



**SEANAD ÉIREANN**

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**AN BILLE UM CHOSAINN NA BEATHA LE LINN TOIRCHIS,  
2013**

**PROTECTION OF LIFE DURING PREGNANCY BILL 2013**

**LEASUITHE COISTE  
COMMITTEE AMENDMENTS**

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# SEANAD ÉIREANN

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## AN BILLE UM CHOSAINN NA BEATHA LE LINN TOIRCHIS, 2013 —AN COISTE

### PROTECTION OF LIFE DURING PREGNANCY BILL 2013 —COMMITTEE STAGE

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#### *Leasuithe Amendments*

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#### SECTION 1

1. In page 5, line 14, to delete “Protection of Life During Pregnancy” and substitute “Abortion”.

—*Senator Jim Walsh.*

#### SECTION 2

2. In page 6, between lines 2 and 3, to insert the following:

“ “fatal foetal abnormality” means a medical condition suffered by a foetus such that it is incompatible with life outside the womb;”.

—*Senators Fiach Mac Conghail, Marie-Louise O'Donnell.*

3. In page 6, between lines 4 and 5, to insert the following:

“ “inevitable miscarriage” means the inevitable failure of pregnancy and death of a foetus, up to that stage of pregnancy at which, if born, it would be capable of life outside the womb;”.

—*Senators Fiach Mac Conghail, Marie-Louise O'Donnell.*

4. In page 6, line 8, after “treatment” to insert the following:

“but excludes any procedure undertaken or drug administered with the direct intention of killing the unborn”.

—*Senator Jim Walsh.*

5. In page 6, to delete lines 20 to 22 and substitute the following:

“ “Obstetrician/Gynaecologist” means a medical practitioner who is registered in the Specialist Division of the register of Medical Practitioners established under section 43(2) (b) of the Medical Practitioners Act 2007 under Obstetrics and Gynaecology or, if on the General Medical Council Register, is acting in the role of Consultant Obstetrician/Gynaecologist at the time of specific need when a termination of pregnancy needs to be contemplated;”.

—*Senator Colm Burke.*

[SECTION 2]

6. In page 7, to delete lines 7 to 9 and substitute the following:

“ “unborn”, means a foetus which has reached that stage of development at which, if born, it would be capable of life outside the womb;”.

—*Senators Fiach Mac Conghail, Marie-Louise O'Donnell.*

7. In page 7, line 7, after “life,” to insert “for the purposes of this Act”.

—*Senator Jim Walsh.*

8. In page 7, between lines 9 and 10, to insert the following:

“ “viable”, in relation to a pregnancy, means an unborn who, as a matter of medical probability, would, by reason only of his or her gestational age, be capable of surviving outside the womb with the appropriate medical support;”.

—*Senator Rónán Mullen.*

SECTION 3

9. In page 7, lines 19 and 20, to delete “, or by another person pursuant to an arrangement entered into under section 38 of the Health Act 2004”.

—*Senator Jim Walsh.*

10. In page 7, between lines 27 and 28, to insert the following:

“(iv) facilities for the intensive care of newborns;”.

—*Senator Jim Walsh.*

11. In page 7, line 35, after “Oireachtas” to insert “, and be notified to the Joint Committee on Health;”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

SECTION 4

12. In page 8, line 11, after “Oireachtas” to insert “, and be notified to the Joint Committee on Health;”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

SECTION 7

13. In page 8, line 29, to delete “is ended” and substitute “may be lost”.

—*Senator Rónán Mullen*

14. In page 8, line 29, to delete “is” and substitute “may be”.

—*Senator Jim Walsh, Fidelma Healy Eames..*

15. In page 8, line 31, to delete “have jointly certified in good faith that” and substitute “and having regard to the relevant clinical evidence, have jointly certified that”.

—*Senator Rónán Mullen.*

[SECTION 7]

16. In page 8, to delete line 34, and in page 9, to delete lines 1 and 2 and substitute the following:

“(ii) in their reasonable opinion (being an opinion formed on reasonable grounds and in good faith which has regard to the right to life of the unborn), that risk can only be averted by carrying out the medical procedure.”

—*Senator Jim Walsh.*

17. In page 8, line 34, and in page 9, line 1, to delete all words from and including “(being” in line 34 down to and including “practicable)” in line 1 of page 9 and substitute the following:

“(being an opinion which respects the equal right to life of the unborn, and which has regard to the duty to deliver the viable unborn alive where practicable)”

—*Senator Rónán Mullen.*

18. In page 9, line 2, after “procedure” to insert the following:

“or at the request of a pregnant woman in the case of fatal foetal abnormality or if the pregnancy is the result of rape or incest”

—*Senator David Norris.*

19. In page 9, line 4, after “obstetrician” to insert “or a medical practitioner of another relevant speciality, not being a psychiatrist.”

