

# **SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE**

**No. 3,003 of 16th October, 1997**

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LEGAL NOTICE NO. 109 OF 1997

## **MEDICAL AND HEALTH ACT**

### **MIDWIVES (AMENDMENT) REGULATIONS 1997**

In exercise of powers conferred on him by section 36 of the Medical and Health Act, and of all other enabling powers, and for the purpose of transposing into the law of Gibraltar Council Directive 80/155/EEC (as amended by Council Directive 89/594/EEC) and for matters connected thereto, the Minister with responsibility for health has made the following Regulations:

#### **PART I GENERAL**

##### **Title and interpretation.**

1(1) These Regulations may be cited as the Midwives (Amendment) Regulations 1997.

(2) In these Regulations unless the context otherwise requires, the expression “the Regulations” means the Midwives Regulations.

#### **PART II AMENDMENTS TO THE MIDWIVES REGULATIONS**

##### **Amendment of regulation 2 of the Regulations.**

2(1) In regulation 2 of the Regulations (interpretation), there shall be inserted in alphabetical sequence in the list of definitions, the following –

“EEA State” means a State party to the European Economic Area Agreement signed at Oporto on the 2nd May 1992 as adjusted by the Protocol signed at Brussels on the 17th March 1993

“midwife” means a person whose name is on the Part VIII of the register;

“practising midwife” means a midwife who attends professionally upon a woman during the antenatal, intranatal and postnatal period or who holds a post for which a midwifery qualification is essential and who notifies her intention to practice to the Board;

“pupil” means a person whose name is included on the roll kept by the Board of pupils who wish to become midwives;

“register” means the professional register of nurses and midwives kept by the Board under section 28 of the Act, and “registration” shall be construed accordingly.”

**Roll of Pupil Midwives.**

3. Regulation 3 of the Regulations (fitness of candidates), shall be amended as follows –

(a) sub-regulations (1) and (2) shall be renumbered (2) and (3) respectively;

(b) before the renumbered sub-regulation (2) there shall be inserted the following –

“(1) The Board shall keep a roll of pupils who wish to become midwives.”.

**Enrolment of pupils.**

4. For regulation 5(a)(ii) of the regulations (application for enrolment), there shall be substituted –

“(ii) evidence of an appropriate Nursing European diploma obtained in an EEA State in accordance with the provisions of Schedule 9 of the Medical and Health Act 1997 and who satisfies the Board as to his identity and character; or

(iii) in any other case, evidence that she has passed five subjects at Ordinary Level in the General Certificate of Secondary Education

examinations including English Language and at least one science subject or their equivalent.”.

**Kind and standard of training for pupil midwives.**

5. For Regulation 9(1) of the Midwives Regulations there shall be substituted –

**“Training for admission to Part VIII.**

9(1) Training for admission to Part VIII of the register shall comprise -

- (a) in the case of a pupil to whom regulation 5(a)(i) or (ii) applies, all those subjects set out in the training programme contained in Schedule 1 to these Regulations which did not form part of the course of training which the Board recognise pursuant to the said regulation 5(a)(i) or (ii); or
- (b) in the case of a pupil to whom regulation 5(a)(iii) applies, those subjects set out in the training programme contained in Schedule 1 to these Regulations.

Training shall be at an approved training institution in Gibraltar or the United Kingdom and shall be in two periods: (i) a first period which the pupil shall complete before presenting herself for the first examination, and: (ii) a second period which the pupil shall complete before presenting herself for the second examination.

Where training is pursued at an approved training institution in the United Kingdom the pupil shall produce such evidence as shall satisfy the Board that that the person concerned has acquired during the total duration of her training -

- (i) adequate knowledge of the sciences on which the activities of midwives are based, particularly obstetrics and gynaecology;
- (ii) adequate knowledge of the ethics of the profession and the professional legislation;

- (iii) 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;
- (iv) adequate clinical experience gained in approved institutions under the supervision of staff qualified in midwifery and obstetrics;
- (v) adequate understanding of the training of health personnel and experience of working with such personnel.”.

**Examinations.**

6. After regulation 9 of the Regulations (scope of training), there shall be inserted the following –

**“Examinations.**

9A(1) The examinations referred to in regulation 9 (1) shall be held at the completion of each period, for the purpose of testing the knowledge of the pupils in subjects included in the training programme prescribed by these Regulations and to assess their ability to undertake the work of a practising midwife.

