

CAPE VERDE

Penal Code (approved by Legislative Decree No. 4/2003 of 18 November 2003)

Article 140. °

(Medical and surgical interventions without consent)

1 - Whoever, being legally authorized physician or person for the purpose, conducts intervention or effective medical treatment without consent, shall be punished with imprisonment up to 3 years or a fine of 80-200 days.

2 - The fact is not punishable when the consent cannot be obtained or renewed in time to carry out, likely to be effective, intervention or treatment is necessary to prevent danger to life or serious risk to the health of the patient.

3 - For the purposes of this Article, the consent is effective only when the patient has been properly clarified concerning the diagnosis, the nature, scope and possible consequences of the intervention or treatment, unless it involves the communication of circumstances, to be known, seriously would endanger the life or health of the patient.

Article 282

(Fraudulent substitution of newborn)

Who, by fraud or any other contrivance, to replace a newborn on the other, shall be punished with imprisonment for 2-8 years.

Source: http://www.wipo.int/wipolex/en/text.jsp?file_id=206287#LinkTarget_986

Abortion legislation, 31 December 1986.

Abstract: This law provides that termination of pregnancy is permitted with the consent of the woman, in a hospital, and with medical assistance:

- a) during the first twelve weeks of gestation; and
- b) anytime during the pregnancy:

1) if continuation of the pregnancy would involve the risk of the death of the woman or serious and permanent injury to her health both physical and mental;

2) in order to prevent the probable transmission to the fetus of a serious hereditary or contagious illness; or

3) in order to prevent the newly-born suffering from serious physical defects or mental disturbances.

Source: PubMed.gov: <http://www.ncbi.nlm.nih.gov/pubmed/12346696>