—*Senator Rónán Mullen.*

20. In page 9, between lines 5 and 6, to insert the following:

“(c) where the unborn is sixteen weeks gestation or older, an effective anaesthetic for pain relief shall be administered to the foetus before the medical procedure is commenced, provided this does not increase the risk of the loss of life of the pregnant woman.”

—*Senator Fidelma Healy Eames.*

21. In page 9, line 11, after “consult” to insert “with appropriate urgency.”

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

22. In page 9, between lines 21 and 22, to insert the following:

“(5) Where the medical practitioner believes in his or her reasonable opinion that the unborn child is capable of surviving outside the womb with appropriate medical support, that that medical practitioner, where practicable, shall deliver the unborn and take all necessary measures to sustain the life of the unborn infant.”

—*Senator Fidelma Healy Eames.*

23. In page 9, between lines 21 and 22, to insert the following:

“(5) No procedure as defined herein where the result of such procedure is the delivery of a viable infant shall expose any medical practitioner to civil or criminal liability for negligence.”

—*Senator Fidelma Healy Eames.*

[SECTION 8]

SECTION 8

24. In page 9, lines 26, to delete “is ended” and substitute “may be lost”.

—*Senator Rónán Mullen.*

25. In page 9, to delete lines 31 to 34 and substitute the following:

“(b) the medical procedure is, in his or her reasonable opinion (being an opinion formed on reasonable grounds and in good faith which has regard to the right to life of the unborn), immediately necessary in order to save the life of the woman, and”.

—*Senator Jim Walsh.*

26. In page 9, lines 31 to 33, to delete all words from and including “(being” in line 31 down to and including “practicable)” in line 33 and substitute the following:

“(being an opinion which respects the equal right to life of the unborn, and which has regard to the duty to deliver the viable unborn alive where practicable)”.

—*Senator Rónán Mullen.*

27. In page 9, between lines 35 and 36, to insert the following:

“(d) where the unborn is sixteen weeks gestation or older, an effective anaesthetic for pain relief shall be administered to the foetus before the medical procedure is commenced, provided this does not increase the risk of the loss of life of the pregnant woman.”.

—*Senator Fidelma Healy Eames.*

28. In page 10, between lines 3 and 4, to insert the following:

“(3) Where the medical practitioner believes in his or her reasonable opinion that the unborn child is capable of surviving outside the womb with appropriate medical support, that that medical practitioner, where practicable, shall deliver the unborn and take all necessary measures to sustain the life of the unborn infant.”.

—*Senator Fidelma Healy Eames.*

29. In page 10, between lines 3 and 4, to insert the following:

“(3) No procedure as defined herein where the result of such procedure is the delivery of a viable infant shall expose any medical practitioner to civil or criminal liability for negligence.”.

—*Senator Fidelma Healy Eames.*

SECTION 9

30. In page 10, between lines 3 and 4, to insert the following:

“9. (1) Any pregnant woman who presents as suicidal at her general practitioner or at an accident and emergency department shall be entitled to a Care Pathway which shall comprise the following steps—

(a) a full psychiatric assessment and an assessment of capacity within two hours of

[SECTION 9]

- presenting at her general practitioner or at an accident or emergency department,
- (b) a suicide prevention algorithm shall be formulated by the psychiatrist to assess the need for hospital admission, day hospital care or care at home as appropriate,
  - (c) a full psycho-social assessment of her needs shall take place within 24 hours of presenting at her general practitioner or at an accident or emergency department,
  - (d) an integrated multi-disciplinary care plan for the woman will be formulated between the psychiatrist, an obstetrician (if she is already under the care of an obstetrician), her general practitioner, a social worker, and her family,
  - (e) if the woman is still expressing suicidal ideation, she shall be entitled to focused therapy which, based on the evidence, should include dialectical behaviour therapy, in her home if necessary,
  - (f) day hospital care, and/or pharmacological treatments will be concurrently made available within 24 hours of the request for same, depending on need,
  - (g) the psychiatrist shall evaluate the woman twice weekly during the crisis stage of her treatment and thereafter depending on the consideration of the psychiatrist and the perspective of the woman and her family, based on clinical need,
  - (h) thereafter the woman's interdisciplinary care team will meet at least once in every 14 days to assess her progress."

