and places in England and Wales in the said schedule respectively mentioned for putting into execution the Acts for granting an aid to His Majesty by a land tax in Great Britain and the Acts for continuing or granting to His Majesty rates and taxes, as fully and effectually as if they had been designated with the other Commissioners in the Land Tax Commissioners Act, 1827; and on the passing of this Act the said schedule shall be printed in the "London Gazette," which shall be sufficient evidence of such schedule for all purposes whatsoever.

7 & 8 Geo. 4. c. 75.

Short title.

2. This Act may be cited as the Land Tax Commissioners Act, 1927.

CHAPTER 17.

An Act to amend the Midwives (Scotland) Act, 1915, and to provide for the registration and inspection of maternity homes, and for purposes connected therewith. [29th July 1927.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

PART I.

AMENDMENT OF THE MIDWIVES (SCOTLAND) ACT, 1915.

Amendment of s. 1 (2) of Midwives (Scotland) Act, 1915. 5 & 6 Geo. 5. c. 91.

1. The following subsection shall be substituted for subsection (2) of section one of the Midwives (Scotland) Act, 1915 (in this Part of this Act referred to as "the principal Act") :—

"(2) If any person being either a male person or a woman not certified under this Act attends a woman in childbirth otherwise than under the direction and personal supervision of a duly qualified medical practitioner, that person shall, unless he or she satisfies the court that the attention was given in a case of sudden or urgent necessity, or in a case where reasonable efforts were made

to obtain the services of a duly qualified medical practitioner or of a person certified under this Act, be liable on summary conviction to a fine not exceeding ten pounds:

Provided that the provisions of this subsection shall not apply in the case of a person who, while undergoing training with a view to becoming a duly qualified medical practitioner or a certified midwife, attends a woman in childbirth as part of a course of practical instruction in midwifery recognised by the General Medical Council or by the Central Midwives Board for Scotland, if the attendance by that person is in accordance with the provisions regulating the course of study of midwifery as recognised by the said council or the rules relating to the training of midwives made by the said board."

Provision for certifying persons holding certificates in midwifery on 1st January 1918.

2. Notwithstanding anything in section two of the principal Act, any woman who, within two years from the date of this Act coming into operation, claims to be certified under the principal Act shall be so certified provided she was on the first day of January, nineteen hundred and eighteen, the holder of a certificate in midwifery from any of the hospitals, or the society, college, dispensary or board mentioned in the said section two, or any other certificate approved by the Central Midwives Board for Scotland for the purposes of that section.

Amendment of s. 6 of principal Act.

3.—(1) Where a midwife has been suspended from practice in order to prevent the spread of infection, she shall, if she was not herself in default, be entitled to recover from the local supervising authority such amount by way of compensation for loss of practice as is reasonable in the circumstances of the case.

(2) In subsection (2) of section six of the principal Act the words from " or where " to " infection " shall be repealed.

Amendment of s. 22 of principal Act.

4.—(1) Subsection (1) of section twenty-two of the principal Act (which relates to medical assistance in case of emergency) shall have effect as if for the words " and such fee shall cover one subsequent visit " there were substituted the words " and such fee shall cover " such further visits as shall be prescribed by the scale."

(2) Subsection (2) of the said section twenty-two shall have effect as if at the end thereof there were added the words " and shall submit his claim within two " months from the date of the last visit covered by the " scale."

(3) Subject to the sanction of the Scottish Board of Health, a local supervising authority may make arrangements with any pregnant women in their area for the payment by such women to the authority, whether by instalments or not, of such sum as may be agreed to cover any liability which the authority may incur under section twenty-two of the principal Act in respect of fees payable to medical practitioners who may be called in by midwives in pursuance of that section, and subsection (4) of that section shall not apply in the case of any woman who has entered into such an arrangement and has duly paid the agreed sum.

Local supervising authorities to provide midwives in certain cases.

5 & 6 Geo. 5. c. 64.

5. Where in any district there are not in operation arrangements made by the local authority for attending to the health of expectant mothers and nursing mothers, and of children under five years of age, in accordance with section three of the Notification of Births (Extension) Act, 1915, the local supervising authority shall, upon receiving reasonable notice, provide the services of a midwife or a duly qualified medical practitioner for the purpose of attending a woman in childbirth, and the provisions of subsection (4) of section twenty-two of the principal Act shall apply for the purpose of the local supervising authority recovering such fee in respect of the aforesaid services as may be determined according to a scale fixed by the Scottish Board of Health as they apply to the fee paid to a registered medical practitioner called in in the case of an emergency.

Provision as to midwives' roll.

6.—(1) The Central Midwives Board for Scotland may, if they think fit, cause the roll of midwives to be divided into two parts, of which one shall contain the names of all those practising midwives whose names have been supplied to the Board by local supervising authorities in the month of January in each year in accordance with the provisions of section sixteen of the principal Act and shall be published annually, and the other shall contain the names of all other persons who are entitled to be on the roll and shall be published at

such intervals, not exceeding five years, as the Scottish Board of Health may determine.

