



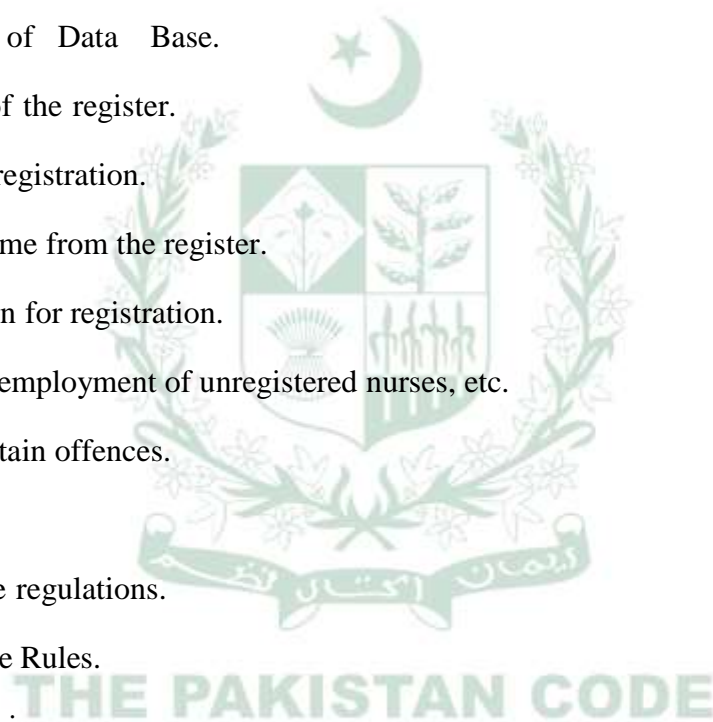
## THE PAKISTAN NURSING COUNCIL ACT, 1973



### CONTENTS

1. Short title, extent and commencement.
2. Definitions.
- 2A. Purpose of Pakistan Nursing and Midwifery Council.
3. Establishment of the Council.
- 3A. Powers of the Council.
4. Term of office of members.
5. Casual vacancies.
6. Vacancy etc., not to invalidate proceedings.
7. Meetings of Council.
8. President and Vice-President.
9. Executive Committee.
- 9A. The President.
- 9B. The Vice-President.
- 9C. Office of the Council
- 9D. Secretary.
- 9E. Finance Director.
- 9F. Appointment of other Personnel.
- 9G. Functions of Council.
10. Officers and Supportive Staff of the Council.

11. Nursing Examination Board.
12. Recognition of institutions or authority conducting educational course or programs.
13. Recognition of foreign qualification.
14. Certification of certain persons as possessed of recognized qualification.
15. Effect of recognition.
16. Institutions to furnish information required by Council.
17. Inspection of institution.
18. Withdrawal of recognition.
- 18A. Maintenance of Data Base.
19. Maintenance of the register.
20. Procedure for registration.
21. Removal of name from the register.
22. Disqualification for registration.
23. Prohibition of employment of unregistered nurses, etc.
24. Penalty for certain offences.
25. Annual report.
26. Power to make regulations.
- 26A. Powers to make Rules.
27. Repeal and saving.



# THE PAKISTAN NURSING COUNCIL ACT, 1973.

<sup>1</sup>ACT NO. XXVI OF 1973

[9th February, 1973]

*An Act to amend and consolidate the laws relating to registration and training of nurses, midwives and health visitors.*

WHEREAS it is expedient to amend and consolidate the laws relating to registration and training of nurses, midwives and health visitors and to provide for matters ancillary thereto;

It is hereby enacted as follows:—

**1. Short title, extent and commencement.**—(1) This Act may be called the Pakistan Nursing Council Act, 1973.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

<sup>2</sup>**[2. Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

- (a) **“Board”** means a Provincial Nursing and Midwifery Examination Board constituted under section 20;
- (b) **“BSN”** means a bachelors of science in nursing and determined as a Recognized higher Qualification;
- (c) **“CNS”** means Clinical Nurse Specialist a registered nurse who having enrolled in and successfully completed one year post BSN diploma in a relevant discipline and or MSN degree in specialized clinical tract recognized by PN&MC and is registered with PN&MC and is licensed to practice as a Clinical Nurse Specialist under section 24(c)(i) and 36(2)(h) of this Act within a defined scope of practice;
- (d) **“Council”** means the Pakistan Nursing and Midwifery Council (PN&MC) established under section 4;
- (e) **“Current registration”** means registration given by Pakistan Nursing and Midwifery Council, which is present on its Register;
- (f) **“HEC”** means the Higher Education Commission of Pakistan;
- (g) **“LEW”** means Lady Health Visitor who has completed the prescribed qualification recognized by PN&MC, and has been registered and licensed by the PN&MC as a registered Lady Heath Visitor;
- (h) **“Member”** means a member of the Council;
- (i) **“Ministry”** means administrative ministry of PN& MC;
- (j) **“MNHSRC”** means Ministry of National Health Services, Regulation & Coordination;

<sup>1</sup>For Statement of Objects and Reasons, see Gaz. of R. 1973. Ext.. Ft. III. p. 28H.