—*Senator Fidelma Healy Eames.*

*[Acceptance of this amendment involves the deletion of section 9 of the Bill.]*

- 31.** In page 10, line 7, to delete "is ended" and substitute "may be lost".

—*Senator Rónán Mullen.*

- 32.** In page 10, line 7, to delete "is" and substitute "may be".

—*Senator Fidelma Healy Eames.*

- 33.** In page 10, line 9, to delete "have jointly certified in good faith that" and substitute "and having regard to the relevant clinical evidence, have jointly certified that".

—*Senator Rónán Mullen.*

- 34.** In page 10, between lines 11 and 12, to insert the following:

- “(ii) a reasonable attempt has been made to avert the risk of suicide via psychiatric treatment and/or engaging the patient with psychotherapy or counselling services, and
- (iii) one of the medical practitioners has informed the woman of her legal right to place her unborn for adoption after birth, and”.

—*Senator Rónán Mullen.*

- 35.** In page 10, to delete lines 12 to 14 and substitute the following:

- “(ii) in their reasonable opinion (being an opinion formed on reasonable grounds and in good faith which has regard to the right to life of the unborn), that risk

[SECTION 9]

can only be averted by carrying out the medical procedure,

(iii) the pregnant woman has undergone an ultrasound.”.

—*Senator Jim Walsh.*

**36.** In page 10, lines 12 and 13, to delete all words from and including “(being” on line 12, down to and including “practicable)” on line 13 and substitute the following:

“(being an opinion which respects the equal right to life of the unborn, and which has regard to the duty to deliver the viable unborn alive where practicable)”.

—*Senator Rónán Mullen.*

**37.** In page 10, between lines 17 and 18, to insert the following:

“(c) the medical procedure is not intended to end the life of the unborn where such life is viable.”.

—*Senator Rónán Mullen.*

**38.** In page 10, between lines 17 and 18, to insert the following:

“(c) that medical procedure shall not involve the intentional destruction of a viable unborn,

(d) where the unborn is sixteen weeks gestation or older, an effective anaesthetic for pain relief shall be administered to the foetus before the medical procedure is commenced.”.

—*Senator Fidelma Healy Eames.*

**39.** In page 10, line 29, after “consult” to insert “with appropriate urgency.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

**40.** In page 10, line 36, after “institution” to insert “prior to which a medical scan of the unborn human life would be shown to the pregnant woman”.

—*Senator Paschal Mooney.*

**41.** In page 10, after line 39, to insert the following:

“(6) Where the medical practitioner believes in his or her reasonable opinion that the unborn child is capable of surviving outside the womb with appropriate medical support, that that medical practitioner, where practicable, shall deliver the unborn and take all necessary measures to sustain the life of the unborn infant.”.

—*Senator Fidelma Healy Eames.*

**42.** In page 10, after line 39, to insert the following:

“(6) No procedure as defined herein where the result of such procedure is the delivery of a viable infant shall expose any medical practitioner to civil or criminal liability for negligence.”.



[SECTION 9]

—*Senator Fidelma Healy Eames.*

*Section opposed.*

—*Senators Jim Walsh, Rónán Mullen, Fidelma Healy Eames.*

SECTION 10

43. In page 10, after line 39, to insert the following:

**“Fatal foetal abnormality**

10. (1) It shall be lawful to carry out a medical procedure in respect of a pregnant woman in accordance with this section in the course of which, or as a result of which, a pregnancy is ended, where—
- (a) the medical procedure is carried out by an obstetrician at an appropriate institution, and
  - (b) subject to *section 19*, two medical practitioners, having examined the pregnant woman, have jointly certified that the foetus in question has a fatal foetal abnormality.
- (2) Of the 2 medical practitioners referred to in *subsection (1)(b)*—
- (a) one shall be an obstetrician who practices as such at an appropriate institution, and
  - (b) the other shall be a perinatologist who practices as such at an appropriate institution.
- (3) If practicable, at least one of the medical practitioners referred to in *subsection (1)(b)* shall, only with the pregnant woman’s agreement, consult with the woman’s general practitioner (if any) for the purposes of obtaining information in respect of the woman from that general practitioner that may assist the medical practitioners in their decision as to whether or not to make a *section 10* certification in respect of the woman.
- (4) Subject to *section 19*, the certifying obstetrician shall—
- (a) forward, or cause to be forwarded, the *section 10* certification to an appropriate institution, and
  - (b) make such arrangements as may be necessary for the carrying out of the medical procedure to which the *section 10* certification relates at the appropriate institution.”.

