



STATUTORY INSTRUMENTS.

S.I. No. XXX of 2018

MEDICAL COUNCIL (EVIDENCE OF INDEMNITY) RULES 2018

(Prn. [•])

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MEDICAL COUNCIL (EVIDENCE OF INDEMNITY) RULES 2018

The Medical Council, in exercise of the powers conferred on it by section 11 (as amended by section 3 of the Medical Practitioners (Amendment) Act 2017 (No. 10 of 2017)) of the Medical Practitioners Act 2007 (No. 20 of 2007), hereby makes the following rules:-

Citation

1. These Rules may be cited as the Medical Council (Evidence of Indemnity) Rules 2018.

Commencement

2. These Rules come into operation on [XXXX] 2018.

Definitions

3. In these Rules—

“2017 Act” means the Medical Practitioners (Amendment) Act 2017 (No. 10 of 2017);

“Principal Act” means the Medical Practitioners Act 2007 (No. 20 of 2007);

Evidence to be submitted in relation to indemnity

4. The evidence to be submitted to the Council by a medical practitioner in relation to his or her level of indemnity under section 45(1A) (as inserted by section 7 of the 2017 Act) of the Principal Act, is—

- (a) in the case of first registration, a completed and signed declaration in the form set out Schedule 1 or, where the Council provides for internet application, an equivalent online form,
- (b) in the case of renewal or restoration of registration, a completed and signed declaration in the form set out in Schedule 2 or, where the Council provides for internet application, an equivalent online form, or
- (c) in the case of a medical practitioner providing services in the State on a temporary and occasional basis pursuant to Part 4 of the Regulations of 2017, a completed and signed declaration in the form set out in Schedule 3 or, where the Council provides for internet application, an equivalent online form,

and shall including any certificate required to be enclosed with such form.

Content of certificate

5. Where a medical practitioner is required to enclose with any of the forms referred to in Rule 4 a certificate from his or her insurer, broker or indemnity provider as evidence of his or her insurance or indemnity, such certificate shall be in the English language and shall state, in particular—

- (a) the name of the policyholder or person indemnified,
- (b) the period of cover of the insurance policy or indemnity,

(c) the area of practise covered by the policy or indemnity, and

(d) the level of indemnity provided.

Timing of submission of evidence

6. The evidence referred to in Rule 4 shall be submitted to the Council as follows:

(a) in the case of an application by a medical practitioner for first registration, the declaration and any accompanying certificate shall be submitted at the time of the application;

(b) in the case of an application by a registered medical practitioner for renewal of registration—

(i) the declaration shall be submitted at the time of the application, and

(ii) any accompanying certificate shall be submitted by post to the Council not later than 14 days after the date of issue of the registration certificate renewing the registration; or

(c) in the case of a medical practitioner providing services in the State on a temporary and occasional basis pursuant to Part 4 of the Regulations of 2017, the declaration and any accompanying certificate shall be submitted with the declaration required to be made under Regulation 13(1) of those Regulations and any renewal of that declaration under Regulation 13(2) of those Regulations.

Evidence to be displayed at principal place of practise

7. The evidence to be displayed by a medical practitioner, under section 43(7A) (as inserted by section 6 of the 2017 Act) of the Principal Act, of the minimum level of indemnity (if any) applicable to him or her at the principal place where the practitioner practises medicine is the certificate referred to in Rule 5.

Manner of display of evidence

8. The evidence referred to in Rule 7 shall, if practicable, be displayed on white paper or white cardboard in a prominent position at the principal place where the practitioner practises medicine such that it is readily visible to a person each time that person is treated by the medical practitioner.

Schedule 1

Professional Indemnity Declaration Form (First Registration)

Full Name: (block capital letters)						
Registration number:						

Section 1

Professional Indemnity Requirements

1. The Medical Council is obliged to ensure that Registered Medical Practitioners who fall into certain classes have minimum levels of indemnity in place.
2. The Medical Council cannot register an applicant unless it is satisfied that the applicant:
 - a. Has put in place the minimum level of indemnity, or
 - b. Does not fall into any of the classes to which minimum levels of indemnity apply.
3. The National Treasury Management Agency (NTMA) have published various lists of hospitals and healthcare facilities as well as the minimum levels of indemnity that apply to certain classes of Medical Practitioners.
4. In order for the Council to consider your application for registration you must respond to the following questions in relation to the issue of professional indemnity.

Section 2

Professional Indemnity Statements:

Please **tick the box next to the statement which applies to you:**

1. If registered, you will be engaged in the practise of medicine exclusively in a hospital and/or healthcare facility that is listed by the NTMA in List 1 (including on a locum basis).

If this applies to you, complete **DECLARATION 1**.