(2) The Central Midwives Board for Scotland may from time to time by registered letter, addressed to any woman whose name is included in the roll of midwives at her address as appearing therein, inquire of her whether she has ceased practice or has changed her residence; and if within a period of six months from the sending of such a letter no answer is received thereto the Board may erase the name of that woman from the roll and may cancel her certificate, but without prejudice to the power of the Board subsequently to restore the name to the roll and to issue a certificate if it appears proper so to do.

Regulations as to badges.

7.—(1) The power of the Central Midwives Board for Scotland to frame rules under section five of the principal Act shall include a power to frame a rule as to the wearing of badges by certified midwives, and if any such rule is made subsection (1) of section one of that Act shall have effect as if the words " or badge " were inserted therein after the word " description."

(2) Section nine of the principal Act (which provides for the return by a midwife of her certificate when her name is removed from the roll in certain circumstances) shall apply to any badge issued to any person by virtue of the provisions of this section as it applies to the certificate of a midwife.

Combination of local supervising authorities and committees.

8. Without prejudice to any other powers competent to local supervising authorities in the matter, two or more local supervising authorities may combine to carry out their powers and duties under the principal Act or any of those powers and duties, and for that purpose may appoint a joint committee, and the provisions of section seventy-six of the Local Government (Scotland) Act, 1889, shall apply with the necessary modifications to any such joint committee; and any local supervising authority or any joint committee of two or more local supervising authorities may appoint committees for the purpose of exercising all or any of their powers and duties under the principal Act and any such committee may consist partly of persons who are not members of the appointing authority or committee.

52 & 53 Vict. c. 50.

PART II.

REGISTRATION AND INSPECTION OF MATERNITY HOMES.

Registration.

9.—(1) Any person who on or after the appointed day carries on a maternity home within the meaning of this Act shall, unless that person is registered in respect of that home, be liable on conviction to a fine not exceeding fifty pounds, or in the case of a second or subsequent offence to imprisonment, not exceeding three months, either in lieu of or in addition to any such fine.

(2) Application for registration shall be made to the local supervising authority in writing in the prescribed form, and shall be accompanied by a fee of five shillings.

All fees received by a local supervising authority under this Act shall be applied towards defraying any expenses of the authority under this Part of this Act.

(3) Subject as hereinafter provided, the local supervising authority on the receipt of an application for registration shall register the applicant in respect of the maternity home named in the application and issue to the applicant a certificate of registration which shall be in the prescribed form:

Provided that the authority may refuse to register the applicant if they are satisfied—

(*a*) that the applicant or any person employed by the applicant at the home is not a fit person, whether by reason of age or otherwise, to carry on or to be employed at a maternity home; or

(*b*) that for reasons connected with situation, construction, sanitation, accommodation, staffing or equipment the home or any premises used in connection therewith are not fit to be used for a maternity home, or that the home or the premises are used or to be used for purposes which are in any way improper or undesirable in the case of a maternity home; or

(*c*) in the case of a maternity home which was not in existence at the commencement of this Act,

that the person having the superintendence of the nursing of the patients in the home is not either a qualified nurse or a certified midwife.

(4) In every maternity home there shall on and after the appointed date be exhibited in a conspicuous place the certificate of registration relating to the home.

Cancellation of registration.

10.—(1) Subject as hereinafter provided, a local supervising authority may at any time cancel the registration of any person in respect of any home—

(*a*) for any reason which would entitle them to refuse an application for registration; or

(*b*) by reason of the appointment at any time after the commencement of this Act of a person who is not either a qualified nurse or a certified midwife to superintend the nursing of the patients in the home; or

(*c*) by reason of a conviction for an offence against this Part of this Act of that person or in respect of that home.

(2) Upon the registration of any person in respect of any home being cancelled, the holder of the certificate of registration shall forthwith deliver up the certificate to the local supervising authority.

Notice of refusal or cancellation of registration.

11.—(1) Before making an order refusing an application for registration or cancelling any registration, the local supervising authority shall give to the applicant or to the person registered, as the case may be, not less than fourteen days' notice of their intention to make such an order, setting out the reasons why they intend to make the order, and giving the applicant or person notice that if within fourteen days of the receipt of the notice he informs the authority in writing of his desire so to do, the authority will give him or his representative an opportunity before the order is made of showing cause why the order should not be made.

(2) If, after giving any such person or his representative an opportunity of being heard, the authority decide to refuse the application for registration or to cancel the registration, they shall make an order to that effect and shall send a copy of the order to that person.

(3) Such an order shall not come into force until the expiration of fourteen days from the date on which

the order was made, or where notice of appeal has been given against the order, until the appeal has been decided or withdrawn.

(4) Any person aggrieved by an order made under this section may appeal against the order to the sheriff within fourteen days after the date on which the order was intimated to him, and the decision of the sheriff shall be final and shall be given effect to by the local supervising authority. In any appeal any reference in this Part of this Act to the local supervising authority being satisfied as respects any matter shall be treated as a reference to the sheriff being satisfied.

Regulations.