—*Senators Fiach Mac Conghail, Marie-Louise O'Donnell.*

[SECTION 10]

44. In page 10, after line 39, to insert the following:

**“Inevitable miscarriage**

10. It shall be lawful to carry out a medical procedure in respect of a pregnant woman in the course of which, or as a result of which, a pregnancy is ended, where—
- (a) the medical procedure is carried out by an obstetrician at an appropriate institution, and
  - (b) subject to *section 19*, a medical practitioner, having examined the pregnant woman, has certified that an inevitable miscarriage is taking place.”.

—*Senators Fiach Mac Conghail, Marie-Louise O'Donnell.*

45. In page 10, after line 39, to insert the following:

**“Rape and Incest**

10. (1) It shall be lawful for a woman, following consultation with her general practitioner, to obtain a termination of pregnancy if the pregnancy is as a consequence of rape or incest.
- (2) A medical procedure under this section shall be carried out by an obstetrician at an appropriate institution subject to the consent of the woman.”.

—*Senators Fiach Mac Conghail, Marie-Louise O'Donnell.*

46. In page 11, between lines 13 and 14, to insert the following:

- “(3) Where a certification is made under *section 9*, the Attorney General or his/her nominee shall, on behalf of the unborn, make an application in the prescribed form and manner to the Executive for a review of the decision.
- (4) Where a certification is made under *section 9*, the father of the unborn baby may make an application in the prescribed form and manner to the Executive for a review of a relevant decision.
- (5) A certification made under *section 9* shall be based on evidence based medicine which should be specified on the certificate for its validity.”.

—*Senator Jim Walsh.*

47. In page 11, between lines 13 and 14, to insert the following:

- “(3) Where a *section 9* certification (also a “relevant decision” for the purposes of this Act) has been made by medical practitioners, the Attorney General or his nominee shall make an application in the prescribed form and manner to the Executive for a review of this decision.”.

[SECTION 10]

—*Senator Rónán Mullen.*

SECTION 11

48. In page 11, lines 21 and 22, to delete “, in addition to appointing medical practitioners duly identified by it for appointment to the review panel,”.

—*Senator Jim Walsh.*

49. In page 11, to delete lines 28 and 29.

—*Senator Jim Walsh.*

SECTION 12

50. In page 11, line 31, to delete “3 days” and substitute “1 day”.

—*Senators Fiach Mac Conghail, Marie-Louise O'Donnell.*

SECTION 13

51. In page 12, line 25, to delete “7 days” and substitute “3 days”.

—*Senators Fiach Mac Conghail, Marie-Louise O'Donnell.*

52. In page 12, line 25, to delete “7 days” and substitute “4 days”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

53. In page 12, line 28, after “woman” to insert the following:

“and consult with any medical practitioner who has been requested to give an opinion in respect of the pregnant woman in the circumstances referred to in *section 7(1)* or *9(1)* and does not give an opinion or gives an opinion but not such as would be required for the purpose of a *section 7* certification or a *section 9* certification, as the case may be”.

—*Senator Rónán Mullen.*

54. In page 12, line 30, to delete “in good faith” and substitute “, and having regard to the relevant clinical evidence,”.

—*Senator Rónán Mullen.*

55. In page 12, lines 33 and 34, to delete all words from and including “(being” in line 33, down to and including “practicable)” in line 34 and substitute the following:

“(being an opinion which respects the equal right to life of the unborn, and which has regard to the duty to deliver the viable unborn alive where practicable)”.

—*Senator Rónán Mullen.*

SECTION 14

56. In page 13, to delete lines 16 to 19 and substitute the following:

“(1) (a) The pregnant woman shall be entitled to be heard by the review committee and, where the woman or a person acting on her behalf informs the committee that she wishes to be heard, the committee shall make such arrangements as may be necessary in order to hear the woman or a person acting on her behalf, or on behalf of the unborn.

[SECTION 14]

- (b) The medical practitioners, whose decisions are being reviewed, shall be heard by the review committee.”.

