

BELIZE

Criminal Code (Ordinance No. 33 of 18 December 1980).

Section 108. Abortion, Miscarriage and Child Destruction.

(1) Every person who intentionally and unlawfully causes abortion or miscarriage shall be liable to imprisonment for fourteen years.

(2) Every woman being with child who, with intent to procure her own miscarriage, unlawfully administers to herself any poison or other noxious thing, or unlawfully uses any instrument or other means whatsoever with like intent, and every person who, with intent to procure the miscarriage of any woman, whether she is or is not with child, unlawfully administers to her or causes to be taken by her any poison or other noxious thing, or unlawfully uses any instrument or other means whatsoever with like intent, shall be guilty of a felony and being convicted thereof shall be liable to imprisonment for life.

(3) Every person who unlawfully supplies or procures any poison or other noxious thing, or any instrument or thing whatsoever, knowing that the same is intended to be unlawfully used or employed with intent to procure the miscarriage of any woman whether she is or is not with child, shall be guilty of a misdemeanor.

(4) Every person who, with intent to destroy the life of a child capable of being born alive, by any wilful act causes a child to die before it has an existence independent of its mother, shall be guilty of a felony, to wit, child destruction, and shall be liable on conviction thereof to imprisonment for life:

Provided that no person shall be found guilty of a crime under this subsection unless it is proved that the act which caused the death of the child was not done in good faith for the purpose only of preserving the life of the mother.

(5) For the purposes of the immediately preceding subsection, evidence that a woman had at any material time been pregnant for a period of twenty-eight weeks or more shall be *prima facie* proof that she was at that time pregnant of a child capable of being born alive.

Section 109. Medical Termination of Pregnancy.

(1) A person shall not be guilty of an offence under the law relating to abortion or miscarriage when a pregnancy is terminated by a registered medical practitioner if two registered medical practitioners are of the opinion, formed in good faith—

(a) that the continuance of the pregnancy would involve risk to the life of the pregnant woman, or of injury to the physical or mental health of the

- pregnant woman or any existing children of her family, greater than if the pregnancy were terminated; or
- (b) that there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.

(2) In determining whether the continuance of a pregnancy would involve such risk of injury to health as is mentioned in paragraph (a) of subsection (1) of this section, account may be taken of the pregnant woman's actual or reasonably foreseeable environment.

Section 110. Conscientious Objection to Participation in Treatment.

(1) Subject to subsection (2) of this section, no person shall be under any duty, whether by contract or by any statutory or other legal requirements, to participate in any treatment authorized by Section 109 to which he has a conscientious objection.

Provided that in any legal proceedings the burden of proof of conscientious objection shall rest upon the person claiming to rely on it.

(2) Nothing in subsection (1) of this section shall affect any duty to participate in treatment which is necessary to save the life or to prevent grave permanent injury to the physical or mental health of a pregnant woman.