

PROVINCIAL LEGAL SNAPSHOT

Prince Edward Island

Abortion law, funding, and access — one-page reference

As of Jul 13, 2026

Research completed Jul 13, 2026

Confidence: high



● Abortion is legal at every stage of pregnancy — Canada has had no criminal abortion law since 1988 — but geographic gaps limit access in this jurisdiction.

|                              |                   |                         |                       |                      |              |                         |                         |
|------------------------------|-------------------|-------------------------|-----------------------|----------------------|--------------|-------------------------|-------------------------|
| LEGAL LIMIT                  | None (nationwide) | OFFERED LOCALLY TO      | 12.857 weeks (policy) | ✓ INSURED SERVICE    | Yes          | CLINIC ABORTIONS FUNDED | N/A                     |
| ✓ MIFEGYMISO COVERED FOR ALL | Yes               | ✓ TELEHEALTH            | Available             | SAFE-ACCESS ZONES    | No law       | ✓ RECIPROCAL BILLING    | Covered                 |
| ✓ TRAVEL ASSISTANCE          | Yes               | INSTITUTIONAL OBJECTION | No                    | PARENTAL INVOLVEMENT | Not required | MINOR CONSENT           | Mature minor common law |
| PENDING CHANGE               | None noted        |                         |                       |                      |              |                         |                         |

§ Jurisdiction overview

After decades as the only province with no on-island abortion services, PEI began offering publicly funded medical and surgical abortions in 2017 through a hospital-based program, but services are limited geographically and gestationally, and patients past 12.9 weeks must travel off-island.

Health Services Payment Act Regulations, PEI Reg EC499/13, s 1(c)(iv) · Abortion Access Now PEI v Government of PEI (2016) (draft Notice of Application)

▣ Funding & coverage

Abortion is a fully insured basic health service under the PEI Health Services Payment Plan when performed in a hospital, with no deductibles or co-payments for residents holding a valid PEI Health Card.

Health Services Payment Act, RSPEI 1988, c H-2, s 1(d) · Health Services Payment Act Regulations, PEI Reg EC499/13, s 1(c)(iv) · Health PEI, 'Abortion Services' (published July 9, 2025)

CLINIC VS. HOSPITAL FUNDING

PEI funds abortion only when performed in a hospital; there are no free-standing abortion clinics on the Island, making the clinic-funding question academic, but the regulatory exclusion mirrors the restriction that generated Canada Health Act disputes in other provinces.

TRAVEL & OUT-OF-PROVINCE CARE

PEI offers subsidized Maritime Bus tickets and a Hope Air partnership for ground travel to out-of-province medical appointments, but patients remain responsible for bridge tolls, accommodations, and most travel costs.

● Where services actually are

Surgical abortion is available only at Prince County Hospital in Summerside; medical abortion is available at both Summerside and a Charlottetown site, leaving eastern and rural PEI residents with significant travel burdens. PEI offers surgical abortion to 12 weeks 6 days and medication abortion to 9 weeks on-Island; patients from 13 to 16 weeks are referred to New Brunswick or Nova Scotia, and after 16 weeks SHORS arranges further out-of-province referrals.

Health PEI, 'Abortion Services' (published July 9, 2025) · Abortion Rights Network PEI, 'What do I do if I need an abortion?' · Health PEI, 'Surgical Abortion' (published July 9, 2025)

MINORS

PEI follows the mature minor common-law doctrine under the Consent to Treatment and Health Care Directives Act: any person capable of understanding the nature and consequences of the treatment may consent to their own abortion, regardless of age.

SAFE-ACCESS ZONES

Prince Edward Island has not enacted any statute creating safe-access or buffer zones around abortion-providing facilities, leaving protection to general criminal trespass and public-order laws and any court-ordered injunctions.

▣ Recent changes

- Sep 2024 PEI's new Child, Youth and Family Services Act comes into force, replacing the Child Protection Act.

- Mar 2024

CPSPEI adopts a new 'Conscientious Objection to Provision of Service' policy requiring physicians who object on conscience or religious grounds to provide a timely effective referral, explicitly requiring positive action to connect the patient to a non-objecting provider.
- Jun 2019

Bill C-75 receives royal assent, repealing Criminal Code ss 287-288 (the last remaining federal criminal provisions addressing abortion, including self-induced abortion), eliminating any residual theoretical criminal exposure.
- Nov 2017

Health Canada eases Mifegymiso restrictions: expands gestational limit to 9 weeks, permits pharmacist dispensing, and allows nurse practitioner prescribing, improving access in PEI and nationally.
- Jan 2017

PEI's Women's Wellness Program & Sexual Health Services launches at Prince County Hospital in Summerside, offering medical and surgical abortions — the first on-island abortion services in approximately 35 years.
- Mar 2016

PEI Premier Wade MacLauchlan announces that the government will end its abortion policy and establish a women's reproductive health centre on the Island providing medical and surgical abortions, acknowledging the policy would likely be struck down if litigated.
- Jan 2016

Abortion Access Now PEI files a constitutional challenge against the PEI government's policy of refusing to provide on-island abortion services, alleging violations of Charter ss 7, 12, and 15.

Key authorities

|                                                                                                                                                                                                               |                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>Health Services Payment Act</b>                                                                                                                                                                            | Health Services Payment Act, RSPEI 1988, c H-2                                                                |
| Establishes PEI's public health insurance plan, defines 'basic health services,' and authorizes regulations that include abortion as an insured service.                                                      |                                                                                                               |
| <b>Health Services Payment Act Regulations</b>                                                                                                                                                                | Health Services Payment Act Regulations, PEI Reg EC499/13, s 1(c)(iv)                                         |
| The operative regulatory provision that expressly includes 'services provided in respect of termination of pregnancy performed in a hospital' as a basic health service.                                      |                                                                                                               |
| <b>CPSPEI Conscientious Objection Policy</b>                                                                                                                                                                  | College of Physicians and Surgeons of PEI, 'Conscientious Objection to Provision of Service' (March 26, 2024) |
| Requires objecting physicians in PEI to provide a timely effective referral, ensuring patients are connected to a non-objecting provider, mirroring the Ontario policy upheld in CMDS v CPSO (2019 ONCA 393). |                                                                                                               |
| <b>Consent to Treatment and Health Care Directives Act</b>                                                                                                                                                    | Consent to Treatment and Health Care Directives Act, RSPEI 1988, c C-17.2, ss 7, 12(7)                        |
| Codifies the mature minor doctrine for medical consent in PEI, including specific limits on substitute decision-makers consenting to abortion on behalf of incapable patients.                                |                                                                                                               |
| <b>Fatal Accidents Act (PEI)</b>                                                                                                                                                                              | Fatal Accidents Act, RSPEI 1988, c F-5, s 1(a)(i)                                                             |
| Defines 'child' for wrongful-death purposes to include 'a child conceived but not born,' creating a statutory civil cause of action for prenatal loss that is unusual in Canadian law.                        |                                                                                                               |

Generated from the structured legal focused deep-research record for PE, Canada (research completed 2026-07-13). This snapshot condenses a much larger sourced dataset — full citations, quoted statutory text, and plain-language explanations are in the full Prince Edward Island survey. This document has not been reviewed by a lawyer and should not be used as legal advice.