State for Termination of Pregnancies) Act 1995*.

The main purpose of the Act of 2018 is to set out the law governing access to termination of pregnancy in Ireland. It permits termination to be carried out in cases where there is a risk to the life, or of serious harm to the health, of the pregnant woman, including in an emergency; where there is a condition present which is likely to lead to the death of the foetus either before or within 28 days of birth; and without restriction up to 12 weeks of pregnancy.

The expanded service for termination of pregnancy under the Act of 2018 was introduced on 1 January 2019.

2. Notification

Section 20 of the Act of 2018 provides for a notification system in relation to all terminations of pregnancy carried out under the legislation. Specifically, it requires that the Minister for Health be notified of each termination of pregnancy no later than 28 days after it has been carried out.

The notifications are recorded on the form entitled “Health (Regulation of Termination of Pregnancy) Act 2018 (Notifications) Regulations 2018” (Statutory Instrument No. 597 of 2018). The following information is included in the form:

- Medical Council registration number of the medical practitioner who carried out the termination of pregnancy;
- The section of the Act under which the termination was carried out, i.e., section 9, 10, 11 or 12;
- Medical Council registration number(s) of the medical practitioner(s) who made the certification concerned;
- The county of residence, or place of residence (where the woman resides outside of the State) of the woman concerned;
- The date on which the termination of pregnancy was carried out.

No identifying information on the pregnant woman is included on the notification form.

Section 20 also requires the Minister to prepare a report on the notifications received during the immediately preceding year not later than 30 June in each year and to lay it before the Houses of the Oireachtas. The Minister must publish a copy of the annual report as soon as practicable after it has been laid before the Houses. No information that could lead to the identification of either the women or medical practitioners involved may be included in the report.

3. Notifications of terminations of pregnancy carried out between 1st January 2019 and 31st December 2019

Table 1 below sets out information received by the Minister on the number of terminations carried out under each relevant section of the legislation in 2019:

Section of the Act	Number of terminations notified
9 – Risk to life or health	21
10 – Risk to life or health in an emergency	3
11 – Condition likely to lead to death of foetus	100
12 – Early pregnancy	6542
Total	6666

Table 1: Terminations of pregnancy by section of the Act

Table 2 below sets out the number of terminations of pregnancy notified to the Minister by month in which the termination of pregnancy was carried out:

Month	Number of terminations notified
January	625
February	490
March	508
April	538
May	580
June	533
July	602
August	530
September	506
October	545
November	548
December	592
No date received	69
Total	6666

Table 2: Terminations of pregnancy by month

Table 3 below sets out information on the number of terminations of pregnancy notified to the Minister by the woman's county of residence, or place of residence (where the woman resides outside of the State):

County of residence, or place of residence where woman resides outside the State	Number of terminations notified
Carlow	74
Cavan	77
Clare	73
Cork	606
Donegal	127
Dublin	2493
Galway	280
Kerry	48
Kildare	295
Kilkenny	96
Laois	79
Leitrim	27
Limerick	226
Longford	47
Louth	213
Mayo	111
Meath	252
Monaghan	36
Offaly	67
Roscommon	43
Sligo	59
Tipperary	174
Waterford	149
Westmeath	104
Wexford	165
Wicklow	138
Northern Ireland	67
Other	15
No county/place received	525
Total	6666

Table 3: Terminations of pregnancy by county/place of residence