

Explanatory Memorandum to The Abortion (Amendment) (Wales) Regulations 2008

This Explanatory Memorandum has been prepared by Department for Health and Social Services and is laid before the National Assembly for Wales in accordance with Standing Order 24.1.

- (i) **Description** - The Regulations amend regulations 2 and 4 of the Abortion Regulations 1991 to reflect the changes to the title of the Chief Medical Officer for Wales resulting from the establishment of the Welsh Assembly Government. They also amend regulations 2 and 5 of the principal Regulations to reflect the changes made by the Statistics and Registration Service Act 2007 which establishes an independent statistics board.
- (ii) **Matters of special interest to the Subordinate Legislation Committee** – None
- (iii) **Legislative Background** – The Regulations will be made pursuant to powers under Section 2 of the Abortion Act 1967 which gives power to the Welsh Ministers to make Regulations to prescribe the notification requirements following a medical termination of pregnancy and the prohibition of disclosure of such information except in prescribed circumstances. These Regulations will follow the negative resolution procedure.
- (iv) **Purpose and intended effect of the legislation** - It is necessary to amend regulations 4 and 5 of the Abortion Regulations 1991 as amended by Abortion (Amendment) (Wales) Regulations 2002 in light of the Government of Wales Act 2006 to reflect the establishment of the Welsh Assembly Government and the position of the Chief Medical Officer.

It is also necessary to amend regulation 5 of the Abortion Regulations 1991 in light of Statistics and Registration Service Act 2007 to reflect the establishment of the Statistics Board, which is responsible for the statistical functions previously carried out by the Registrar General through its administrative arm, the Office of National Statistics. Similar amending Regulations have already come into force in England.
- (v) **Implementation** – The regulations are due to come into force on 17 June 2008.
- (vi) **Consultation** – No formal consultation has been undertaken. However, key stakeholders have been involved throughout the discussion of the changes proposed and the development of these Amendment Regulations.

(vii)

Regulatory Impact Assessment – A Regulatory Impact Assessment has not been prepared for these Regulation as it simply amends existing legislation to update or remove references which would otherwise be obsolete.