

# DÁIL ÉIREANN

## AN BILLE SLÁINTE (FOIRCEANNADH TOIRCHIS A RIALÁIL), 2018 —AN TUARASCÁIL

### HEALTH (REGULATION OF TERMINATION OF PREGNANCY) BILL 2018 —REPORT

*Leasú Ionaid*  
*Substitute Amendment*

45. In page 15, between lines 29 and 30, to insert the following:

#### **“Parental notification**

23. (1) A termination of pregnancy in respect of a pregnant minor may only be carried out in accordance with *section 11* where a copy of the certification referred to in that section has been served on a parent of the minor at least 24 hours before the termination of pregnancy is carried out.
- (2) In respect of a pregnant minor, a copy of the certification referred to in *section 12(2)* shall be served on a parent of the minor—
- (a) before the termination of pregnancy is carried out, or
- (b) where it is not practicable to do so before the termination of pregnancy is carried out, as soon as may be but, in any event, not later than 2 days after the making of that certification.
- (3) A termination of pregnancy in respect of a pregnant minor may only be carried out in accordance with *section 13* where a copy of the certification referred to in that section has been served on a parent of the minor at least 48 hours before the termination of pregnancy is carried out.
- (4) A termination of pregnancy in respect of a pregnant minor may only be carried out in accordance with *section 14* where a copy of the certification referred to in that section has been served on a parent of the minor at least 72 hours before the termination of pregnancy is carried out.
- (5) Service of any certification required to be served under this section shall be carried out in such manner as may be prescribed and shall be recorded in any notification required to be forwarded to the Minister under *section 22*.
- (6) The High Court, upon application made to it by any interested party, and if satisfied that it is in the best interests of the minor concerned, may make an order dispensing with any requirement for service provided for under this section.
- (7) An application under *subsection (6)* shall be made on notice to the parent or parents of the minor concerned, unless the High Court is satisfied that, in the particular circumstances of the case, it may justly proceed to hear and determine the application

without notice to the parent or parents of the minor concerned.

(8) In this section—

“minor” means a woman who has not attained the age of 16 years;

“parent” includes—

- (a) a guardian appointed under the Guardianship of Infants Act 1964,
- (b) any other natural or legal person acting in *loco parentis* in respect of the pregnant minor under any statutory power or order of a court and,
- (c) in the case of a minor who has been adopted under the Adoption Acts, 1952 to 2010, or, where the child has been adopted outside the State and that adoption is recognised by the State by virtue of any statute or rule of law for the time being in force, the adopter or, where relevant, the surviving adopter.”

—Mattie McGrath, Carol Nolan, Danny Healy-Rae, Michael J. Healy-Rae, Michael Collins,  
Noel Grealish, Peter Fitzpatrick, Peadar Tóibín.

*[This amendment is in substitution for amendment No. 45 on the first substitute list of amendments, dated 28th November 2018.]*