

**C-122.**

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Second Session, Twenty-Seventh Parliament, 16 Elizabeth II, 1967.

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THE HOUSE OF COMMONS OF CANADA.

**BILL C-122.**

An Act to amend the Criminal Code (Abortion).

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First reading, May 30, 1967.

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Mrs. MACINNIS.

THE HOUSE OF COMMONS OF CANADA.

**BILL C-122.**

1953-54, c. 51;  
1955, cc. 2, 45;  
1956, c. 48;  
1957-58, c. 28;  
1958, c. 18;  
1959, c. 41;  
1960, c. 37;  
1960-61,  
cc. 21, 42, 43,  
44; 1962-62,  
c. 4; 1963, c. 8;  
1964-65,  
cc. 35, 53;  
1966-67, c. 23,  
c. 25, s. 45.

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 Subsection (2) of section 209 of the *Criminal Code* is repealed and the following substituted therefor: 5

Protection  
in certain  
cases of  
abortion.

“(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 10

- (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 15 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.”