12.—(1) The Scottish Board of Health may make regulations—

(*a*) with respect to records to be kept in the case of each maternity home relating to—

(i) the persons engaged or employed at the home in attending on the patients or infant children; and

(ii) the patients admitted to the home; and

(iii) the infant children in the home; and

(iv) the births, still-births, premature births and abortions occurring in the home; and

(v) all children born in the home who are removed from the home otherwise than to the custody or care of any parent, guardian or relative; and

(*b*) as to notification of any death and the cause thereof occurring in a maternity home; and

(*c*) for prescribing anything which under this Part of this Act is to be prescribed.

(2) Regulations made under this section shall be laid before both Houses of Parliament as soon as may be after they are made: Provided that, if an Address is presented to His Majesty by either House within the next subsequent twenty-one days on which that House has sat after regulations are laid before it praying that the regulations may be annulled, the regulations shall thenceforth be void, without prejudice to the validity of anything previously done thereunder.

(3) Every person who contravenes or fails to comply with any of the provisions of regulations made under this section shall be guilty of an offence against this Part of this Act, and shall be liable on summary conviction to a fine not exceeding five pounds, together with, in the case of a continuing offence, a fine not exceeding two pounds in respect of each day on which the offence continues after the date of conviction.

Inspection of maternity homes.

13.—(1) An officer duly authorised by the local supervising authority may, subject to such regulations as may be made by the authority, and an officer duly authorised by the Scottish Board of Health may, at all reasonable times enter and inspect any premises which are used or which that officer has reasonable cause to believe to be used for the purposes of a maternity home and to inspect any records required to be kept in accordance with the provisions of this Part of this Act:

Provided that nothing in this Act shall be deemed to authorise any such officer who is not a duly qualified medical practitioner to inspect any medical record relating to any patient in a maternity home.

(2) If any person refuses to allow any such officer to enter or inspect the premises or obstructs any such officer in the execution of his duty under this section, he shall be guilty of an offence against this Part of this Act, and shall be liable on summary conviction to a fine not exceeding five pounds, together with, in the case of a continuing offence, a fine not exceeding two pounds in respect of each day on which the offence continues after the date of conviction.

Offences by companies.

14. Where a person convicted of an offence against this Part of this Act is a company, the chairman and every director and every officer concerned in the employment of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.

Power to exempt certain institutions from Part II.

15.—(1) A local supervising authority may grant exemption from the operation of this Part of this Act in respect of—

(*a*) any hospital or similar institution not carried on for profit and not used mainly as a maternity home;

(*b*) any hospital or premises which are a maternity home within the meaning of this Act by reason only that cases for such operations of a major character as may be prescribed by the Board are received in such hospital or premises.

(2) Any exemption granted under this section shall continue in force for one year only from the date on which it is granted, but without prejudice to the power of the local supervising authority to grant a further exemption.

(3) A local supervising authority may at any time withdraw an exemption granted by the authority under this section.

(4) Any person who is aggrieved by the refusal of a local supervising authority to grant exemption under this section in respect of any hospital, institution or premises or by the withdrawal of any such exemption previously granted by the authority, may appeal against the refusal or withdrawal to the Scottish Board of Health, and the Board, after considering the matter, shall give such directions therein as they think proper, and the authority shall comply with any directions so given.

PART III.

GENERAL.

Interpretation.

16.—(1) In this Act, unless the context otherwise requires :—

The expressions "register" and "registration" mean register and registration under Part II. of this Act;

The expression "appointed day" means the first day of January, nineteen hundred and twenty-eight;

The expression "maternity home" means any premises used or intended to be used for the reception of pregnant women or of women immediately after childbirth, but shall not include any hospital or other premises maintained or controlled by a Government Department or local authority;

"Qualified nurse" means a person registered in the general part of the register of nurses required to be kept under the Nurses Registration (Scotland) Act, 1919, or a person who had, before the commencement of this Act, completed a three years' course of training in a hospital which was during the period of her training or subsequently became a training school approved by the General Nursing Council for Scotland, or the General Nursing Council for England and Wales, or the General Nursing Council for Northern Ireland for the purpose of admission to the general part of the said register. 9 & 10 Geo. 5. c. 95.

(2) The local supervising authority for the purposes of Part II. as well as of Part I. of this Act shall be the local authority under the Public Health (Scotland) Act, 1897. 60 & 61 Vict. c. 38.

17.—(1) This Act may be cited as the Midwives and Maternity Homes (Scotland) Act, 1927, and shall be construed as one with the Midwives (Scotland) Act, 1915, and that Act and this Act may be cited together as the Midwives and Maternity Homes (Scotland) Acts, 1915 and 1927. Short title, construction and extent.

(2) This Act shall apply only to Scotland.

CHAPTER 18.

An Act to amend the enactments relating to the Naval Reserve Forces. [29th July 1927.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Where in pursuance of an order under section four of the Royal Naval Reserve (Volunteer) Act, 1859 (in this section referred to as the principal Act), a man is called into actual service, he shall, if medically fit for actual service, be entitled to receive Amendment of 22 & 23 Vict. c. 40.