STATUTORY INSTRUMENTS

1974 No. 496

NURSES AND MIDWIVES

The Midwives (Amendment) Rules Approval Instrument 1974

Made - - -	20*th March* 1974
Coming into Operation	1*st April* 1974

Whereas the Central Midwives Board have, in pursuance of their powers under section 4(1) of the Midwives Act 1951**(a)**, made rules amending the Midwives Rules 1955 to 1962**(b)** and the Midwives (Disciplinary Committee) Rules 1969**(c)**, and the said rules are set out in the Schedule to this instrument;

And whereas the Executive Committee of the General Medical Council have not made any representations with respect to the said rules;

Now, therefore the Secretary of State for Social Services, in exercise of powers conferred by section 30(1) of the Midwives Act 1951, and now vested in her**(d)**, and of all other powers enabling her in that behalf, hereby approves the said rules.

This instrument may be cited as the Midwives (Amendment) Rules Approval Instrument 1974, and shall come into operation on the 1st April 1974.

Barbara Castle,
Secretary of State for Social Services.

20th March 1974.

SCHEDULE

The Central Midwives Board in exercise of the powers conferred on them by section 4(1) of the Midwives Act 1951, hereby make the following Rules:—

(a) 1951 c. 53.
(b) S.I. 1955/120, 1959/162, 1960/1105, 1961/810, 1962/766 (1955 I, p. 1145; 1959 II, p. 1974; 1960 II, p. 2626; 1961 I, p. 1603; 1962 I, p. 764).
(c) S.I. 1969/1440 (1969 III, p. 4646).
(d) S.I. 1968/1699 (1968 III, p. 4585).

Citation and interpretation

1.—(1) These Rules may be cited as the Midwives (Amendment) Rules 1974.

(2) In these Rules "the principal rules" means the Midwives Rules 1955 to 1962.

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889**(a)** shall apply for the purposes of the interpretation of these Rules as they apply for the purposes of the interpretation of an Act of Parliament.

Amendment of rule 2 of the principal rules

2. In rule 2 of the principal rules after the definition of "the Act" there shall be added the following definition:—

"an Area Health Authority" means an Authority constituted under article 2 of the National Health Service (Constitution of Area Health Authorities) Order 1973**(b)**.

Amendment of Section B of the principal rules

3. For rule 28 of Section B of the principal rules there shall be substituted the following rule:—

"The lectures on the subjects specified in paragraphs (*c*) to (*g*) of rule 39 must be delivered by a medical practitioner who is an officer of the local supervising authority or of an Area Health Authority, or, by permission of the Board, by a person who has had experience, satisfactory to the Board, in the subjects in question. Such persons shall be deemed to be persons approved by the Board as lecturers in the said subjects."

Amendment of Section E of the principal rules

4.—(1) For rule 12 of Section E of the principal rules there shall be substituted the following rule:—

"12. A practising midwife must give, to any person appointed for the purpose of exercising general supervision over certified midwives by a local supervising authority to which she has given notice of an intention to practice, such reasonable facilities as that person may require for the inspection of her methods of practice, her appliances and records required to be kept by these rules and such part of her residence as is used for professional purposes. If such local supervising authority deem it necessary for preventing the spread of infection a practising midwife must allow herself to be medically examined."

(2) For rule 25 of Section E of the principal rules there shall be substituted the following rule:—

"25. A practising midwife must give, to any person appointed for the purpose of exercising general supervision over certified midwives by a local supervising authority to which she has given notice of an intention to practice, such reasonable facilities as that person may require for the inspection of her methods of practice and her appliances and records required to be kept by these rules. If such local supervising authority deem it necessary for preventing the spread of infection a practising midwife must allow herself to be medically examined."

(a) 1889 c. 63. **(b)** S.I. 1973/1305 (1973 II, p. 3931).

Amendment of the Midwives (Disciplinary Committee) Rules 1969

5. For paragraph 3 of the Schedule to the Midwives (Disciplinary Committee) Rules 1969 there shall be substituted the following paragraph:—

"3. The Statement should be as nearly as possible in the following form:—

IN THE MATTER of the Midwives Act 1951

and

IN THE MATTER of.....(*full name*)

State Certified Midwife, No.....

The following charge(s) is(are) made by the local supervising authority for the.....Region/Area (or by the Secretary of the Central Midwives Board) against you.....(*full name*) State Certified Midwife No.....

(Here insert the charge. If there is more than one alleged offence each should be specified as a separate charge and set out under a separate count.)

Signed.....

Regional/Area Administrator.....Health Authority
(or Secretary of the Central Midwives Board.) "

Given under the seal of the Central Midwives Board.

Margaret I. Farrer,

L.S. *Chairman.*

The seal of the Central Midwives Board was hereunto affixed on 21st February 1974.

R. J. Fenney,

Secretary.

EXPLANATORY NOTE

(*This Note is not part of the Instrument.*)

The Rules approved by this instrument amend the Midwives Rules 1955 to 1962 and the Midwives (Disciplinary Committee) Rules 1969. The amendments are in consequence of the abolition of local health authorities and their replacement as the local supervising authority under the Midwives Act 1951 by Regional Health Authorities in England and Area Health Authorities in Wales.

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