<sup>2</sup>Subs. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.2.

- (k) **“National Medical Authority”** means the Authority constituted under section 15 of the Pakistan Medical Commission Act, 2020;
- (l) **“Nurse”** means registrant of PN&MC licensed to practice as a nurse;
- (m) **“NP”** means Nurse Practitioner a registered advanced practice nurse, who having been enrolled to a Master Degree in Nursing (MSN) recognized by PN&MC, is registered with PN&MC as Nurse Practitioner and is currently licensed by PN&MC to practice autonomously and in collaboration with others under section 15 (c)(i) and section 26 (2)(i) of this Act within a defined scope of practice;
- (n) **“PN&MC”** means the Pakistan Nursing and Midwifery Council;
- (o) **“Prescribed”** means prescribed by this Act and rules and regulations made under this Act;
- (p) **“Recognized Higher Qualifications”** means a degree qualification recognized by the Higher Education Commission granted by an institution established and maintained in Pakistan or in a foreign country, or granted by a Board/University for nurses, midwives and LHV which is declared to be a recognized higher qualification for the purposes of this Act:

Provided any qualification recognized as a higher qualification under this Act and obtained by a person registered with the PN&MC prior to the date of the amendment of the Act shall continue to be recognized for the benefit of the person registered prior to the date of the amendment;

- (q) **“Recognized qualifications”** means a qualification granted by a Board/University for which is declared to be a recognized qualification for the purposes of this Act and includes:—
  - (i) a qualification specified in the schedule; and
  - (ii) a qualification which was, immediately before the commencement of this Act, a recognized qualification under the Pakistan Nursing Council Act, 1952 (LIX of 1952) and 1973 to the extent of only such person registered with the PN&MC prior to this amendment to the Act unless continued to be recognized after the amendment to this Act.
- (r) **“Register”** means the register of nurses, midwives, Lady Health Visitors and nursing auxiliaries maintained under section 20;
- (s) **“Regulations”** mean regulations made under this Act;
- (t) **“RM”** means Registered Midwife who has completed the prescribed qualification recognized by PN&MC and has been registered and licensed by PN&MC to practice as a registered midwife; and
- (u) **“Other Committees”** means sub-committees appointed by the council for special purpose under section 11(2) of the Act.]

<sup>1</sup>[**2A. Purpose of Pakistan Nursing and Midwifery Council.**—(a) To protect, promote, and maintain the public health and wellbeing,

- (b) To serve the public of Pakistan with regards to healthcare services in general, but nursing and Midwifery services in particular,
- (c) To ensure competence of registered professionals of PN&MC, and
- (d) To liaison with all stakeholders about nursing and Midwifery education, professional conduct and practice within and outside the Republic of Pakistan,]

<sup>1</sup>[**3. Establishment of the Council.** (1) The Federal Government shall, as soon as may be, establish a Council to be called the Pakistan Nursing Council, which shall consist of the following member, namely:—

- (a) Secretary of the concerned Division or his nominee *Ex-Officio* Member  
not below the rank of BPS-20;
- (b) Chief Nursing Administrator, by whatever name *Ex-Officio* Member  
called of the Armed Forces Nursing Service;
- (c) one nurse from each Province, to be elected by the Member  
provincial nursing board, one senior nurse from  
federal capital to be nominated by the concerned  
division and one senior nurse from the Government  
of Gilgit Baltistan to be elected by the nursing board  
of that Government;
- (d) Three members pointed by the Prime Minister on the Members  
recommendation of the concerned Division from  
whom one member shall be a,—
  - (i) Philanthropist or from civil society of known integrity and eminence with a minimum of fifteen years of related experience in the field of philanthropist or civil society;
  - (ii) legal profession of known integrity and eminence with a minimum of fifteen years of experience in the field of law as a practicing lawyer or a retired High Court Judge;
  - (iii) Chartered Accountant of known integrity and eminence with a minimum of fifteen years of related experience in the field of accountancy.

