
STATUTORY INSTRUMENTS

1998 No. 2649

NURSES, MIDWIVES AND HEALTH VISITORS

**The Nurses, Midwives and Health Visitors
(Midwives Amendment) Rules Approval Order 1998**

Made - - - - 26th October 1998

Coming into force - - 1st December 1998

In exercise of the powers conferred on me by section 19(5) of the Nurses, Midwives and Health Visitors Act 1997⁽¹⁾, having satisfied myself that the rules made by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting and set out in the Schedule hereto are framed in accordance with the recommendations of the Midwifery Committee of the Council⁽²⁾, I hereby approve those rules.

This Order may be cited as the Nurses, Midwives and Health Visitors (Midwives Amendment) Rules Approval Order 1998 and shall come into force on 1st December 1998.

26th October 1998

Frank Dobson
One of Her Majesty's Principal Secretaries of
State (*Department of Health*)

(1) 1997 c. 24; see section 22(1) for the definition of "by order".
(2) See the Nurses, Midwives and Health Visitors Act 1997, section 4(4).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

THE NURSES, MIDWIVES AND HEALTH VISITORS (MIDWIVES AMENDMENT) RULES 1998

The United Kingdom Central Council for Nursing, Midwifery and Health Visiting, in exercise of the powers conferred on it by sections 14(1) and 19(1) of the Nurses, Midwives and Health Visitors Act 1997⁽³⁾ and of all other powers enabling it in that behalf having, in accordance with sections 4(2) and 19(3) of that Act, consulted the Midwifery Committee, the National Boards and representatives of groups of persons who appear likely to be affected by these rules, hereby makes the following rules:—

Citation and Interpretation

1.—(1) These rules may be cited as the Nurses, Midwives and Health Visitors (Midwives Amendment) Rules 1998.

(2) In these rules, unless the context otherwise requires, “the principal rules” means the Nurses, Midwives and Health Visitors Rules 1983⁽⁴⁾.

Amendment of the Principal Rules

2.—(1) The principal rules shall be amended in accordance with the following paragraphs of this rule.

(2) In rule 27 (interpretation)⁽⁵⁾ for the definition of “emergency” shall be substituted the following—““emergency” means a situation in which a sudden, unexpected event occurs relating to the health or condition of the mother or baby which requires immediate attention.”.

(3) In rule 30(1)(a), (b) and (c) (educational requirements)⁽⁶⁾ after the word “English” shall be added the words “or Welsh”.

(4) For rule 40 (responsibility and sphere of practice)⁽⁷⁾ shall be substituted the following—

“Responsibility and sphere of practice

40.—(1) A practising midwife is responsible for providing midwifery care to a mother and baby during the antenatal, intranatal and postnatal periods.

(2) Except in an emergency, a practising midwife shall not provide any midwifery care, or undertake any treatment which she has not, either before or after registration as a midwife, been trained to give or which is outside her current sphere of practice.

(3) In an emergency, or where a deviation from the norm which is outside her current sphere of practice becomes apparent in the mother or baby during the antenatal, intranatal or postnatal periods, a practising midwife shall call a registered medical practitioner or such other qualified health professional who may reasonably be expected to have the requisite skills and experience to assist her.”.

(5) For rule 41 (administration of medicines and other forms of pain relief)⁽⁸⁾ shall be substituted the following—

(3) 1997 c. 24.

(4) Approved by S.I.1983/873, the relevant amending instruments being S.I. 1986/786, 1989/1456, 1990/1624, 1993/1901 and 1993/2106.

(5) Rule 27 was substituted by S.I. 1986/786.

(6) Rule 30 was substituted by S.I. 1986/786; paragraph (1)(a), (b) and (c) were further substituted by S.I. 1989/1456; and other amendments were made by S.I. 1990/1624 and 1993/1901.

(7) Rule 40 was substituted by S.I. 1986/786.

(8) Rule 41 was substituted by S.I. 1986/786 and amended by S.I. 1993/2106.

“Administration of medicines and other forms of pain relief

41.—(1) A practising midwife shall only administer those medicines, including analgesics, in respect of which she has been trained as to use, dosage and methods of administration.

(2) A practising midwife shall only administer medicines, including inhalational analgesics, by means of apparatus if she is satisfied that the apparatus has been properly maintained, and

- (a) it has a CE marking; or, if it does not have such a marking,
- (b) it is of a type for the time being approved by the Council as suitable for use by a midwife,

and in this paragraph, “CE marking” has the meaning assigned to it in the Medical Devices Regulations 1994⁽⁹⁾.

- (3) In a situation in which clinical trials involving new medicines including inhalational analgesics, or new apparatus, are taking place, a practising midwife may only participate under the direction of a registered medical practitioner.”.

GIVEN under the Official Seal of the UNITED KINGDOM CENTRAL COUNCIL FOR NURSING, MIDWIFERY AND HEALTH VISITING

6th October 1998

Alison Norman
President

Sue Norman
Chief Executive/Registrar

EXPLANATORY NOTE

(This note is not part of the Order)

The Rules approved by this Order, which are made by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting, further amend the rules approved by the Nurses, Midwives and Health Visitors Rules Approval Order 1983, in relation to midwifery training and practice.

They amend the definition of an “emergency” for the purposes of the Rules and provide for entry to training on the basis of a qualification in Welsh (as an alternative to English). They also substitute new provision as to the responsibility and sphere of practice of a midwife and the administration of medicines and other forms of pain relief.

(9) S.I. 1994/3017.