



THE PAKISTAN NURSING COUNCIL ACT, 1973



CONTENTS

SECTIONS.

1. Short title, extent and commencement.
2. Definitions.
3. Establishment of the Council.
4. Term of office of members.
5. Casual vacancies.
6. Vacancy, etc, not to invalidate acts or proceedings.
7. Meetings of Council.
8. President and vice-president.
9. Executive Committee.
10. Officers and servants of the Council.
11. Provincial Nursing Examination Board.
12. Recognition of institution or authority conducting training.
13. Reciprocal recognition of 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.
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.
27. Repeal and saving.

THE SCHEDULE.

THE PAKISTAN NURSING COUNCIL ACT, 1973.

¹ACT 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.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Board" means a Provincial Nursing Examination Board constituted under section 11;

(b) "Council" means the Pakistan Nursing Council established under section 3;

(c) "member" means a member of the Council;

(d) "prescribed" means prescribed by regulations made under section 26;

(e) "recognised higher qualification" means a qualification granted by an institution established and maintained by the Federal Government which is declared to be a recognised higher qualification for the purposes of this Act, and includes a qualification which was, immediately before the commencement of this Act, a recognised higher qualification under the Pakistan Nursing Council Act, 1952 (LIX of 1952).

(f) "recognised qualification" means a qualification granted by a Board which is declared to be a recognized qualification for the purposes of this Act and includes-

¹For Statement of Objects and Reasons, see Gaz. of P. 1973. Ext.. Pt. III. p. 288.

(i) a qualification specified in the Schedule; and

(ii) a qualification which was, immediately before the commencement of this Act, a recognised qualification under the Pakistan Nursing Council Act, 1952 (LIX of 1952).

(g) "register" means the register of nurses, midwives, health visitors and nursing auxiliaries maintained under section 19.

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 members, namely :—

Ex-Officio members

(a) the Director-General, Health, Government of Pakistan;

(b) the Chief Administrative Officer, by whatever name called, of the Health Services of each Provincial Government;

(c) the Chief Nursing Officer, by whatever name called, of the Federal Government;

(d) the Chief Nursing Administrative Officer, by whatever name called, of the Armed Forces Nursing Service;

(e) the Superintendent of Nursing Services of each Provincial Government or, if there is no such Superintendent in a Province, the person holding the corresponding office;

Other members

(f) one nurse from each Province, to be elected by the Provincial Boards;

(g) one nurse-midwife from each Province, to be elected by the Provincial Board;

(h) three members elected by the Pakistan Nurses Federation from amongst its members, one of whom is a nurse, one a nurse-midwife and one a health visitor;

(i) one member elected by the Medical and Dental Council from amongst its members;

(j) two members to be elected by the National Assembly from amongst its members;

(k) one lady member of each Provincial Assembly to be elected by the Provincial Assembly from amongst its members;

(l) one health visitor from each Province, to be elected by the Provincial Board;

(m) two members nominated by the Federal Government, of whom —

(i) one shall be an experienced educationist, and

(ii) one shall be a nursing instructor of an institution maintained by the Federal Government.

(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.

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 resign his office by writing under his hand addressed 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—

(a) if he ceases to represent the particular interest which he was elected or nominated to represent or to hold any office or appointment by virtue of which he was qualified to be elected or nominated; or

(b) if he is declared by the Council to have been absent without sufficient cause from three consecutive meetings of the Council.

(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 election or nomination of another person in his place in the same manner in which such member was elected or 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 six months at such times and places 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.

(3) A written notice with respect to the time, place and object of any special meeting shall be sent by post by the Secretary to the Council to all the members at least seven days before the day fixed for such meeting.

(4) Unless otherwise prescribed, fourteen 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.

8. President and Vice-President.—(1) Unless prevented by circumstances beyond its control, the Council shall, at its first meeting to be presided over by a member elected for the purpose, elect from amongst its members a President and a Vice-President.

(2) The President or Vice-President of the Council shall hold office as such for so long as he continues to be a member.

9. Executive Committee.—(1) The Council shall constitute an Executive Committee consisting of the President, the Vice-President and seven other persons elected by it from amongst its members, and may constitute such other committees for general or special purposes as the Council may deem necessary for carrying out the purposes of this Act.

(2) The President and the Vice-President of the Council shall respectively be the President and the Vice-President of the Executive Committee.

(3) The Executive Committee shall exercise and perform such powers and functions as are, or may be, conferred or imposed upon it by or under this Act.

10. Officers and servants of the Council.—(1) The Council shall appoint a Registrar of the Council and may appoint a Secretary a Treasurer and such other officers and servants as it may deem necessary for carrying out the purposes of this Act:

Provided that the Council may, if it thinks fit, require the Registrar to perform the functions of Secretary and the Treasurer or any of them.

(2) The Council shall, with the previous sanction of the Federal Government, determine the terms and conditions of service and fix the pay and allowances of its officers and servants.

11. Provincial Nursing Examination Board.—(1) A Provincial Government shall constitute a Provincial Nursing Examination Board consisting of such persons as the Provincial Government may, in consultation with the Federal Government, appoint.

(2) The functions of a Board shall be 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 and to hold and conduct examinations to be undergone by persons desiring to obtain such qualifications.

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

12. Recognition of institution or authority conducting training.—(1) Any institution or authority which conducts any courses of study or training in general nursing, midwifery, health visiting, public health nursing, auxiliary nursing or nursing aid (Naid) may apply to the Council for recognition.