(2) The Council established under sub-section (1) shall be a body corporate having perpetual succession and a common seal, with power, among others, to acquire, hold and dispose of property, and shall by its name sue and be sued.]

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<sup>1</sup>Ins.& Subs. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) ss.3 & 4.



<sup>1</sup>**[3A. Powers of the Council.**—The powers of the Council shall be,—

- (a) to license and regulate Registered Nurse, Nurse Specialist, Nurse Practitioner, Midwife and Lady Health Visitor practice in Pakistan;
- (b) to register, maintain and update the register of Registered Nurses, Nurse Specialists, Nurse Practitioners, Midwives and Lady Health Visitors;
- (c) to prescribe the requirements to be met as to the evidence of good health and good character in order to satisfy the Registrar that an applicant is capable of safe and effective practice as a nurse or midwife of lady health visitor;
- (d) to require public, private and non-government educational institutions and employers of registrants of the Council to promptly submit annual returns of registered nurses, midwives, lady health visitors in their employment and such other information as may become necessary from time to time;
- (e) to assist and advise the Federal and Provincial Governments on matters pertaining to policies of nursing and midwifery professions;
- (f) to carry out licensure examinations for grant of licence to practice with PN&MC and to practice; and to develop, revise and update curricula and recommend these as appropriate to nursing teaching institutions;
- (g) Provided that all actions of the council will be in accordance with the law and Council will ensure that the right to prescribe drugs or medical devices may not be given to Registered Nurses, Nurse Specialists, Nurse Practitioners, Midwives, or Lady Health Visitors, or any other nurse practitioners in contravention of the law and without the prior approval of the Federal Government;
- (h) to evaluate and accredit institutions that provide education and training in nursing, midwifery and LHV, and to cooperate with other accreditation bodies where necessary in accordance with the objectives of the PN&MC subject to evaluation and accreditation of institutions affiliated with a university shall be regulated by the university and the Higher Education Commission on criteria formulated and provide by the PN&MC;
- (i) to designate new nursing and midwifery programs, specialties and categories where deemed necessary by the council;
- (j) to determine Scope of Practice for its registrants;
- (k) to set, monitor and update,—
  - i. standards for education, clinical practice. professional conduct and institutional accreditation;
  - ii. conditions/policies for registration/licence to practice;
  - iii. conditions/policies for enrollment into nursing programs; and
  - iv. conditions/policies for institutions offering nursing programs.

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<sup>1</sup>Ins. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.5.

- (l) to formulate, revise and update policies, and to advocate and motivate institutions, government and private sector to adopt the changes suggested for the improvement of nursing, midwifery and LHV in the country;
- (m) to establish an independent arm(s) for quality assurance, examination, accreditation and or curriculum development and approvals for PN&MC credibility as deemed by the council. The independent arms shall be accredited by any international credible agency such as ISO;
- (n) to determine and receive fees, donations, grants or any other financial benefits or assistance;
- (o) to collect, analyze data and disseminate information about nursing, midwifery and lady health visitors' education, practice and the nursing, midwifery and lady health visitors' workforce;
- (p) to consider any matter affecting nursing, midwifery and lady health visiting falling within the ambit of the Council and make representations or take such action as the Council deems advisable;
- (q) to approve, alter, modify and/or change the Rules and Regulations of the Council when deemed fit and necessary for the promotion of the purposes of the Act;
- (r) to elect the Executive Committee of the Council;
- (s) to approve the annual audited accounts audited by a duly appointed chartered accountant;
- (t) to appoint a registered Chartered Accountant at its Annual General Meeting for auditing the accounts of the PN&MC; and
- (u) to do all things necessary and ancillary to the above purposes of the Act.

3(B). Notwithstanding anything contained in this Act, the Prime Minister on the recommendation of the Minister-in-Charge of the concerned division, may remove all or any member of the Board in the manner as may be prescribed.]

**4. Term of office of members.**—(1) Subject to the provisions of this section, an elected or nominated member shall hold office for a term of three years from the date of his election or nomination, as the case may be.

(2) An elected or a nominated member may at any time <sup>1</sup>[submit his written, signed resignation] to the President of the Council, and the seat of such member shall thereupon become vacant.

(3) An elected or a nominated member shall be deemed to have vacated his seat—

<sup>1</sup>[(a) On completion of his tenure of three (3) years as prescribed in sub-section in (2) above without any further notification by PN&MC/NHSRC;]

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<sup>1</sup>Subs & ins. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.6.

