

The Midwives' Act, 1902.

(2 EDWARD VII., c. 17.)

The following memorandum has recently been issued by the Local Government Board:—

OBJECT OF ACT.

1. The object of this Act, which, except as otherwise provided, came into operation on April 1st, 1903, is to secure the better training and supervision of midwives by the establishment of a system of certification and enrolment of women who are properly qualified to act in that capacity.

MIDWIVES' ROLL.

2. The Act accordingly makes provision for the institution of a roll which will contain the names of midwives certified under the Act, and for the formation and constitution of a body to be called the Central Midwives' Board, who, as the Central Authority for carrying the Act into effect, will possess jurisdiction in regard to the issue of certificates and the admission to the roll of midwives, and will exercise a general control over the practice of such persons. (Sections 3 and 6.)

3. The Central Midwives' Board has been constituted and consists of the following members:—

W. J. Sinclair, Esq., M.D.

Miss J. Wilson.

F. H. Champneys, Esq., M.D.

J. W. Cousins, Esq., F.R.C.S.

E. P. Young, Esq., M.R.C.S., L.S.A.

C. J. Cullingworth, Esq., M.D., F.R.C.P.

J. E. Johnstone, Esq., M.P.

Miss R. Paget.

Miss D. Oldham.

Secretary, G. W. Duncan, Esq.

The temporary office of the Board is at the Privy Council Office, Whitehall, S.W.

4. The Central Midwives' Board are to frame rules, subject to the approval of the Privy Council, for the purposes above referred to, and they are also required (amongst other things) to publish annually a roll of midwives who have been duly certified under the Act. (Section 3.)

DEFINITION OF MIDWIFE.

5. The term "midwife" as used in the Act is defined by Section 18 as meaning a woman who is certified under the Act, unless the context otherwise requires.

LOCAL SUPERVISING AUTHORITIES.

6. The local supervision of midwives is entrusted to the council of every county or county borough throughout England and Wales, who by Section 8 are made the local supervising authority over midwives within their respective areas.

7. The same section imposes upon each local supervising authority as thus constituted various specified duties in relation to midwives. Their first duty (Section 8 (7)) will be to give due notice of the effect of the Act, so far as practicable, to persons at present using the title of midwife. It is understood that the Central Midwives' Board contemplate the preparation of a form of notice for the use of local authorities, which will be communicated to them, together with the rules under Section 3. The Council should forthwith ascertain, so far as possible, the names and addresses of all women in the county who are accustomed to hold themselves out as midwives.

8. The other duties enjoined upon the local supervising authority by Section 8 are as follows:—

- (1) To exercise general supervision over all midwives practising within their area in accordance with the rules to be laid down under the Act.
- (2) To investigate charges of malpractice, negligence, or misconduct on the part of any midwife practising within their area, and, should a *prima-facie* case be established, to report the same to the Central Midwives' Board.
- (3) To suspend any midwife from practice, in accordance with the rules under the Act, if such suspension appears necessary in order to prevent the spread of infection.
- (4) To report at once to the Central Midwives' Board the name of any midwife practising in their area convicted of an offence.
- (5) During the month of January of each year to supply the Secretary of the Central Midwives' Board with the names and addresses of all midwives who, during the preceding year, have notified their intention to practise within their area, and to keep a current copy of the roll of midwives, accessible at all reasonable times for public inspection.
- (6) To report at once to the Central Midwives' Board the death of any midwife or any change in the name or address of any midwife in their area, so that the necessary alteration may be made in the roll.

DELEGATION OF POWERS BY LOCAL SUPERVISING AUTHORITIES.

9. The local supervising authority may delegate, with or without any restrictions or conditions as they may think fit, any powers or duties, conferred or imposed upon them by or in pursuance of the Act, to a committee appointed by them, and consisting either wholly or partly of members of the council. The provisions of sub-sections (1) and (2) of Section 82 of the Local Government Act, 1888, are applied to every committee appointed under this section and to every council appointing the same, and women are made eligible to serve on any such committee. (Section 8.)

10. In addition to the general right thus conferred upon the local supervising authorities, of delegating their powers and duties under the Act to committees, the councils of counties are empowered by Section 9 of the Act to delegate, with or without any restrictions or conditions as they may think fit, any powers or duties, conferred or imposed upon them by or in pursuance of the Act, to any district council within the area of the county. It is provided that the powers and duties so delegated may be exercised by a committee appointed by such district council, and consisting either wholly or partly of members of the district council, and that women shall be eligible to serve on any such committee. Any expenses incurred by a district council in the execution of any powers or duties so delegated are, to an amount not exceeding such sum as may be prescribed by the county council, to be repaid to the district council as a debt by the county council, and any excess above the sum prescribed is to be borne by the district council as part of their ordinary expenses. These provisions are made applicable to the administrative county of London in like manner as if each metropolitan borough were a

[previous page](#)

[next page](#)