

2007 No. 1887

HEALTH CARE AND ASSOCIATED PROFESSIONS

NURSES AND MIDWIVES

**The Nursing and Midwifery Council (Midwives) (Amendment)
Rules Order of Council 2007**

<i>Made</i> - - - -	<i>25th June 2007</i>
<i>Laid before Parliament</i>	<i>4th July 2007</i>
<i>Coming into force</i> - -	<i>1st August 2007</i>

At the Council Chamber, Whitehall, the 25th day of June 2007

By the Lords of Her Majesty's Most Honourable Privy Council

The Nursing and Midwifery Council has made the Nursing and Midwifery Council (Midwives) (Amendment) Rules 2007 as set out in the Schedule to this Order.

In accordance with articles 47(1) and 48 of the Nursing and Midwifery Order 2001^(a) such Rules shall not come into force until approved by Order of the Privy Council.

Having considered the Rules, their Lordships approve them.

This Order may be cited as the Nursing and Midwifery Council (Midwives) (Amendment) Rules Order of Council 2007 and shall come into force on 1st August 2007.

Judith Simpson
Clerk of the Privy Council

^(a) S.I. 2002/253; to which there are amendments not relevant to this Order.

SCHEDULE

THE NURSING AND MIDWIFERY COUNCIL (MIDWIVES) (AMENDMENT) RULES 2007

The Nursing and Midwifery Council makes the following Rules in exercise of its powers conferred under articles 42, 43(2) and 47(2) of the Nursing and Midwifery Order 2001(a).

The Nursing and Midwifery Council has consulted in accordance with articles 41(2) and 47(3) of that Order.

Citation and Commencement

1. These Rules may be cited as the Nursing and Midwifery Council (Midwives) (Amendment) Rules 2007 and shall come into force on 1st August 2007.

Interpretation

2. In these Rules “the principal Rules” means the Nursing and Midwifery Council (Midwives) Rules 2004(b).

Amendments to the principal Rules

3. For rule 11 of the principal Rules (eligibility for appointment as a supervisor of midwives) substitute—

“11.—(1) A local supervising authority shall appoint an adequate number of supervisors of midwives to exercise supervision over practising midwives in its area.

(2) To be appointed for the first time as a supervisor of midwives, in accordance with article 43(2) of the Order, a person shall be a practising midwife and—

(a) have three years’ experience as a practising midwife of which at least one shall have been in the two year period immediately preceding the first date of appointment; and

(b) either—

(i) have successfully completed a programme of education of the type mentioned in paragraph (5) within the three year period immediately preceding the first date of appointment; or

(i) where it is more than three but less than five years since she successfully completed a programme of education of the type mentioned in paragraph (5) (calculating that period by reference to the first date of appointment), have also successfully complied with the Council’s updating requirements as set out in the guidance issued to local supervising authorities in accordance with article 43(3) of the Order.

(3) For any subsequent appointment as a supervisor of midwives, a person shall be a practising midwife and—

(a) have practised as a supervisor of midwives within the three year period immediately preceding the subsequent date of appointment; or

(b) where she has only practised as a supervisor of midwives within a period which is more than three years but less than five years immediately preceding the subsequent date of appointment, have also successfully complied with the

(a) S.I. 2002/253; to which there are amendments not relevant to these Rules.

(b) Scheduled to S.I. 2004/1764.

Council's updating requirements as set out in the guidance issued to local supervising authorities in accordance with article 43(3) of the Order.

(4) In the case of a national of an EEA state (or other person entitled to be treated for the purpose of appointment as a supervisor of midwives no less favourably than a national of such a state by virtue of an enforceable Community law right or any enactment giving effect to a Community obligation) the conditions in paragraph (2) or (3) shall be satisfied if, in the opinion of the Council, a person has had comparable training or experience within or outside the EEA.

(5) The provider, content and duration of a programme of education referred to in paragraph (2)(b) shall be such as the Council shall from time to time specify for the purposes of this rule.

(6) Following her appointment, a supervisor of midwives shall complete such periods of study relating to the supervision of midwives as the Council shall from time to time require.

(7) In this rule, "date of appointment" means the date identified in the letter of appointment sent by a local supervising authority as the date upon which she will commence her duties as a supervisor of midwives .".

Given under the official seal of the Nursing and Midwifery Council on 7th June 2007].



Sandra Arthur
President

Sarah Thewlis
Chief Executive and Registrar

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which is made under the Nursing and Midwifery Order 2001, approves Rules made by the Nursing and Midwifery Council which amend the Nursing and Midwifery Council (Midwives) Rules 2004 (“the Midwives Rules”).

Rule 3 replaces Rule 11 of the Midwives Rules. It requires a local supervising authority to appoint supervisors of midwives and sets out the revised requirements to be met in order to be appointed.

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