

MIDWIFERY

Nurses and Midwives  
(Evidence of Indemnity  
for Midwives) Rules 2019



Bord Altranais agus  
Cnáimhseachais na hÉireann  
Nursing and Midwifery  
Board of Ireland

**STATUTORY INSTRUMENTS**

**S.I. No; xxx of 2019**

**NURSES AND MIDWIVES (EVIDENCE OF INDEMNITY FOR MIDWIVES) RULES 2019**

**DRAFT**

## NURSES AND MIDWIVES (EVIDENCE OF INDEMNITY FOR MIDWIVES) RULES 2019

The Nursing and Midwifery Board of Ireland in exercise of the powers conferred on it by section 13 of the Nurses and Midwives Act 2011 (No. 41 of 2011), with the approval of the Minister for Health, hereby make the following Rules:-

### *Citation*

1. These Rules may be cited as the Nurses and Midwives (Evidence of Indemnity for Midwives) Rules 2019.

### *Commencement*

2. These Rules come into operation on xxxxx 2019

### *Definitions*

3. In these Rules-

‘Act’ means the Nurses and Midwives Act 2011 (No.41 of 2011);

‘Adequate clinical indemnity insurance’ means an indemnity arrangement which is appropriate to the midwife’s role and scope of practice and its risks. The cover must be intended to be sufficient to meet an award of damages if a successful claim is made against the midwife;

‘Indemnity’ means a policy of clinical indemnity insurance, or other indemnity arrangement, against losses arising from claims in respect of civil liability incurred by a midwife in respect of any act or omission of that midwife arising from her or his practice as a midwife;

‘Regulations 2017’ means the European Union (Recognition of Professional Qualifications) Regulations 2017 (No. 8 of 2017).

### *Evidence to be submitted in relation to indemnity*

4. A midwife will be required to furnish a declaration confirming that she/he holds adequate clinical indemnity insurance at the following points as appropriate:
- a) when applying for registration in the midwives division of the register of nurses and midwives with the Nursing and Midwifery Board of Ireland for the first time;
  - b) when applying for annual retention in the midwives division of the register of nurses and midwives;
  - c) when applying for restoration to the midwives division of the register of nurses and midwives pursuant to section 50 (4) of the Act;
  - d) when applying for restoration to the midwives division of the register of nurses and midwives pursuant to section 79 of the Act; and

- e) when applying to provide midwifery services on a temporary and occasional basis pursuant to Part 4 of the Regulations of 2017.
5. Any midwife who is unable to furnish a declaration regarding adequate indemnity insurance will not be registered on, retained on or restored to the midwives division of the register of nurses and midwives.
6. If the midwives' indemnity arrangement is no longer adequate for her/his scope of practice she/he must inform the Nursing and Midwifery Board of Ireland immediately.

GIVEN under the official seal of the Nursing and Midwifery Board of Ireland [insert date]

Ms. Essene Cassidy  
President

Ms Dawn Johnston  
Interim Chief Executive Officer