<sup>1</sup>[(b)] if he ceases to represent the particular interest which he was <sup>1</sup>[\*\*] nominated to represent or <sup>1</sup>[ceases] to hold any office or appointment by virtue of which he was <sup>1</sup>[eligible] to be elected or nominated; or

<sup>1</sup>[(c)] if he is declared by the Council to have been absent without sufficient cause from three consecutive meetings of the Council.

<sup>1</sup>[(d)] if the nominating authority withdraws the nomination at any time.]

(4) An elected or a nominated member shall be eligible for re-election or re-nomination but not for more than two consecutive terms.

**5. Casual vacancies.** A casual vacancy in the office of a member shall be filled for the remainder of the term of such member by <sup>2</sup>[\*\*] nomination of another person in his place in the same manner in which such member was <sup>2</sup>[\*\*] nominated.

**6. Vacancy, etc., not to invalidate proceedings.** No act or proceeding of the Council shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the Council.

**7. Meetings of Council.**—(1) The Council shall, for the purpose of transacting its business, meet at least once every <sup>2</sup>[three] months at such <sup>2</sup>[time and place] as the Council may deem fit or as the President of the Council may determine.

(2) Special meetings may be held at such times and places as the Council may deem fit or as the President of the Council may determine.

<sup>2</sup>[(3)] A written notice along with the agenda and the time and place of each meeting shall be set by post or courier or by modern electronic means that constitutes documentary proof of notice such as an email, by the Register of the Council to all the members at least ten days before the date fixed for such meeting:

Provided that an emergency meeting may be called at twenty-four hour notice.]

(4) Unless otherwise prescribed, <sup>3</sup>[four] members shall form a quorum for the meetings of the Council; and all decisions of the Council shall be made by a majority of the members present and voting.

<sup>2</sup>[(8). **President and Vice-President.**—(1) The President and the Vice-President shall be appointed by the Prime Minister on the recommendation of the concerned Division from amongst the Members specified in clauses (c) and (d) of sub-section (1) of section 3

(2) The President and the Vice-President shall hold office for a period of three years.]

**9. Executive Committee.**—<sup>2</sup>[(1) The Council will, for efficient functioning, form an Executive Committee to meet more frequently than the Council and oversee day to day functions. The executive committee would include the President of the Council, who will chair the committee, and four other members of Council, elected by the Council, with duties and authority as recommended by Council. The Council may replace a member of the executive committee by majority vote.]

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<sup>1</sup>re-numbered, omitted, ins., and subs. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.6.

<sup>2</sup>Omitted and subs., by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) ss.7, 8, 9 & 10.

<sup>3</sup>Subs. by Act XLVI of 2023, s.2.(always be deemed to have been so substituted on and from commencement of the Pakistan Nursing Council (Amendment) Act, 2023 (V of 2023)).



<sup>1</sup>[(2) Council may also constitute such other committees or sub-committees as it may deem fit for carrying out the purposes of this Act.]

(3) The Executive Committee shall exercise and perform such powers and functions as are, or may be, conferred or imposed upon it by <sup>1</sup>[the Council and will report on its activities to Council at every Council meeting].

<sup>1</sup>**9A. The President.**—The President shall be the head of the council and shall preside over all meetings of the Council and the executive committee and shall convene the meetings.

**9B. The Vice-President.**—The Vice-President shall act in the absence of the President and shall carry out any duties assigned to him/her by the President.

**9C. Office of the Council.**—The office of the council will consist of full-time employees of the Council, including a Secretary, Finance director, Human resource Director and such other persons as Council might consider necessary for the efficient functioning of Council and to meet the aims of this Act. Council will have the authority to create, redesignate or abolish posts, and establish salaries and benefits for its employees, so long as the fiscal implications remain within the approved budget:

Provided the Federal Government may by notification direct the National Medical Authority to undertake and provide all administrative functions of the PN&MC including the functions of the Finance Director, Human Resource Director, Director Curriculum and Education and Director Registration except the functions of the Secretary which shall be performed by the Secretary of the Council. The costs of such administrative functions shall be reimbursed to the National Medical Authority by the PN&MC or the Federal Government as directed by the Federal Government.

**9D. Secretary.**—The Council will appoint a full time Secretary as prescribed. The Secretary shall:

- (a) Act under the direction of and report to the President and Council;
- (b) Be responsible for the efficient management of the office of the PN&MC;
- (c) Send out notices for the meetings to be held in consultation with the President and shall record the minutes of all meetings and send out notices along with the agenda;
- (d) Keep the President informed of all matters; and
- (e) Perform any other duties as prescribed by the President and Council.

