



## **Registration Policy for Applicants Qualified in New Zealand**

Refers to the following key legislation:

- Health Practitioners Competence Assurance Act 2003

Also relates to the following associated legislation:

- Criminal Records (Clean Slate) Act 2004
- Children's Act 2014
- Crimes Act 1961

And refers to the following related Council information:

- The Competencies for Entry to the Register of Midwives
- Standards for approval of pre-registration midwifery education programmes and accreditation of tertiary education organisations (3rd edition) November 2019
- Declarations by New Zealand Graduates seeking entry to the Register of Midwives
- NZ graduates' application guidelines document
  - Documents accepted as Evidence of Identity (EOI)
  - Police Vetting Service Request & Consent Form
  - Medical Certificate
  - Character Reference - Midwife
  - Character Reference - Person of Good Standing
  - Health Status Disclosure Statement Form
  - Reflective Statement on Criminal Conviction
  - English Language assessments
- National Midwifery Examination Policy for New Zealand Graduates

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**Policy statement**

New Zealand qualified applicants, which is anyone who has successfully completed an approved midwifery qualification at an accredited education provider in New Zealand, can apply to the Midwifery Council (the Council) seeking registration as a midwife in New Zealand.

All applications for registration are assessed by the Council in accordance with sections 12, 15 – 19 of the Health Practitioners Competence Assurance Act 2003 (HPCAA).

The Council will register any applicant to practise midwifery within the midwifery scope of practice, if that midwife:

- meets the fitness for registration requirements as set out in section 16 of the HPCAA, and
- holds a prescribed qualification as set out by the Council as allowed for under section 12 of the HPCAA, and
- is assessed as competent to practise within the midwifery scope of practice.

**1 Fitness for registration**

The principal considerations for fitness for registration are:

**1.1 English Language**

- a. The ability to effectively communicate in and comprehend the English language is a specific requirement of sections 16(a) and (b) of the HPCAA.
- b. Applicants for whom English is not their first spoken language will be required to demonstrate a reasonable level of proficiency. Applicants are required to provide evidence of successful completion of an English language assessment, prior to entry to their school of midwifery or evidence of exemption of this requirement issued by the Midwifery Council.
- c. Successful completion means attaining a minimum score as required by the Midwifery Council, in an approved English language test. The Council's English language proficiency requirements for New Zealand qualified midwives are outlined in the New Zealand graduate guidelines for registration.

## **1.2 Conviction disclosure and Police vetting**

- a. Under section 16(c) of the HPCAA, the Council must be assured that the applicant does not have any convictions by a court in New Zealand or elsewhere for an offence that could be punishable by imprisonment for a term of three (3) months or more.
- b. Having a conviction will not necessarily prevent an applicant from being registered as a midwife as all circumstances provided in the applicant's convictions declaration will be considered on a case-by-case basis. Registration will not be refused without discussing this with the applicant.
- c. The Council's Declaration of convictions and Police Vetting requirements for New Zealand qualified midwives are outlined in the New Zealand graduate guidelines for registration.

## **1.3 Health clearance**

- a. Under section 16(d) of the HPCAA, the Council must be assured that the applicant does not have any physical or mental health conditions that would prevent them from performing the functions of a midwife.
- b. Having a mental or physical condition will not necessarily prevent an applicant from being registered as a midwife. All circumstances will be considered on a case-by-case basis. Registration will not be refused without discussing this with the applicant.
- c. The Council's Declaration of mental and physical health and Medical Certificate requirements for New Zealand qualified midwives are outlined in the New Zealand graduate guidelines for registration.

## **1.4 Person of good standing**

- a. Sections 16(e), (f) and (g) of the HPCAA require that the Council must be satisfied that applicant is held in good standing by any responsible authority or similar body the applicant has been regulated under either in New Zealand or overseas.
- b. Applicants are required to disclose all previous and current registrations with other professional regulators in New Zealand or another country, in order for the Council to ascertain any past or present professional disciplinary proceedings, orders or investigations that could reflect on the applicant's fitness to practise.