—*Senator Jim Walsh.*

**57.** In page 13, between lines 19 and 20, to insert the following:

- “(2) The review committee shall make an application in the prescribed form and manner to the Attorney General requesting the Attorney General to nominate an advocate for the right to life of the unborn to be heard by the review committee where a pregnant woman, or a person acting on her behalf, makes an application in the prescribed form and manner to the Executive for a review of a relevant decision under *section 9*, or where the Attorney General or his nominee makes an application in the prescribed form and manner to the Executive for a review of a relevant decision under *section 9*.
- (3) Pursuant to *section 14(2)*, the woman, the representative of the woman and the advocate for the right to life of the unborn shall be entitled to review all documents and information being considered by the review committee and to be heard by the review committee, but subject to the restriction that the advocate for the right to life of the unborn shall not be entitled to cross-examine the woman.”.

—*Senator Rónán Mullen.*

**58.** In page 13, between lines 19 and 20, to insert the following:

- “(2) A legal representative for the unborn nominated by the Attorney General shall be entitled to be heard by the review committee and, where the legal representative informs the committee that they wish to be heard, the committee shall make such arrangements as may be necessary in order to hear the legal representative.”.

—*Senator Fidelma Healy Eames.*

SECTION 15

**59.** In page 14, to delete lines 7 to 12 and substitute the following:

- “(2) Notwithstanding the generality of *subsection (1)*, a report under this section shall, in respect of the year that is the subject of the report, include information on—
- (a) the total number of certifications made under *sections 7, 8 and 9* respectively,
  - (b) the nature of each medical procedure certified under *sections 7, 8 and 9* respectively,
  - (c) the period of gestation of the unborn in respect of whom each medical procedure was certified under *sections 7, 8 and 9* respectively,
  - (d) the outcome for the pregnant woman and her unborn in respect of every medical procedure certified and carried out under *sections 7, 8 and 9*,
  - (e) the total number of certifications made under *section 13*,
  - (f) the nature of each medical procedure certified under *section 13*,
  - (g) the period of gestation of the unborn in respect of whom each medical procedure was certified under *section 13*,

[SECTION 15]

- (h) the outcome for the pregnant woman and her unborn in respect of every medical procedure certified and carried out under *section 13*,
- (i) the total number of applications for review received by the Executive,
- (j) the number of reviews carried out,
- (k) in the case of the reviews carried out, the reason why the review was sought, and
- (l) the outcome of the reviews.”.

—*Senator Jim Walsh.*

**60.** In page 14, to delete line 12 and substitute the following:

- “(d) the procedural and clinical outcomes of the reviews for both the woman and the unborn,
- (e) all medical procedures carried out under *section 9*, including information on the clinical outcomes for both the woman and the unborn.”.

—*Senator Rónán Mullen.*

**61.** In page 14, to delete lines 15 to 17 and substitute the following:

- “(a) a woman who has sought certification under *section 9* or who has made an application under *section 10(2)*, or in respect of whom such an application has been made by a person acting on her behalf, or
- (b) a medical practitioner who was a member of a review committee or who has been party to a joint certification pursuant to *section 9(1)*.”.

—*Senator Rónán Mullen.*

**62.** In page 14, to delete lines 18 to 20 and substitute the following:

- “(4) The Executive shall arrange for a report laid before both Houses of the Oireachtas in accordance with *subsection (1)* to be published in such form and manner as will provide the appropriate details in *subsection (2)* above as soon as practicable after copies of the report are so laid.”.

—*Senator Jim Walsh.*

SECTION 16

**63.** In page 14, between lines 22 and 23, to insert the following:

**“After-care**

- 16.** Where a woman has been provided with a termination of pregnancy under this legislation, the Executive shall ensure optional therapeutic counselling services and after-care provision are made available to the woman and at a location which is accessible.”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

**64.** In page 14, line 25, to delete “medical treatment” and substitute “a medical procedure”.

—*Senator Rónán Mullen.*

[SECTION 17]

SECTION 17

65. In page 14, line 28, after “any” to insert “person,”.

—*Senator Jim Walsh.*

66. In page 14, line 28, to delete “medical practitioner, nurse or midwife” and substitute “person”.

—*Senator Fidelma Healy Eames.*

67. In page 14, line 28, after “midwife” to insert “, or any other person employed in or contracted to provide services to an approved institution”.

—*Senator Rónán Mullen.*

68. In page 14, line 29, to delete “7(I) or”.

—*Senator Rónán Mullen.*

69. In page 14, to delete lines 33 to 35 and substitute the following:

“(3) A medical practitioner who has a conscientious objection to carrying out, or assisting to carry out a medical procedure referred to in *section 9(1)* shall make such arrangements as may be necessary to ensure that effective and evidence-based mental health care services are immediately available to the woman from the time of the initial consultation.”.