**9E. Finance Director.**— The Council subject to section 9C will appoint a full time Finance Director as prescribed. The Finance Director shall be responsible for the

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<sup>1</sup>Subs., and ins. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) ss.10 & 11.

financial management and maintenance of proper accounts of the Council and shall ensure the annual audit by a duly appointed registered chartered accountant. He shall report all matters to the President and shall keep the Council informed of all important matters, and update the Council at each Council meeting.

**9F. Appointment of other Personnel.**— (1) The Council may appoint any other personnel, including a Director of Registration and a Director of Curriculum and Education, as required for the efficient functioning of the Council to meet the requirements of the Act as deemed fit by council.

(2) The Council shall determine, in accordance with the available budget, the terms and conditions of service and the pay and allowances of the officers and servants.

**9G. Functions of Council.**—Function of the Council shall be,—

- (a) to administer, manage and run the affairs of the PN&MC efficiently and to hire and fire staff whenever or wherever deemed necessary in the interests of the PN&MC.
- (b) to properly maintain the records, minutes and all documents of the PN&MC.
- (c) to administer the finance and maintain the accounts of the PN&MC with annual audits by a chartered accountant duly appointed by the Council.
- (d) to hire staff to positions necessary for the efficient administration and management of the PN&MC.
- (e) to co-opt, or appoint persons who are not members of the Council to serve on commissions, or to provide consultation and advice to the Council.
- (f) to acquire, rent, let, hire or dispose off property, borrow moneys, accept and administer any trust or donation, and charge fees for any services of the Council, in the interests of the promotion of the purposes of the Act.
- (g) to carry out all actions connected and ancillary to the purposes of the Act.]

**10. Officers and <sup>1</sup>[Supportive Staff] of the Council.**—(1) The Council shall appoint <sup>1</sup>[professional and administrative and supportive staff on contract] as it may deem <sup>1</sup>[fit and] necessary for carrying out the purposes of this Act:

<sup>1</sup>[\* \* \* \* \*]

(2) The Council shall, <sup>1</sup>[\*\*\*\*\*], determine the terms and conditions of service and fix the pay and allowances of its officers and <sup>1</sup>[supportive staff].

**11. <sup>2</sup>[\*]Nursing Examination Board.**— <sup>2</sup>[(1) The PN&MC in consultation with Federal Government shall constitute a nursing examination board.]

<sup>1</sup>Subs., ins. deleted and omitted by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.12.

<sup>2</sup>Omitted and Subs. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.13.

(2) The functions of a Board shall be <sup>1</sup>[to hold examinations and] to confer, grant or issue diplomas, licenses, certificates or other documents stating or implying that the holder, grantee or recipient thereof has acquired a qualification in nursing, midwifery, health visiting, public health nursing or auxiliary nursing <sup>1</sup>[\*\*\*\*\*].

<sup>1</sup>[(3) Verify Pre-enrollment certificates from the relevant authority on random basis. The board shall verify from issuing board of higher secondary & intermediate boards or authorities on random basis each year and send report to the Council.

(4) If any documents are found fake or forged then debar student and issue warning letter to the institution from where the enrolment has been sent. A copy of such documents must be sent to PN&MC.]

(3) A Board shall conduct its proceedings in such manner as may be prescribed.

**<sup>2</sup>[12. Recognition of institutions or authority conducting educational course or programs.—**(1) Any institution or authority aiming to conduct any Degree/courses/programs of study, in nursing, midwifery and health visiting shall apply to the PN&MC for its recognition. The institution may start the course only after obtaining approval from the PN&MC,—

(2) The Council may hold such inquiry as it may think fit, to require the institution or authority making an application under sub-section (1), to fulfil the following requirements as may be prescribed by the PN&MC,—

- (a) Proof of legitimacy of the institution - submit documentary proof of registration under whichever authority registered; and financial sustainability for next five years;
- (b) Prove capacity to conduct the program applied for by possessing the,—
  - (i) Proper infrastructure;
  - (ii) Qualified number of faculty; and
  - (iii) Clinical facility;
- (c) Satisfy the PN&MC that it shall comply with the Rules, Regulations and Standards as prescribed by the PN&MC.]

**13. <sup>2</sup>[Recognition of foreign qualification].—**(1) The Council may, for settling a scheme of reciprocity for recognition of qualifications, enter into negotiations with any authority in a foreign country which, by the law of such country, is entrusted with the maintenance of, or is authorised to maintain, a register of nurses, midwives or health visitors.

