



## Termination of Pregnancy Act, No. 43/2019.

Where mention is made in this Act of ‘the minister’ or ‘the ministry’ without further definition, the reference intended is to the Minister of Health or to the Ministry of Health, which is responsible for the implementation of this Act. Information on the division of responsibilities between ministries according to a presidential decree may be found [here](#).

### Section I

#### Aim, scope and definitions.

##### Article 1

###### *Aim and scope.*

The aim of this Act is to ensure that the right to self-determination of women who request terminations of pregnancy is respected by granting them secure access to the health services.

The provisions of this Act apply regarding women’s right to have their pregnancies terminated and also to the termination of pregnancies and related healthcare services, but not to cases involving necessary medical procedures, even though these result in miscarriage.

This Act also applies to selective fetal reduction procedures.

##### Article 2

###### *Definitions.*

In this Act, the following terms are used as defined below:

1. *Selective fetal reduction*: When medical procedures are used to reduce the number of fetuses in a multiple pregnancy.
2. *Healthcare services relating to the termination of pregnancy*: Any type of healthcare services provided to a pregnant woman relating to the termination of pregnancy, including information, counselling and the termination of pregnancy by means of the administration of drugs or another medical procedure.
3. *Termination of pregnancy*: Administration of a drug or other medical procedure carried out at a woman’s request in order to terminate a pregnancy.

### Section II

#### Termination of pregnancy and healthcare services relating to the termination of pregnancy.

##### Article 3

###### *Women’s rights in connection with the termination of pregnancy.*

Women shall be entitled to the best healthcare services available at any given time in relation to the termination of pregnancy in accordance with the provisions of this Act, the Health Services Act, the Patients’ Rights Act and other acts of law as appropriate.

#### Article 4

##### *Authorisation for the termination of pregnancy.*

Any woman who so requests shall have the right to have her pregnancy terminated up to the end of the 22<sup>nd</sup> week of pregnancy. In all cases, pregnancy shall be terminated as soon as possible, and preferably before the end of the 12<sup>th</sup> week of pregnancy.

If a healthcare worker refuses to terminate a pregnancy on the grounds of Article 14 of the Healthcare Workers Act, No. 34/2012, measures shall be taken to ensure that the woman is able to exercise her rights in accordance with the first paragraph.

Pregnancy may only be terminated after the end of the 22<sup>nd</sup> week of pregnancy if the life of the pregnant woman would be endangered were pregnancy to continue or if the fetus is not considered to be viable. Confirmation by two physicians shall be obtained stating that the fetus is not considered to be viable.

#### Article 5

##### *Authorisation for termination of pregnancy in the case of girls who are not legally competent on account of their youth.*

A pregnancy may be terminated in accordance with the provisions of this Act in the case of a girl who is not legally competent on account of her youth, at her request, without the consent of her parents or guardians. In connection with the termination of pregnancy, she shall be offered information and counselling relating to contraception.

#### Article 6

##### *Healthcare services in relation to the termination of pregnancy.*

Access to healthcare services in relation to the termination of pregnancy shall be guaranteed in all healthcare jurisdictions in Iceland (*cf.* the Healthcare Services Act), at least up to the end of the 12<sup>th</sup> week of pregnancy.

#### Article 7

##### *Termination of pregnancy.*

Termination of pregnancy by means of a medical procedure shall take place in a hospital or healthcare institution under the guidance of a specialised gynaecologist or a specialist in general surgery with experience and training in evacuation of the uterus. Pregnancies may also be terminated by the administration of drugs at the professional premises of physicians that are under the supervision of the Directorate of Health (*cf.* the Directorate of Health and Public Health Act) up to the end of the 12<sup>th</sup> week of pregnancy.

#### Article 8

##### *Information and counselling.*

Before a pregnancy is terminated, the woman shall have the opportunity to receive information and counselling from a physician, a nurse, a midwife and a social worker, as necessary. Furthermore, the woman shall be informed of the potential risks associated with the procedure (*cf.* Article 5 of the Patients' Rights Act, No. 74/1997), by the physician who carries out the procedure or a physician with special qualifications in the field of the termination of pregnancy. Following termination of the pregnancy, the woman shall have the opportunity of a supportive conversation.

All information and counselling provided in relation to the termination of pregnancy shall be given in an impartial manner and be based on tried and tested knowledge, with respect for human rights and with human dignity as the guiding principle.

### **Section III**

#### **General provisions.**

#### Article 9

##### *Fees.*

Health services relating to the termination of pregnancy shall be free of charge to women who are health-insured under the Health Insurance Act.

Article 10

*Register of terminations of pregnancy.*

The Directorate of Health shall maintain an electronic register of all terminations of pregnancy, in which the data shall be non-personally identifiable.

Article 11

*Sanctions.*

The General Penal Code and the Healthcare Workers Act, as appropriate, shall apply to violations of provisions of this Act.

Article 12

*Commencement.*

This Act takes effect on 1 September 2019.

Article 13

*Amendments to other acts of law.*

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*[This translation is published for information only.  
The original Icelandic text is published in the Law Gazette.  
In case of a possible discrepancy, the original Icelandic text applies.]*