—*Senator Fidelma Healy Eames.*

70. In page 14, to delete lines 33 to 35.

—*Senator Rónán Mullen.*

71. In page 14, line 33, after “shall” to insert “immediately”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

72. In page 14, line 35, to delete “to enable the woman to avail of the medical procedure concerned” and substitute “to an alternate medical practitioner”.

—*Senator Jim Walsh.*

SECTION 20

73. In page 16, between lines 18 and 19, to insert the following:

- “(e) the clinical grounds for carrying out the medical procedure,
- (f) the period of gestation of the unborn,
- (g) the outcome for the mother and her unborn child.”.

—*Senator Jim Walsh.*

74. In page 16, between lines 32 and 33, to insert the following:

“(8) Notwithstanding the provisions of *subsection (5)*, the Minister shall include in such a report to be laid before each House of the Oireachtas the following details in respect of every notification received by him or her under this section during the immediately preceding year:

[SECTION 20]

- (a) the outcome of the medical procedure for the woman and the unborn,
- (b) the gestational age of the unborn,
- (c) the total number of notifications received by him or her under each of the subsections in this section,
- (d) the clinical grounds for the medical procedure being carried out in respect of each notification.”.

—*Senator Fidelma Healy Eames.*

SECTION 22

75. In page 17, line 34, to delete “destroy” and substitute “end”.

—*Senator Rónán Mullen.*

76. In page 17, line 34, after “destroy” to insert “or to end”.

—*Senator Jim Walsh.*

77. In page 17, to delete lines lines 35 and 36 and substitute the following:

“(2) A person, other than the pregnant woman in question, who is guilty of an offence under this section shall be liable on indictment to a fine or imprisonment for a term not exceeding 14 years, or both.

(3) A woman who is guilty of an offence under this section shall be liable on indictment to a fine or imprisonment for a term not exceeding 7 years, or both.”.

—*Senator Rónán Mullen.*

78. In page 17, to delete lines 35 and 36 and substitute the following:

“(2) A person, other than the pregnant woman concerned, who is guilty of an offence under this section shall be liable on indictment to a fine or imprisonment for a term not exceeding 14 years, or both.

(3) The pregnant woman concerned who is guilty of an offence under this section shall be liable on indictment to a fine or imprisonment for a term not exceeding 5 years, or both.”.

—*Senator Fidelma Healy Eames.*

79. In page 17, line 35, after “person” to insert “, other than the pregnant woman,”.

—*Senators David Cullinane, Trevor Ó Clochartaigh, Kathryn Reilly.*

80. In page 17, line 35, after “person” to insert “other than a woman who has terminated her own pregnancy”.

—*Senator John Crown.*

81. In page 17, line 36, to delete “or imprisonment for a term not exceeding 14 years, or both” and substitute the following:

“not in excess of 50 cent and or a term of imprisonment not to exceed 24 hours with a

[SECTION 22]

maximum number of 18 hours remission for good behaviour”.

—*Senator David Norris.*

82. In page 17, line 36, to delete “14 years” and substitute “2 years”.

—*Senators Fiach Mac Conghail, Marie-Louise O'Donnell.*

83. In page 17, line 36, to delete “14 years” and substitute “one year”.

—*Senator John Crown.*

84. In page 17, after line 38, to insert the following:

“(4) Where a midwife, nurse, general practitioner, psychiatrist, gynaecologist, obstetrician, or other medical practitioner, or an employee of the Health Service Executive, or an employee of the Department of Health, believes that a patient in their care, or in the care of the institution which employs them, has undergone a medical or other procedure, the purpose of which was to intentionally destroy unborn human life which she was pregnant with, or continues to be pregnant with, and they communicate this information to any person, State body, institution, or body corporate without the patient’s explicit written consent, for any purpose other than medical reasons or the requirement to comply with *section 20* of this Act, shall commit an offence.”.

—*Senator John Crown.*

NEW SECTION

85. In page 18, after line 11, to insert the following:

**“Interment of remains of unborn where mother so wishes**

24. Where a medical procedure referred to under *sections 7, 8 and 9* is performed, that the option be provided to the mother as to whether she wants to bury the remains of the unborn, and that if she so does that the remains of the unborn be provided to her promptly by the appropriate institution for such interment.”.

—*Senator Fidelma Healy Eames.*

TITLE

86. In page 5, line 5, to delete “protect” and substitute “abort”.

—*Senator Jim Walsh.*