(2) The Council may, in pursuance of any scheme of reciprocity settled under sub-section (1), by notification in the official Gazette, declare in respect of any qualification or higher qualification granted by any authority in such country that such qualification or such higher

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<sup>1</sup>Ins. and omitted by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.13.

<sup>2</sup>Subs., by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) ss.14 & 15.

qualification, or such qualification or higher qualification only when granted after the date specified in the notification, shall be a recognised qualification or a recognised higher qualification for the purposes of this Act.

(3) Notwithstanding that a scheme of reciprocity has not been settled under sub-section (1), the Federal Government may, after consultation with the Council, by notification in the official Gazette, declare that a qualification or higher qualification granted by an institution or authority of a foreign country shall, for such period and subject to such conditions, if any, as may be specified in the notification, be a recognised qualification or a recognised higher qualification for the purposes of this Act.

**14. Certification of certain persons as possessed of recognized qualification.—** (1) Where, upon an application made in this behalf, the Council is satisfied that a person is, by reason of qualifications granted by an institution outside Pakistan and of experience gained in Pakistan, possessed of qualifications not inferior to a recognised qualification, it may, with the approval of the <sup>1</sup>[Higher Education Commission], certify that such person possesses qualifications which entitle him to be regarded as possessing a recognised qualification.

(2) A person in favour of whom a certificate under subsection (1) has been granted shall be deemed to be possessed of a recognised qualification for the purposes of this Act.

**15. Effect of recognition.—** Notwithstanding anything contained in any other law for the time being in force,—

- (a) a person possessing a recognised qualification shall be entitled to be enrolled in the register;
- (b) a person possessing a recognised higher qualification shall be entitled to have such qualification entered as a supplementary qualification in the register; and
- (c) no person shall, after the commencement of this Act, be entitled—
  - (i) to be enrolled in the register as a nurse, midwife, health visitor, public health nurse or nursing auxiliary unless such person possesses a recognised qualification; or
  - (ii) to have any of his qualifications which is not a recognised higher qualification entered as <sup>1</sup>[an advanced professional] qualification in the register.

**16. Institutions to furnish information required by Council.—**Every institution or authority which conducts any <sup>2</sup>[educational programs] for the purpose of preparing candidates for any recognised qualification or recognised higher qualification, or applies for the recognition of any qualifications granted by it <sup>2</sup>[in the fields Nursing, Midwifery or Health Visitors], shall furnish to the Council such information as it may, from time to time, require relating to—

- (a) the <sup>2</sup>[educational programs];
- (b) examinations conducted during such <sup>2</sup>[educational programs];

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<sup>1</sup>Subs. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) ss.16 & 17.

<sup>2</sup>Subs., ins. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.18.

- (c) the ages at which admissions are allowed to such courses of study and training; and
- <sup>1</sup>[(d) Clinical setting and beds pertaining to education Program; and
- (e) Any other matter generally pertinent to the requirements for its recognition.]
- (d) any other matter generally pertinent to the requirements for its recognition.

**17. Inspection of institution.**—<sup>2</sup>[(1) The Council shall form a Committee for accreditation from amongst those who have a qualification level higher than the qualification level of the program for which the institution or authority is applying for recognition.]

(2) The persons nominated under sub-section (1) shall report to the <sup>2</sup>[Council] on the suitability of the institution or authority for the purposes of <sup>2</sup>[educational program] and the adequacy of training imparted therein.

(3) The <sup>2</sup>[Council] shall forward a copy of a report made under sub-section (2) to the institution or authority concerned for making such observations thereon as it may think fit to make within the period specified by the Committee.

<sup>2</sup>[(4) Upon the expiry of the period specified under sub-section (3) the Council shall, make such recommendations thereon as it may deem fit.]

<sup>2</sup>[(5) Council Members cannot be members of the Accreditation committee.

(6) Any college or institution affiliated with a university for purposes of granting a nursing qualification shall be inspected and accredited and regulated by the university and the Higher Education Commission subject to criteria of accreditation and curriculum prescribed by the PN&MC.]

**18. Withdrawal of recognition.**—(1) Where, after considering a report submitted under sub-section (4) of section 17, the Council is of opinion—

- (a) that the <sup>2</sup>[educational program] required to be undergone for obtaining a recognised qualification or recognised higher qualification, or conditions for admission to such <sup>2</sup>[educational program], or the standards of proficiency acquired by the candidates at the examinations held by the Board, are not in conformity with, or fall short of the standards required by, the regulations, or
- <sup>2</sup>[(b) that an Institution or authority recognized by the Council for the education of Nurses, Midwives, Lady Health Visitors does not satisfy the prescribed requirements as to educational program for obtaining recognized qualifications or recognized higher qualifications the council shall send a statement to that effect stating clearly the reasons for non-recognition to the institution or authority concerned, and requesting submission within a specified period or such explanation as the institution or authority may like to offer.]

