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COUNCIL DIRECTIVE

of 21 January 1980

**concerning the coordination of provisions laid down by law, regulation or administrative action
relating to the taking up and pursuit of the activities of midwives**

(80/155/EEC)

(OJ L 33, 11.2.1980, p. 8)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Council Directive 89/594/EEC of 30 October 1989	L 341	19	23.11.1989
► <u>M2</u> Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001	L 206	1	31.7.2001

▼B**COUNCIL DIRECTIVE****of 21 January 1980****concerning the coordination of provisions laid down by law, regulation or administrative action relating to the taking up and pursuit of the activities of midwives**

(80/155/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 49, 57 and 66. thereof,

Having regard to the proposal from the Commission⁽¹⁾,Having regard to the opinion of the European Parliament⁽²⁾,Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas, under Article 57 of the Treaty, the provisions laid down by law, regulation or administrative action relating to the taking up and pursuit of the activities of midwives must be coordinated; whereas it is necessary for reasons of public health to move within the Community towards a common definition of the field of activity of the professional persons concerned and of their training; whereas it has not been thought desirable to impose to that end a unified training programme for all Member States; whereas they should on the contrary be allowed the greatest possible freedom in organizing training; whereas the best solution is therefore to lay down minimum standards;

Whereas the coordination of these activities, as envisaged by this Directive, does not exclude subsequent coordination;

Whereas, as far as training is concerned, most Member States do not at present distinguish between midwives who pursue their activities as employed persons and those who are self-employed; whereas for this reason it appears necessary to extend the application of this Directive to employed midwives,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Member States shall make the taking up and pursuit of midwifery activities under the titles referred to in Article 1 of Directive 80/154/EEC⁽⁴⁾ conditional on the possession of a diploma, certificate or other evidence of formal qualifications in midwifery as ►**M2** referred to in the Annex ◀ of the said Directive, guaranteeing that the person concerned has acquired during the total duration of training:

- (a) adequate knowledge of the sciences on which the activities of midwives are based, particularly obstetrics and gynaecology;
- (b) adequate knowledge of the ethics of the profession and the professional legislation;
- (c) detailed knowledge of biological functions, anatomy and physiology in the field of obstetrics and of the newly born, and also a knowledge of the relationship between the state of health and the physical and social environment of the human being, and of his behaviour;
- (d) adequate clinical experience gained in approved institutions under the supervision of staff qualified in midwifery and obstetrics;
- (e) adequate understanding of the training of health personnel and experience of working with such personnel.

⁽¹⁾ OJ No C 18, 12. 2. 1970, p. 1.

⁽²⁾ OJ No C 101, 4. 8. 1970, p. 26.

⁽³⁾ OJ No C 146, 11. 12. 1970, p. 17.

⁽⁴⁾ See page 1 of this Official journal.

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2. The training referred to in paragraph 1 shall comprise:
- either a full-time course in midwifery comprising at least three years of practical and theoretical studies, admission to which is subject to completion of at least the first 10 years of general school education,
 - or a full-time course in midwifery lasting at least 18 months, admission to which is subject to possession of a diploma, certificate or other evidence of formal qualifications of nurses responsible for general care ► **M2** referred to in the Annex to Directive 77/452/EEC ◀ ⁽¹⁾.
3. The course in midwifery provided for in the first indent of paragraph 2 shall cover at least the subjects of the training programme set out in the Annex.

The course provided for in the second indent of paragraph 2 shall cover at least the subjects of the training programme set out in the Annex which did of form part of an equivalent course in the training of nurses.

4. Member States shall ensure that the institution training midwives is responsible for the coordination of theory and practice throughout the programme.

The theoretical and technical training mentioned in Part A of the Annex shall be balanced and coordinated with the clinical training of midwives mentioned in Part B of the same Annex in such a way that the knowledge and experience listed in paragraph 1 may be acquired in an adequate manner.

Clinical instruction shall take the form of supervised in-service training in hospital departments or other health services approved by the competent authorities or bodies. As part of this training, student midwives shall participate in the activities of the departments concerned in so far as those activities contribute to their training. They shall be taught the responsibilities involved in the activities of midwives.

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5. Nothing in this Directive shall prejudice any facility which may be granted in accordance with their own rules by Member States in respect of their own territory to authorize holders of diplomas, certificates and other evidence of formal qualifications which have not been obtained in a Member State to take up and pursue the activities of midwife.
6. As a transitional measure and notwithstanding paragraphs 1 and 4, Spain, whose provisions laid down by law, regulation or administrative action provided for training which did not comply with this Directive when Directive 80/154/EEC and this Directive took effect, may continue to apply those provisions to persons who commenced their specific midwifery training not later than 31 December 1985:

Each host Member State shall be authorized to require of holders of diplomas, certificates or other evidence of formal qualifications as midwife awarded by Spain following specific training commenced before 1 January 1986 that their diplomas, certificates and other evidence of formal qualifications be accompanied by a certificate stating that they have effectively and lawfully been engaged in the activities of midwife for at least three consecutive years during the five years prior to the date of the issue of the certificate, unless the said diploma, certificate or other evidence of formal qualifications is accompanied by a certificate issued by the competent Spanish authorities stating that it attests to training in full compliance with this Article and with the Annex.

▼B*Article 2*

After a periodical examination of the results of the various training courses provided for in Article 1 (2), the Commission shall make its first report to the Council six years after notification of this Directive. The

⁽¹⁾ OJ No L 176, 15. 7. 1977, p. 1.

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said examination shall be carried out with the assistance of the Advisory Committee on the Training of Midwives.