2. If registered, you will be engaged, in whole or in part (including on a locum basis), in the practise of medicine as a consultant in a hospital and/or healthcare facility that is listed by the NTMA in List 2.

If this applies to you, complete **DECLARATION 2** and **PROVIDE EVIDENCE** of the relevant minimum level of indemnity by way of certificate from your insurer/broker or indemnity provider.

3. If registered, you will be engaged, in whole or in part (including on a locum basis), in the practise of medicine in a non-consultant position, in a hospital and/or healthcare facility that is listed by the NTMA in List 2 .

If this applies to you, complete **DECLARATION 3**.

4. If registered, you will be engaged, in whole or in part (including on a locum basis), in the practise of medicine at a facility (to include a general practice) that is not listed by the NTMA in either List 1 or 2.

If this applies to you, complete **DECLARATION 4** and **PROVIDE EVIDENCE** of the relevant level of indemnity by way of certificate from your insurer/broker or indemnity provider.

5. If registered, you will not immediately be engaged in the practise of medicine under a contract of employment, contract for services or any other arrangement. However, you hope to engage in the practise of medicine during this period of registration.

If this applies to you, complete **DECLARATION 5**.

6. You will **not** be engaged in the practise of medicine.

If this applies to you, complete **DECLARATION 6**.

DECLARATION 1 (First_Reg)

Persons who will only be engaged in the practise of medicine in a hospital and/or healthcare facility that is listed by the NTMA in List 1

1. I declare that I will only treat patients in a hospital and/or healthcare facility that is listed by the NTMA in List 1 .
2. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
3. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007 :

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

4. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed: _____

Medical Practitioner

Date:

DECLARATION 2 (First_Reg)

Persons who will be engaged, in whole or in part (including on a locum basis), in the practise of medicine as a consultant in a hospital and/or healthcare facility that is listed by the NTMA in List 2

1. I declare that I have the minimum level of indemnity applicable to me, being a [*insert speciality/class of medical practitioner-* _____], as set out in the Classes of Medical Practitioner and Minimum Levels of Indemnity published by the National Treasury Management Agency, in place.
2. I enclose a certificate from my insurance broker or indemnity provider as evidence of my insurance or indemnity.
3. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
4. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

5. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed : _____

Medical Practitioner

Date:

DECLARATION 3 (First_Reg)

Persons who will be engaged, in whole or in part (including on a locum basis), in the practise of medicine, in a non-consultant position, in a hospital and/or healthcare facility that is listed by the NTMA in List 2 .

1. I declare that I will treat patients in a hospital and/or healthcare facility that is listed by the NTMA in List 2 .
2. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
3. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

4. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed : _____

Medical Practitioner

Date:

DECLARATION 4 (First_Reg)

Persons who will be engaged, in whole or in part (including on a locum basis), in the practise of medicine in a hospital/clinical setting that is not listed by the NTMA in List 1 .

1. I declare that I have the minimum level of indemnity applicable to me, being a [*insert speciality/class of medical practitioner-* _____], as set out in the Classes of Medical Practitioner and Minimum Levels of Indemnity published by the National Treasury Management Agency, in place.
2. I enclose a certificate from my insurer/broker or indemnity provider as evidence of my insurance or indemnity.
3. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
4. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

5. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed: _____

Medical Practitioner

Date:

DECLARATION 5 (First_Reg)

Persons who will not immediately be engaged in the practise of medicine in the Republic of Ireland.

1. I declare that I will not immediately be engaged in the practise of medicine in the Republic of Ireland.
2. Should I commence practise in the Republic of Ireland, I declare that I will put in place the required minimum level of indemnity prior to commencing practise.
3. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

4. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed: _____

Medical Practitioner

Date:

DECLARATION 6 (First_Reg)

Persons who will not be engaged in the practise of medicine in the Republic of Ireland.

1. I declare that I will not be engaged in the practise of medicine in the Republic of Ireland. Should I intend to practise in the Republic of Ireland, I declare that I will put in place the required minimum level of indemnity prior to commencing practise.
2. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Excerpt from section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

3. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed: _____

Medical Practitioner

Date:

Schedule 2

Professional Indemnity Declaration Form (Renewal)

Full Name: (block capital letters)						
Registration number:						

Section 1**Professional Indemnity Requirements**

1. The Medical Council is obliged to ensure that Registered Medical Practitioners who fall into certain classes have minimum levels of indemnity in place.
2. The Medical Council cannot register an applicant unless it is satisfied that the applicant:
 - a. Has put in place the minimum level of indemnity, or
 - b. Does not fall into any of the classes to which minimum levels of indemnity apply.
3. The National Treasury Management Agency (NTMA) have published various lists of hospitals and healthcare facilities as well as the minimum levels of indemnity that apply to certain classes of Medical Practitioners.
4. In order for the Council to consider your application for registration you must respond to the following questions in relation to the issue of professional indemnity.

