

*Midwives.*

## No. 2 of 1920.

An Ordinance to provide for the Registration of Midwives,  
and to Regulate their Practice.

[Date of Governor's assent : February 19, 1920.]

[Date of commencement : April 29, 1920.]

## Preamble.

WHEREAS it is expedient to make provision for the registration of women lawfully qualified to practise as midwives, and to regulate the practice of such midwives: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

## Short title and commencement.

1 (1) This Ordinance may be cited as "The Midwives Ordinance, No. 2 of 1920," and shall, except as otherwise provided by this Ordinance, come into operation on such date as the Governor shall by Proclamation appoint.\*

(2) Immediately upon the passing of this Ordinance it shall be lawful to register women as midwives in accordance with the provisions of this Ordinance, and to do all things which are prescribed by this Ordinance for such purpose.

## Constitution and duties of the Ceylon Board of Midwives.

2 (1) Upon the passing of this Ordinance the members from time to time constituting the Council of the Ceylon Medical College, and one other person from time to time to be appointed by the Governor for a term not exceeding three years, shall form a Board to be called the Ceylon Midwives Board.

(2) Such last-mentioned person shall be eligible for re-appointment; and any vacancy occurring by the resignation or death of any such person shall from time to time be filled up by the Governor.

(3) No act or proceeding of the Board shall be invalidated or questioned on account of any vacancy among the members of such Board, or of any defect in their appointment.

(4) The powers and duties of the Board shall be as follows :

(a) To frame regulations—

- (i.) Regulating their own proceedings ;
- (ii.) Regulating the conditions of admission to the Register of Midwives ;
- (iii.) Regulating, supervising, and restricting within due limits the practice of midwives ;
- (iv.) Deciding the conditions under which midwives may be suspended from practice.

(b) To publish annually a list of midwives appearing on the Register of Midwives.

\* Proclaimed from April 29, 1920, by Proclamation dated April 29, 1920, in *Government Gazette* No. 7,101 dated April 30, 1920.—Edd.

*Midwives.*

- (c) To decide upon and direct the removal from the register of the name of any midwife for disobeying the regulations from time to time laid down under this Ordinance, or for any malpractice, negligence, or misconduct; and also to decide upon and direct the restoration to the register of the name of any midwife so removed.
- (d) To direct the removal of any entry in the register which the Board is satisfied to have been fraudulently or incorrectly made.
- (e) To appoint local supervising officers over defined areas, and to prescribe the duties to be performed by such persons.
- (f) And generally to do any other act or duty which may be necessary for the due and proper carrying out of the provisions of this Ordinance.

(3) Regulations made under this section shall have no effect until the same are confirmed by the Governor in Executive Council. When so confirmed and published in the *Government Gazette* in the English, Sinhalese, and Tamil languages, respectively, they shall be as valid and effectual as if they had been herein enacted.

3 Any woman thinking herself aggrieved by any decision of the Ceylon Midwives Board removing her name from the Register of Midwives may appeal in writing therefrom to the Governor in Executive Council within one month after the notification of such decision to her, and the decision of the Governor in Executive Council shall be final and conclusive.

Appeal from decisions of Board.

4 (1) There shall be a Register of Midwives, to be kept by the Registrar of the Ceylon Medical College, containing the names of those midwives who shall have satisfied such Registrar that they are entitled to have their names entered therein under the regulations of the Ceylon Board of Midwives.

Register of Midwives.

(2) The entry in the register shall in every case indicate the conditions in virtue of which the registration was made.

5 It shall be the duty of such Registrar to keep such register up to date, making such additions, alterations, and corrections thereto as may be necessitated—

Duties of Registrar.

- (a) By the admission of women to practise as midwives;
- (b) By changes of address of those entitled to be on the register;
- (c) By the removal or restoration of names from or to the register upon the order or direction of the Board;
- (d) By the death of any person whose name is on the register; and
- (e) By any act or thing required to be done by or under the authority of any provision of this Ordinance or of any regulation made thereunder.

6 The production of a copy of the *Government Gazette* containing a list of midwives published under the authority of the Board shall be evidence that the women therein specified

Copy of Gazette is evidence of list.

Proviso.

are registered under this Ordinance ; and the absence of the name of any woman from such copy shall be evidence, until the contrary be made to appear, that such woman is not registered under this Ordinance. Provided always that in the case of any woman whose name does not appear in such list, a certificate under the hand of the said Registrar of the entry of the name of such woman on the register shall be evidence that such woman is registered under this Ordinance.

Rights proceeding from registration and the right to recover charges.

7 Every woman registered under this Ordinance shall be entitled to designate herself as a registered midwife and to practise as a midwife, and no woman shall be entitled to recover any charge in any court of law for any services rendered by her as a midwife, unless she shall prove upon the trial that she was registered under this Ordinance at the time she rendered such services.

Prohibition against the unlawful use of the designation registered midwife.

8 No woman who is not registered, or who has been suspended, or whose name has been removed from the register in pursuance of the provisions of this Ordinance or of any regulation thereunder, shall designate herself as a registered midwife, or by any declaration, act, or omission intentionally cause or permit any person to believe that she is such and to act upon such belief.

Penalties for certain offences.

9 Any person wilfully making or causing any falsification in any matter relating to the Register of Midwives, or acting in contravention of section 8 hereof, shall be guilty of an offence, and shall be liable upon summary conviction to imprisonment of either description for a period not exceeding six months, or to a fine not exceeding one hundred rupees, or to both.

Registered midwives only to practise in specified area.

10 It shall not be lawful for any woman habitually and for gain to attend women in childbirth in any urban area specified by the Governor in Executive Council by Proclamation unless she has been registered under this Ordinance, and any woman so acting without being registered under this Ordinance within such specified area shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding one hundred rupees.

Proviso.

Provided, however, that this section shall not apply to registered medical practitioners, or to any woman acting under the direction of any such practitioner, or to any one rendering assistance in a case of emergency.