In the light of the results of this examination, the Commission shall present proposals for amendments aimed at aligning the minimum criteria laid down for the said training courses on the conditions prescribed in the first sub-indent of the first indent and in the second indent of Article 2 (1) of Directive 80/154/EEC. The Council shall act forthwith on these proposals.

Article 3

Notwithstanding Article 1, Member States may permit part-time training under conditions approved by the competent national authorities.

The total period of part-time training may not be less than that of full-time training. The standard of the training may not be impaired by its part-time nature.

Article 4

States shall ensure that midwives are at least entitled to take up and pursue the following activities:

1. to provide sound family planning information and advice;
2. to diagnose pregnancies and monitor normal pregnancies; to carry out the examinations necessary for the monitoring of the development of normal pregnancies;
3. to prescribe or advise on the examinations necessary for the earliest possible diagnosis of pregnancies at risk;
4. to provide a programme of parenthood preparation and a complete preparation for childbirth including advice on hygiene and nutrition;
5. to care for and assist the mother during labour and to monitor the condition of the foetus in utero by the appropriate clinical and technical means;
6. to conduct spontaneous deliveries including where required an episiotomy and in urgent cases a breech delivery;
7. to recognize the warning signs of abnormality in the mother or infant which necessitate referral to a doctor and to assist the latter where appropriate; to take the necessary emergency measures in the doctor's absence, in particular the manual removal of the placenta, possibly followed by manual examination of the uterus;
8. to examine and care for the new-born infant; to take all initiatives which are necessary in case of need and to carry out where necessary immediate resuscitation;
9. to care for and monitor the progress of the mother in the post-natal period and to give all necessary advice to the mother on infant care to enable her to ensure the optimum progress of the new-born infant;
10. to carry out the treatment prescribed by a doctor;
11. to maintain all necessary records.

Article 5

This Directive shall also apply to nationals of Member States who, in accordance with Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community⁽¹⁾, are pursuing or will pursue, as employed persons, one of the activities referred to in Article 1 of Directive 80/154/EEC.

Article 6

1. Member States shall take the measures necessary to comply with this Directive within three years of its notification and shall forthwith inform the Commission thereof.

⁽¹⁾ OJ No L 257, 19. 10. 1968, p. 2.

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2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 7

Where a Member State encounters major difficulties in certain fields when applying: this Directive, the Commission shall examine these difficulties in conjunction with that State and shall request the opinion of the Committee of Senior Officials on Public Health set up under Decision 75/365/EEC ⁽¹⁾, as last amended by Decision 80/157/EEC ⁽²⁾.

Where necessary, the Commission shall submit appropriate proposals to the Council.

Article 8

Not later than six years after notification of this Directive, the Council, acting on a proposal from the Commission, and after having sought the opinion of the Advisory Committee, shall decide whether the derogation provided for in the third item in Part B of the Annex should be withdrawn or its scope reduced.

Article 9

This Directive is addressed to the Member States.

⁽¹⁾ OJ No L 167, 30. 6. 1975, p. 19.

⁽²⁾ See page 15 of this Official Journal.

▼B*ANNEX***TRAINING PROGRAMME FOR MIDWIVES**

The training programme for obtaining a diploma, certificate or other evidence of formal qualifications in midwifery consists of the following two parts:

A. THEORETICAL AND TECHNICAL INSTRUCTION**(a) General subjects**

1. Basic anatomy and physiology
2. Basic pathology
3. Basic bacteriology, virology and parasitology
4. Basic biophysics, biochemistry and radiology
5. Paediatrics, with particular reference to new-born infants
6. Hygiene, health education, preventive medicine, early diagnosis of diseases
7. Nutrition and dietetics, with particular reference to women, new-born and young babies
8. Basic sociology and socio-medical questions
9. Basic pharmacology
10. Psychology
11. Principles and methods of teaching
12. Health and social legislation and health organization
13. Professional ethics and professional legislation
14. Sex education and family planning
15. Legal protection of mother and infant

(b) Subjects specific to the activities of midwives

1. Anatomy and physiology
2. Embryology and development of the foetus
3. Pregnancy, childbirth and puerperium
4. Gynaecological and obstetrical pathology
5. Preparation for childbirth and parenthood, including psychological aspects
6. Preparation for delivery (including knowledge and use of technical equipment in obstetrics)
7. Analgesia, anaesthesia and resuscitation
8. Physiology and pathology of the new-born infant
9. Care and supervision of the new-born infant
10. Psychological and social factors

▼M1**B. PRACTICAL AND CLINICAL TRAINING**

This training is to be dispensed under appropriate supervision:

1. Advising of pregnant women, involving at least 100 pre-natal examinations.
2. Supervision and care of at least 40 women in labour.
3. The student should personally carry out at least 40 deliveries; where this number cannot be reached owing to the lack of available women in labour, it may be reduced to a minimum of 30, provided that the student participates actively in 20 further deliveries.
4. Active participation with breech deliveries. Where this is not possible because of lack of breech deliveries practice may be in a simulated situation.
5. Performance of episiotomy and initiation into suturing. Initiation shall include theoretical instruction and clinical practice. The practice of suturing includes suturing of the wound following an episiotomy and a simple perineal laceration. This may be in a simulated situation if absolutely necessary.

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6. Supervision and care of 40 women at risk in pregnancy, or labour or post-natal period.
7. Supervision and care (including examination) of at least 100 post-natal women and healthy new-born infants.
8. Observation and care of the new-born requiring special care including those born pre-term, post-term, underweight or ill.
9. Care of women with pathological conditions in the fields of gynaecology and obstetrics.
10. Initiation into care in the field of medicine and surgery. Initiation shall include theoretical instruction and clinical practice.