(2) The examinations shall be set by an approved training institution.”.

**Length of training for pupil with qualifications referred to in regulation 5(a).**

7. For regulation 12 of the regulations (length of first period of training) there shall be substituted –

**“Length of training for a pupil with qualifications referred to in regulation 5(a)(i), (ii) or (iii).**

12.(1) In the case of a pupil to whom regulation 5(a)(i) or (ii) applies -

- (a) the course of training shall be adapted to take into account knowledge and experience acquired by her in becoming so qualified and the course so adapted shall extend over a period of not less than eighteen months; and
- (b) the first period of training shall extend over six consecutive calendar months.

(2) In the case of a pupil midwife to whom regulation 5(a)(iii) applies -

- (a) the course of training shall extend over a period of three years; and
- (b) the first period of training shall extend over eighteen consecutive calendar months.

(3) Training undertaken on a part time basis shall-

- (a) be of a standard: and
- (b) extend over a period of time, when taken in its totality;

equal to that required in the case of a training programme undertaken on a full time basis.”.

**Permitted activities of midwives.**

8. After regulation 25 (suspension of registration) and the ensuing heading “Conduct at and after Confinement”, there shall be inserted –

**“Permitted activities of midwives.**

25A. Any person who has been registered in Part VIII of the register as a midwife, shall be entitled to pursue the following activities -

- (a) to provide sound family planning information and advice;
- (b) to diagnose pregnancies and monitor normal pregnancies;
- (c) to carry out the examinations necessary for monitoring the development of normal pregnancies;
- (d) to prescribe or advise on examinations necessary for the earliest possible diagnosis of pregnancies which might be at risk;
- (e) to provide a programme for preparation of parenthood and complete preparation for childbirth including advice on hygiene and nutrition;
- (f) 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;
- (g) to conduct spontaneous deliveries including, when required, an episiotomy and, in cases of urgencies, a breech delivery;
- (h) to recognise any warning signs of abnormality in the mother or infant which necessitate referral to a doctor and to assist the latter where appropriate to take necessary emergency measures in the doctor's absence, in particular the manual removal of the placenta followed, where necessary, by a manual examination of the uterus;
- (j) to examine and care for the new-born infant and take all appropriate measures in cases of need and, where necessary, to effect immediate resuscitation;
- (k) 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 so as to enable her to ensure the optimum progress of the new-born infant;

- (l) to carry out treatment prescribed by a doctor; and
- (m) to maintain all necessary records.”.

**Schedules.**

9.(1) Schedules 1 and 2 of the Regulations shall be renumbered Schedules 2 and 3 respectively.

(2) In regulation 24 of the Regulations (first certificate), for the reference to “Schedule 1”, there shall be substituted “Schedule 2”.

(3) In regulation 27(1) of the Regulations (case book), for the reference to “Schedule 2”, there shall be substituted “Schedule 3”.

(4) Before the renumbered Schedule 2 there shall be inserted the provisions of the Schedule to these Regulations.

**SCHEDULE**

Regulation 9 (4)

**“SCHEDULE 1**

Regulation 9 (1)

**TRAINING PROGRAMME**

The training programme leading to ultimate registration in midwifery shall consist of the following two Parts –

**Part A. Theoretical and technical instruction.**

1. 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 organisation;
- (13) Professional ethics and professional legislation;
- (14) Sex education and family planning;
- (15) Legal protection of mother and infant.

2. 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 newborn infant;

- (9) Care and supervision of the newborn infant;
- (10) Psychological and social factors.

**Part B. Practical and Clinical Training**

Practical and clinical training this aining 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 , It 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;
- (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.”.

Dated this 16th day October, 1997

K AZOPARDI,

Minister for the Environment & Health.

#### **EXPLANATORY MEMORANDUM**

*(This note does not form part of the regulations.)*

These Regulations transpose Council Directive 80/155/EEC (as amended by Council Directive 89/594/EEC), concerning the coordination of provisions relating to the taking up and pursuit of the activities of midwives.

The Regulations amend the Midwives Regulations in order to establish a regime whereby all midwifery training will have to comply with certain training standards as regulated by the Nurses and Midwives Registration Board. A roll of pupil midwives is established.

