



# **Midwife Professional Indemnity Legislation Amendment Act 2011**

**No. 47, 2011**

**An Act to amend the law relating to midwife  
professional indemnity, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)



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## **An Act to amend the law relating to midwife professional indemnity, and for related purposes**

[Assented to 27 June 2011]

The Parliament of Australia enacts:

### **1 Short title**

This Act may be cited as the *Midwife Professional Indemnity  
Legislation Amendment Act 2011*.

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## **2 Commencement**

This Act commences on the day this Act receives the Royal Assent.

## **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## Schedule 1—Amendments

### *Midwife Professional Indemnity (Commonwealth Contribution) Scheme Act 2010*

#### **1 After subsection 11(3)**

Insert:

- (3A) For the purposes of paragraph 11(3)(g), the Rules may specify one or more classes of practice that are taken not to be practice of a kind referred to in that paragraph and, without limiting the way in which a class may be specified, the class may be described by reference to the following:
- (a) the ownership or control (however described) of a corporation of which one or more eligible midwives are employees;
  - (b) the true nature of the class of practice.
- (3B) To avoid doubt, Rules made for the purposes of subsection (3A) may be expressed to take effect from a date before the Rules are registered under the *Legislative Instruments Act 2003*.

#### **2 At the end of section 31**

Add:

- (6) For the purposes of paragraph (c) of the definition of *private practice as a midwife* in subsection (5), the Rules may specify one or more classes of practice that are taken not to be practice of a kind referred to in that paragraph and, without limiting the way in which a class may be specified, the class may be described by reference to the following:
- (a) the ownership or control (however described) of a corporation of which one or more eligible midwives are employees;
  - (b) the true nature of the class of practice.
- (7) To avoid doubt, Rules made for the purposes of subsection (6) may be expressed to take effect from a date before the Rules are registered under the *Legislative Instruments Act 2003*.

***Midwife Professional Indemnity (Run-off Cover Support Payment) Act 2010***

**3 Subsection 7(3) (formula)**

Repeal the formula, substitute:

$$\text{Net premium} \times \frac{\text{Applicable rate}}{1 + \text{Applicable rate}}$$

**4 Application of amendment made by item 3**

The amendment made by item 3 applies to each contribution year starting on or after 1 July 2010.

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*[Minister's second reading speech made in—  
House of Representatives on 3 March 2011  
Senate on 11 May 2011]*

(30/11)

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