Section 2**Professional Indemnity Statements:**

Please **tick the box next to the statement which applies to you:**

1. If registered, you will be engaged in the practise of medicine exclusively in a hospital and/or healthcare facility that is listed by the NTMA in List 1 (including on a locum basis).

If this applies to you, complete **DECLARATION 1**.

2. If registered, you will be engaged, in whole or in part (including on a locum basis), in the practise of medicine as a consultant in a hospital and/or healthcare facility that is listed by the NTMA in List 2.

If this applies to you, complete **DECLARATION 2** and **PROVIDE EVIDENCE** of the relevant minimum level of indemnity by way of certificate from your insurer/broker or indemnity provider.

3. If registered, you will be engaged, in whole or in part (including on a locum basis), in the practise of medicine in a non-consultant position, in a hospital and/or healthcare facility that is listed by the NTMA in List 2 .

If this applies to you, complete **DECLARATION 3**.

4. If registered, you will be engaged, in whole or in part (including on a locum basis), in the practise of medicine at a facility (to include a general practice) that is not listed by the NTMA in either List 1 or 2.

If this applies to you, complete **DECLARATION 4** and **PROVIDE EVIDENCE** of the relevant level of indemnity by way of certificate from your insurer/broker or indemnity provider.

5. You will **not** be engaged in the practise of medicine.

If this applies to you, complete **DECLARATION 5**.

DECLARATION 1 (Renewal)

Persons who will only be engaged in the practise of medicine in a hospital and/or healthcare facility that is listed by the NTMA in List 1

1. I declare that I will only treat patients in a hospital and/or healthcare facility that is listed by the NTMA in List 1.
2. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
3. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

4. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed: _____

Medical Practitioner

Date:

DECLARATION 2 (Renewal)

Persons who will be engaged, in whole or in part (including on a locum basis), in the practise of medicine as a consultant in a hospital and/or healthcare facility that is listed by the NTMA in List 2

1. I declare that I have the minimum level of indemnity applicable to me, being a [*insert speciality/class of medical practitioner-* _____], as set out in the Classes of Medical Practitioner and Minimum Levels of Indemnity published by the National Treasury Management Agency, in place.
2. I enclose a certificate from my insurance broker or indemnity provider as evidence of my insurance or indemnity.
3. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
4. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

5. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed : _____

Medical Practitioner

Date:

DECLARATION 3 (Renewal)

Persons who will be engaged, in whole or in part (including on a locum basis), in the practise of medicine, in a non-consultant position, in a hospital and/or healthcare facility that is listed by the NTMA in List 2.

1. I declare that I will treat patients in a hospital and/or healthcare facility that is listed by the NTMA in List 2.
2. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
3. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

4. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed : _____

Medical Practitioner

Date:

DECLARATION 4 (Renewal)

Persons who will be engaged, in whole or in part (including on a locum basis), in the practise of medicine in a hospital/clinical setting that is not listed by the NTMA in List 1.

1. I declare that I have the minimum level of indemnity applicable to me, being a [*insert speciality/class of medical practitioner-* _____], as set out in the Classes of Medical Practitioner and Minimum Levels of Indemnity published by the National Treasury Management Agency, in place.
2. I enclose a certificate from my insurer/broker or indemnity provider as evidence of my insurance or indemnity.
3. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
4. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

5. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed: _____

Medical Practitioner

Date:

DECLARATION 5 (Renewal)

Persons who will not be engaged in the practise of medicine in the Republic of Ireland.

1. I declare that I will not be engaged in the practise of medicine in the Republic of Ireland. Should I intend to practise in the Republic of Ireland, I declare that I will put in place the required minimum level of indemnity prior to commencing practise.
2. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Excerpt from section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

3. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed: _____

Medical Practitioner

Date:

Schedule 3

Professional Indemnity Declaration Form (Temporary and Occasional Services)

Full Name: (block capital letters)	
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Section 1

Professional Indemnity Requirements

1. The Medical Council is obliged to ensure that Registered Medical Practitioners who fall into certain classes have minimum levels of indemnity in place.
2. The Medical Council cannot register an applicant in the Visiting EEA Practitioners Division unless it is satisfied that the applicant:
 - a. Has put in place the minimum level of indemnity for the period of registration sought, or
 - b. Does not fall into any of the classes to which minimum levels of indemnity apply.
3. The National Treasury Management Agency, (NTMA), have published various lists of hospitals and healthcare facilities as well as the minimum levels of indemnity that apply to certain classes of Medical Practitioners.
4. In order for the Council to consider your application for registration you must respond to the following questions in relation to the issue of professional indemnity.