<sup>2</sup>[\* \* \* \* \*]

<sup>1</sup>Ins. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.18.

<sup>2</sup>Subs., ins. omitted by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) ss.19 & 20.



(3) Upon the expiry of the period specified under <sup>1</sup>[clause (b) of sub-section (1)], the <sup>1</sup>[Council], after considering the explanation, if any, offered by any institution or authority, <sup>1</sup>[shall] take such steps as may be necessary to ensure compliance by the institution or authority with the requirements of this Act and regulations.

(4) Without prejudice to any steps that may be taken by it under sub-section (3) with respect to an institution or authority, the Council may, by notification in the official Gazette, declare that any qualification granted by such institution or authority which is a recognised qualification or a recognised higher qualification shall, if it is granted after a date specified in the notification, cease to be recognised qualification or, as the case may be, a recognised higher qualification.

(5) The Council may, by notification in the official Gazette, declare that any qualification granted outside Pakistan which is a recognised qualification or a recognised higher qualification shall, if it is granted after a date specified in the notification, cease to be a recognised qualification or, as the case may be, a recognised higher qualification.

<sup>2</sup>**[18A. Maintenance of Data Base.]**—The council will maintain the following data for national nursing human resources, —

- (a) Pre-Registration;
- (b) Registration; and
- (c) Faculty registration:

Provided the Council shall maintain and verify the CNIC and all other necessary credentials of a person registered and licensed by the PN&MC and carry out biometrics of all persons registered and maintain the updated information of where each person registered and licensed under the Act is working. Such information shall be shared by the Council with the Federal Government. Provincial Governments, National Medical Authority and the respective healthcare commissions.]

**19. Maintenance of the register.**— The Council shall, for the purpose of registration of nurses, midwives, health visitors and nursing auxiliaries possessing recognised qualifications or recognised higher qualifications, maintain a register in which shall be entered such particulars relating to the persons registered as may be prescribed.

**20. Procedure for registration.**—(1) Any person possessing a recognised qualification or recognised higher qualification who is not disqualified for registration under section 22 may make an application, accompanied by the prescribed fee, for registration of his name in the register.

(2) The Council shall, if it is satisfied that the applicant possesses a recognised qualification or recognised higher qualification and is not disqualified for registration under section 22, register the name of the applicant in the register.

(3) No application under sub-section (1) shall be rejected except after giving the applicant an opportunity of being heard.

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<sup>1</sup>Subs., by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.20.

<sup>2</sup>Ins., by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.21.

**21. Removal of name from the register.**—(1) The Council may, if it is satisfied that a person has, after his registration, become disqualified for such registration, remove the name of such person from the register and thereupon such person shall cease to be so registered:

Provided that no name shall be so removed except after giving the person affected an opportunity of being heard <sup>1</sup>[where a person's name has been removed from the register, the Council shall publish this fact on its website].

(2) The Council may, at any time for reason to be recorded in writing, restore in the register the name of any person <sup>1</sup>[who] has been removed therefrom under sub-section (1).

**22. Disqualification for registration.** A person shall be disqualified for registration in the register if he—

- (a) has been convicted of any offence under this Act or of any other offence which in the opinion of the Council implies a defect of character; or
- (b) has, at any enquiry held by the Council in which the person was given a reasonable opportunity of being heard, been found guilty of such conduct as is considered derogatory to his profession in accordance with the regulations made under section 26.

**23. Prohibition of employment of unregistered nurses, etc.** No hospital, asylum, infirmary, dispensary or lying in hospital maintained <sup>1</sup>[by public or private sector] shall employ therein any person as nurse, midwife, health visitor or nursing auxiliary unless such person—

- (a) is registered in the register; or
- (b) is a trainee at an institution recognised for the purpose by the Council and is certified by the head of that institution to have already received sufficient training to be able to perform his duties safely and satisfactorily.

