ACT 574

**Penal Code (Revised - 1997)**

**CHAPTER XVI - OFFENCES AFFECTING THE HUMAN BODY**

**Section 312. Causing miscarriage.**

Whoever voluntarily causes a woman with child to miscarry shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both; and if the woman is quick with child, shall be punished with imprisonment for a term which may extend to seven years, and shall also be liable to fine.

*Explanation-* A woman who causes herself to miscarry is within the meaning of this section.  
  
*Exception-* This section does not extend to a medical practitioner registered under the Medical Act 1971 [ *Act 50* ] who terminates the pregnancy of a woman if such medical practitioner is of the opinion, formed in good faith, that the continuance of the pregnancy would involve risk to the life of the pregnant woman, or injury to the mental or physical health or the pregnant woman, greater than if the pregnancy were terminated.

[*[Am. Act A727:s.5]*](http://www.lawnet.com.my.eu1.proxy.openathens.net/lawlibrary/directsubdocumentdetailsExt/?SubDocumentID=24627)

**Section 314. Death caused by act done with intent to cause miscarriage. If act done without woman's consent.**

Whoever, with intent to cause the miscarriage of a woman with child, does any act which causes the death of such woman, shall be punished with imprisonment for a term which may extend to ten years, and shall also be liable to fine; and if the act is done without the consent of the woman, shall be punished with imprisonment for a term which may extend to twenty years.

*Explanation* -It is not essential to this offence that the offender should know that the act is likely to cause death.

**Section 315. Act done with intent to prevent a child being born alive or to cause it to die after birth.**

Whoever before the birth of any child does any act with the intention of thereby preventing that child from being born alive, or causing it to die after its birth, and does by such act prevent that child from being born alive, or causes it to die after its birth, shall, if such act is not caused in good faith for the purpose of saving the life of the mother, be punished with imprisonment for a term which may extend to ten years, or with fine, or with both.