- c. The Council's Declaration of Registration with other Authorities requirements for New Zealand qualified midwives are outlined in the New Zealand graduate guidelines for registration document.
- d. Applicants must also provide two (2) personal character references. One must be completed by a registered midwife who has worked with the applicant and is familiar with their midwifery practice. The second must be completed by another person of good standing in their community who has known the applicant for at least two (2) years.
- e. The Council's Character reference requirements for New Zealand qualified midwives are outlined in the New Zealand graduate guidelines for registration.

### **1.5 No undue risk to the public**

- a. Under section 16(h) of the HPCAA the Council must be assured the applicant does not pose an undue risk to the health or safety of the public.

#### **i. Identity**

- 1) The Council is required to confirm the applicant's identity with certainty, as registration will be made under the full legal name of the applicant.
- 2) Applicants are required to establish their identity by providing the appropriate documentation, in accordance with the Council's Identity documentation criteria, as outlined in the New Zealand graduate guidelines for registration.

#### **ii. Prescribed Qualification**

- 1) The Council must be satisfied that an applicant has completed an approved programme of education, including obtaining a prescribed midwifery qualification, from an accredited tertiary education provider in New Zealand. The Council prescribes the qualification under section 12 of the HPCAA.
- 2) Applicants must complete all the requirements of the programme of education including the required hours, placements and numbers of clinical experiences. The Heads of the Schools of Midwifery will provide confirmation of the applicant's programme completion to the Council.
- 3) The Council's documentation requirements for Confirmations from Heads of Schools of Midwifery for New Zealand qualified midwives are outlined in the [National Midwifery Examination Policy for New Zealand Graduates](#).

### **iii. Competence**

- 1) The Council must be assured that the applicant's midwifery knowledge and skills are current, informed by best practice evidence, and that they have sufficient experience to practise midwifery confidently and autonomously.
- 2) Applicants are expected to sit the National Midwifery Examination in order to obtain registration with the Council at the first opportunity on completion of their programme of education.
- 3) The Council's Registration and Practising Certificate requirements for New Zealand qualified midwives are outlined in the New Zealand graduate guidelines for registration.

## **2 After registration**

### **2.1 Entry to the Register**

- a. All New Zealand qualified applicants who have met the requirements for registration in section 1 above, will be entered onto the Register of Midwives as able to practise within the Midwifery Scope of Practice.

### **2.2 Conditions**

- a. All newly qualified midwives will have conditions placed on their scope of practice and will be required to begin the Midwifery First Year of Practice (MFYP) programme within two (2) years of completing their programme of education.
- b. Any midwife who does not begin the MFYP programme in the required time frame will be referred for an assessment of competence before they will be issued with a practising certificate. The assessment can include examination and an Objective Structured Clinical Examination (OSCE) assessment.

## **3 Applicants Who Do Not Obtain Registration**

### **3.1 Failure to complete the registration process**

- a. Applicants unable to submit all required application documentation within six (6) months of initial application will have to reapply to the Midwifery Council and pay a new application fee.
- b. Where the application is incomplete due to Council process or information required from a third party, then the timeframe will not apply.

### **3.2 Failure to meet individual criteria**

- a. Applicants who do not satisfy the Council that they are able to meet any of the criteria in section 1 of this policy will be declined registration as a midwife with the Council.
- b. Applicants who still wish to obtain midwifery registration may seek clarification from the Council on what steps would be required to meet the required standards.

### **3.3 Right of Appeal**

- a. Where the Council proposes to decline an application, section 24 of the HPCAA requires that the applicant will be advised in writing of the reasons for the decision, given a copy of any information on which the Council relies and will be given a reasonable opportunity to make written and oral submissions either personally or by representative to be heard in respect of the matter. The Council's subsequent decision will be final.
- b. Under section 106 of the HPCAA, an unsuccessful applicant may appeal the Council's subsequent decision to decline to register them by lodging a notice of appeal with the District Court. This notice of appeal must be lodged within 20 [twenty] business days after the notice of the Council decision was communicated to the applicant.

## **4 Cancellation of registration**

- a. Midwives seeking cancellation of their registration must formally apply to the Council. Registrations cannot be cancelled if there are criminal or disciplinary proceedings pending against the practitioner.
- b. Registration will be cancelled when the Council has received formal advice that a midwife is deceased.
- c. The Council may direct the Registrar to undertake a revision of the Register following the processes outlined in Section 144 of the Act.