**24. Penalty for certain offences.**—(1) A person shall be punishable with imprisonment of either description for a term which may extend to <sup>2</sup>[one year], or with fine <sup>2</sup>[\*\*\*], or with both, if—

- (a) he procures or attempts to procure the registration of his name in the register, or abets the procurement of such registration of any name, by making or causing to be made in any manner whatsoever any false or fraudulent statement, representation or declaration; or
- (b) he, not being registered in the register, represents that he is so registered, or uses with his name any title or any word or letter representing or calculated to represent that he is so registered; or
- (c) he practices as a nurse, midwife, health visitor or nursing auxiliary in contravention of any regulations made under section 26.

<sup>2</sup>[(2) No suit, prosecution or other legal proceeding shall lie against the Government, the Council or any committee thereof, or any officer or staff of the Government or Council for anything which is in good faith done or intended to be done under this Act.]

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<sup>1</sup>Ins., and subs., by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) ss.22 & 23.

<sup>2</sup>Subs., omitted and ins by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.24.

**25. Annual report.**—(1) The Council shall submit to the Federal Government <sup>1</sup>[and display on its website], as soon as possible after the end of every <sup>1</sup>[fiscal] year, a report on the conduct of its affairs during that year.

(2) The Federal Government may at any time require the Council to furnish it with—

- (a) a report on any subject with which the Council is concerned;
- (b) any return, statement, statistics or other information regarding any matter under the control of the Council; or
- (c) a copy of any document in the charge of the Council,

and the Council shall comply with every such requisition.

**26. Power to make regulations.**—(1) The Council <sup>1</sup>[shall], make regulations for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for—

- (a) the management of the property of the Council and the maintenance and audit of its accounts;
- (b) the manner in which the elections of the President, Vice-President and members shall be conducted;
- (c) the summoning and holding of the meetings of the Council or of a Board, the conduct of business thereat and the number of members necessary to constitute a quorum;
- (d) prescribing the functions of the Executive Committee, the summoning and holding of meetings thereof, the times and places at which such meetings shall be held, and the number of members necessary to constitute a quorum;
- (e) prescribing the powers and duties of the President and the Vice-President;
- (f) prescribing the terms and conditions of service and the powers and duties of the officers and <sup>2</sup>[supportive staff] of the Council;
- (g) <sup>1</sup>[\* \* \* \* \*];
- (h) prescribing the conditions for admission to courses of training as aforesaid;
- (i) prescribing the standards of examination and other requirements to be satisfied for declaration of any qualification as recognised qualification or recognized higher qualification;

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<sup>1</sup>Ins., subs., and omitted by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) ss.25 & 26.

- (j) regulating the practice of nurses, midwives, health visitors and nursing auxiliaries and for prohibiting persons not registered in the register from so practicing;
- (k) prescribing fees to be charged for registration or for any other purpose of the Act;
- (l) prescribing fees for recognition of any institution or authority; and
- <sup>1</sup>[(m) Prescribing a code of professional conduct and standard for practice and education for Nurses, Midwives and Lady Health Visitors; and
- (n) Prescribing the functions of the Nursing Examination Boards.]
- (m) any other matter which is to be or may be prescribed.

<sup>1</sup>**[26A. Powers to make Rules.]**—The Federal Government may make rules for carrying out the purposes of this Act in respect of functions ascribed to the Federal Government under the Act.]

**27.** *[Repeal and Saving.] Omitted by the Federal Laws. (Revision and Declaration) Ordinance, 1981 (XXVII of 1981). s. 3 and Sch., II.*

## <sup>2</sup>**THE SCHEDULE**

[See section 3(n)]

### **RECOGNIZED QUALIFICATION:**

- (a) Bachelor's of Science in Nursing: Four years Degree Course.
- (b) Post RN Bachelor's in Nursing: Two years Degree Course.
- (c) Master's in Nursing (MSN): Two years Degree Course.
- (d) Doctorate in Nursing: 4 years Degree Course.
- (e) Post Basic Specialization: 1 year diploma course in different disciplines e.g. Cardiac Care Nursing, Oncology Nursing etc.
- (f) Lady Health Visitor (LHV): Twenty-seven months Diploma Course.
- (g) Community Midwife (CMW): Two years Diploma Course.
- (h) Pupil Midwife: One year Certificate Course.
- (i) Associate Degree (LHV): Two years Course.
- (j) Associate Midwifery Degree: Two years Midwifery Course.
- (k) Post Associate Bachelor's Degree for (LHV): Two years Degree Course.
- (l) Post Associate Midwifery Degree (RM): Two years Midwifery Degree Course.]

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<sup>1</sup>Ins. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) ss.26 & 27.

<sup>2</sup>Subs. by Pakistan Nursing Council (Amendment) Act, 2023 (Act No V of 2023) s.28.