

Run off Cover Indemnity Scheme Midwife who has ceased practice because of maternity

When to use this form

The midwife completing the statutory declaration attached to this form, must have temporarily or permanently ceased midwifery practice because of maternity.

The Midwife Professional Indemnity Run off Cover only applies to claims or incidents first notified to your Medical Indemnity Insurer (MII) **on or after 1 July 2010**.

For more information

For more information about Medical Indemnity or assistance completing the statutory declaration, contact your MII.

Filling in this form

- **Use black or blue pen.**
- Print in BLOCK LETTERS.
- Sign this statutory declaration before an authorised person (see page 3 for a list of authorised persons).

Returning your form

Check that all required questions are answered and the statutory declaration has been signed and dated.

Send the completed statutory declaration to your MII.

Privacy notice

The privacy and security of your personal information is important to us, and is protected by law. We need to collect this information so we can process and manage your applications and payments, and provide services to you. We only share your information with other parties where you have agreed, or where the law allows or requires it. For more information, go to servicesaustralia.gov.au/privacy

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

1 Full name |, 1

2 Address and
postcode of, 2

3 Occupation 3

4 Midwife Unique
Identifier 4

5 National Registration
and Accreditation
Scheme (NRAS) Identifier 5

6 Date of birth 6/...../.....

make the following declaration under the *Statutory Declarations Act 1959*:

- I ceased providing midwifery services as an eligible midwife for payment in the course of private midwifery practice* because of maternity** from/...../..... to/...../..... and from this date, I had not resumed private midwifery practice (apart from providing midwifery services free of charge).
- I was a registered midwife under an Australian state or territory law at the time the incident(s) occurred.
- I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

7 Signature of person making the declaration 7

8 Place Declared at 8 on 9 of 10

9 Day

10 Month and year

Before me,

11 Signature of person before whom the declaration is made (see page 3) 11

12 12

12 Full name, qualification and address of person before whom the declaration is made (in printed letters)

* Private practice as a midwife is set out in section 31(5) of the *Midwife Professional Indemnity (Commonwealth Contribution) Scheme Act 2010* to mean practice as a midwife, other than:

- practice consisting of treatment of public patients of a hospital, or
- practice for which the Commonwealth, a state or territory or a local governing body, or an authority established under a law of the Commonwealth, a state or a territory indemnifies a midwife from liability relating to compensation, or
- practice for which midwives are ordinarily or could reasonably expect to be indemnified by their employer due to engagement as an employee, or
- practice conducted outside both Australia and the external territories.

** Maternity – For the purposes of sub-section 31(3) of the *Midwife Professional Indemnity (Commonwealth Contribution) Scheme Act 2010*, a person is taken to have ceased (temporarily or permanently) all practice as a midwife because of maternity:

- if the person:
 - is pregnant, or
 - has given birth, or
 - is recovering from a pregnancy (including a miscarriage or a stillbirth), and
- another person who is a medical practitioner has certified, in the form approved by the Chief Executive Officer of Medicare, that the person is pregnant, has given birth or is recovering from a pregnancy, as the case requires, and
- the person has ceased all practice as an eligible midwife:
 - because she is pregnant, or
 - in order to care for one or more children to whom she has given birth, or
 - in order to recover from the pregnancy.

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the Criminal Code applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

Regulation 7 of the *Statutory Declarations Regulations 2018* provides that only the following persons may witness this statutory declaration:

- (1) a person who is enrolled on the roll of the Supreme Court of a state or territory, or the High Court of Australia, as a legal practitioner (however described).
- (2) a person who, under a law of the Commonwealth, a state or territory, is currently licensed or registered to practice in Australia in an occupation listed below:
 - Architect
 - Chiropractor
 - Dentist
 - Financial adviser or financial planner
 - Legal practitioner
 - Medical practitioner
 - Midwife
 - Migration agent registered under Division 3 of Part 3 of the *Migration Act 1958*
 - Nurse
 - Occupational therapist
 - Optometrist
 - Patent attorney
 - Pharmacist
 - Physiotherapist
 - Psychologist
 - Trade marks attorney
 - Veterinary surgeon.
- (3) a person who is listed below:
 - Accountant who is:
 - (a) a fellow of the National Tax Accountants' Association, or
 - (b) a member of any of the following:
 - i. Chartered Accountants Australia and New Zealand
 - ii. the Association of Taxation and Management Accountants
 - iii. CPA Australia
 - iv. the Institute of Public Accountants
 - Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
 - APS employee engaged on an ongoing basis with 5 or more years of continuous service
 - Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)
 - Bailiff
 - Bank officer with 5 or more years of continuous service
 - Building society officer with 5 or more years of continuous service
 - Chief executive officer of a Commonwealth court
 - Clerk of a court
 - Commissioner for affidavits
 - Commissioner for declarations
 - Credit union officer with 5 or more years of continuous service
 - Employee of a Commonwealth authority engaged on a permanent basis with 5 or more years of continuous service
 - Employee of the Australian Trade and Investment Commission who is:
 - (a) in a country or place outside Australia, and
 - (b) authorised under paragraph 3(d) of the *Consular Fees Act 1955*, and
 - (c) exercising the employee's function at that place
 - Employee of the Commonwealth who is:
 - (a) at a place outside Australia, and
 - (b) authorised under paragraph 3(c) of the *Consular Fees Act 1955*, and
 - (c) exercising the employee's function at that place
 - Engineer who is:
 - (a) a member of Engineers Australia, other than at the grade of student, or
 - (b) a Registered Professional Engineer of Professionals Australia
 - (c) registered as an engineer under a law of the Commonwealth, a state or territory, or
 - (d) registered on the National Engineering Register by Engineers Australia
 - Finance company officer with 5 or more years of continuous service
 - Holder of a statutory office
 - Judge
 - Justice of the peace
 - Magistrate
 - Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*
 - Master of a court
 - Member of the Australian Defence Force who is:
 - (a) an officer, or
 - (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service, or
 - (c) a warrant officer within the meaning of that Act
 - Member of Australasian Institute of Mining and Metallurgy
 - Member of the Governance Institute of Australia Ltd
 - Member of:
 - (a) the Parliament of the Commonwealth, or
 - (b) the Parliament of a state, or
 - (c) a territory legislature, or
 - (d) a local government authority
 - Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*
 - Notary public, including a notary public (however described) exercising functions at a place outside:
 - (a) the Commonwealth, and
 - (b) the external territories of the Commonwealth
 - Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
 - Permanent employee of:
 - (a) a state or territory or a state or territory authority, or
 - (b) a local government authoritywith 5 or more years of continuous service
 - Person before whom a statutory declaration may be made under the law of the state or territory in which the declaration is made
 - Police officer
 - Registrar, or Deputy Registrar, of a court
 - Senior executive service employee of a Commonwealth authority
 - Senior executive employee of a state or territory
 - SES employee of the Commonwealth
 - Sheriff
 - Sheriff's officer
 - Teacher employed on a permanent full-time basis or a part-time basis at a school or tertiary education institution.