Section 2

Professional Indemnity Statements:

Please **tick the box next to the statement which applies to you:**

1. If registered, you will be engaged in the practise of medicine exclusively in a hospital and/or healthcare facility that is listed by the NTMA in List 1 (including on a locum basis).

If this applies to you, complete **DECLARATION 1**.

2. If registered, you will be engaged, in whole or in part (including on a locum basis), in the practise of medicine as a consultant in a hospital and/or healthcare facility that is listed by the NTMA in List 2.

If this applies to you, complete **DECLARATION 2** and **PROVIDE EVIDENCE** of the relevant minimum level of indemnity for the period of registration sought by way of certificate from your insurer/broker or indemnity provider.

3. If registered, you will be engaged, in whole or in part (including on a locum basis), in the practise of medicine in a non-consultant position, in a hospital and/or healthcare facility that is listed by the NTMA in List 2 .

If this applies to you, complete **DECLARATION 3**.

4. If registered, you will be engaged, in whole or in part (including on a locum basis), in the practise of medicine at a facility (to include a general practice) that is not listed by the NTMA in either List 1 or 2.

If this applies to you, complete **DECLARATION 4** and **PROVIDE EVIDENCE** of the relevant level of indemnity for the period of registration sought by way of certificate from your insurer/broker or indemnity provider.

Draft

DECLARATION 1 (VEEA)

Persons who will only be engaged in the practise of medicine in a hospital and/or healthcare facility that is listed by the NTMA in List 1

1. I declare that I will only treat patients in a hospital and/or healthcare facility that is listed by the NTMA in List 1 .
2. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, for the period of practice prior to commencing practise.
3. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007 :

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

4. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed: _____

Medical Practitioner

Date:

DECLARATION 2 (VEEA)

Persons who will be engaged, in whole or in part (including on a locum basis), in the practise of medicine as a consultant in a hospital and/or healthcare facility that is listed by the NTMA in List 2

1. I declare that I have the minimum level of indemnity applicable to me, being a [*insert speciality/class of medical practitioner-* _____], as set out in the Classes of Medical Practitioner and Minimum Levels of Indemnity published by the National Treasury Management Agency, in place for the period of practice.
2. I enclose a certificate from my insurance broker or indemnity provider as evidence of my insurance or indemnity.
3. I declare that should I intend to undertake any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
4. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

5. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed : _____

Medical Practitioner

Date:

DECLARATION 3 (VEEA)

Persons who will be engaged, in whole or in part (including on a locum basis), in the practise of medicine, in a non-consultant position, in a hospital and/or healthcare facility that is listed by the NTMA in List 2 .

1. I declare that I will treat patients in a hospital and/or healthcare facility that is listed by the NTMA in List 2 .
2. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, for the period of practice prior to commencing practise.
3. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

4. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed : _____

Medical Practitioner

Date:

DECLARATION 4 (VEEA)

Persons who will be engaged, in whole or in part (including on a locum basis), in the practise of medicine in a hospital/clinical setting that is not listed by the NTMA in List 1 .

1. I declare that I have the minimum level of indemnity applicable to me, being a [*insert speciality/class of medical practitioner-* _____], as set out in the Classes of Medical Practitioner and Minimum Levels of Indemnity published by the National Treasury Management Agency, in place for the period of practice.
2. I enclose a certificate from my insurer/broker or indemnity provider as evidence of my insurance or indemnity.
3. I declare that should I intend to commence any other practice that I will put in place the required minimum level of indemnity, if any, prior to commencing practise.
4. I declare that I have read section 38A of the Medical Practitioner Act 2007 and I understand my obligations under it and I undertake to comply with those obligations.

Section 38A of the Medical Practitioners Act 2007:

“Duty of medical practitioner — indemnity

38A. (1) A registered medical practitioner shall ensure that the minimum level of indemnity (if any) applicable to him or her is in place at all times during which the practitioner’s registration continues.

(2) A medical practitioner who contravenes subsection (1) shall, not later than 14 working days after the contravention occurs, give notice in writing to the Council of the contravention and particulars of the matters giving rise to the contravention (and whether or not the practitioner has, subsequent to the contravention, ceased to contravene that subsection).”

5. I confirm that the declaration(s) provided above by me are true and I understand that any false declaration may result in my prosecution and/or may be grounds for complaint under Part 7 of the Medical Practitioners Act 2007.

Signed: _____

Medical Practitioner

Date:

L.S. GIVEN under the Official Seal of the Medical Council,
[Day] [Month] 2018.

President

Chief Executive Officer

Draft

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Rules set out the evidence in relation to professional indemnity to be submitted to the Council by medical practitioners and to be displayed at the principal place where medical practitioners practise medicine, and the timing of such submission and the manner of such display.

These Rules may be cited as the Medical Council (Evidence of Indemnity) Rules 2018.

These Rules come into operation on [XXXX].

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