

[*AS* INTRODUCED IN THE NATIONAL ASSEMBLY]

A

Bill

further to amend the Pakistan Nursing Council Act, 1973

WHEREAS it is expedient further to amend the Pakistan Nursing Council Act, 1973 (XXVI of 1973), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**-(1) This Act shall be called the Pakistan Nursing Council (Amendment) Act, 2021.

(2) It shall come into force at once.

2. **Amendment of section 2, Act XXVI of 1973.**— In the Pakistan Nursing Council Act, 1973 (XXVI of 1973), herein after referred to as the said Act, for section 2, the following shall be substituted, namely:-

“2. Definitions.- (1) In this Act, unless there is anything repugnant in the context or subject,-

- (a) **“bachelor degree”** means any recognized degree of at least four years duration after higher secondary school granted by a university or an institution recognized by the Council to grant such degree;
- (b) **“Board”** means a Provincial nursing and Midwifery examination Board constituted under the Act;
- (c) **“certificate”** means any recognized qualification of at least one year duration granted by an institution recognized by the Council to grant such qualification under the Act;

- (d) **“Clinical Nurse Specialist” or “CNS”** means a registered nurse who having enrolled in and successfully completed one year post basic diploma in a relevant discipline or Master Degree in Nursing (MSN) in specialized clinical tract who recognized and registered by the Council and is licensed to practice as a CNS under the Act;
- (e) **“Council”** means the Pakistan Nursing and Midwifery Council established under the Act;
- (f) **“concerned Division”** means the Division who is allotted the business of this Act under the Rules of Business, 1973;
- (g) **“diploma”** means any recognized qualification of at least two years or greater duration granted by an institution recognized by the Council to grant such qualification under this Act;
- (h) **“institution”** means an institute, college or university which is registered under this Act to grant or train or both basic and higher qualification for nurses, midwives, lady health visitors and nursing auxiliaries;
- (i) **“lady health visitor” or “LHV”** means lady health visitor who has completed a diploma course recognized and registered by the Council and who is legally licensed to practice as a registered lady health visitor under the Act;
- (j) **“member”** means a member of the Council;

- (k) **“nurse”** means a person who has completed a recognized diploma or degree programme for the purpose of the nursing and is registered under the Act;
- (l) **“NP” or “Nurse Practitioner”** means a registered advanced practice nurse who having been enrolled to a master degree in nursing recognized by the Council, registered with Council as nurse practitioner and is currently licenced to practice autonomously including prescription under this Act;
- (m) **“other committees”** mean sub-committees constituted by the Council for special purpose under this Act;
- (n) **“prescribed”** means prescribed by rules and regulations made under the Act;
- (o) **“recognized higher qualification”** means a degree or qualification recognized by the Higher Education Commission (HEC) and granted by an institution, Board or university for nurses, midwives and LHV established and maintained by the Federal or Provincial Governments 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).

- (p) **“recognised qualification”** means a qualification granted by a Board or university 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 recognised qualification under the Pakistan Nursing Council Act, 1952 (LIX of 1952);
- (q) **“register”** means the register of nurses, midwives, health visitors and nursing auxiliaries maintained under the Act;
- (r) **“registrants”** means nurses, midwives, lady health visitors and nursing auxiliaries registered under this Act;
- (s) **“regulations”** means regulations made under this Act;
- (t) **“RM”** or **“registered midwife”** means a registered midwife who having been enrolled to and has successfully completed a midwifery educational program or course, duly recognized and licensed by the Council to practice as a registered midwife within the prescribed scope of midwifery practice under the Act and who holds a registration certificate; and
- (u) **“rules”** means rules made under this Act.

(2) Any other expressions used but not defined in this Act, shall have the same meanings assigned thereto in the respective laws and rules made thereunder.??,

3. **Insertion of new section 2A, Act XXVI of 1973.**- In the said Act, after section 2, the following new section 2A shall be inserted, namely:-

“2A. Functions of the Pakistan Nursing and Midwifery Council.- The Pakistan Nursing and Midwifery Council shall perform the following functions, namely:-

- (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 provided by a nurse or RM, in particular;
- (c) to ensure competence of registered professionals of Council;
- (d) to liaison with all stakeholders about nursing and midwifery education, professional conduct and practice within and outside the Pakistan; and
- (e) any other function assigned to the Council by the concerned Division under the Act.”

4. **Amendment of section 3, Act XXVI of 1973.**- In the said Act, in section 3,-

- (a) in the heading, after the word “the”, the words “Pakistan Nursing and Midwifery” shall be inserted;

- (b) for the sub-section (1), the following shall be substituted, namely;-

“(1) The Federal Government shall establish a Council to be called the Pakistan Nursing and Midwifery Council at national level and Council shall elect an Executive Committee to administer and manage the affairs of the Council. The Executive committee shall be elected from the members of the Council for every three years and include nineteen voting members.”;

- (c) after sub-section (2), the following new sub-sections (3), (4), (5), (6) and (7) shall be inserted, namely:-

“(3) The eligibility and election process shall be in accordance with the Act and the rules and regulations as prescribed by the Council.”;

- (4) The Council, which shall be the general body and shall consist of the following members, namely:-

- (a) ex-officio non-voting Members; and
- (b) voting Members:

Provided that no person shall be eligible for membership of the Council if the individual or his

family has a vested interest in a private nursing or midwifery institution.

(5) The following shall consist of the Ex-officio non-voting members, namely:-

(a) the Director General Nursing in a province or the person holding the corresponding office;

(b) the Director General Nursing or the person holding the corresponding office of Gilgit Baltistan or any other new Province; and

(c) the Director General Nursing or the person holding the corresponding office Azad Jammu Kashmir.

(6) The following shall consist of the Voting Members, namely:-

(a) one teaching faculty member of a public school or college of Nursing and Midwifery, with an Bachelor of science in Nursing (BSN) or higher degree from each province to be nominated respectively by each provincial health ministry or equivalent provincial government body, or

the federal health ministry. Such nominee to be at associate professor or higher level with a minimum of seven years experience as a Nursing or Midwifery teacher, and of outstanding merit:

Provided that if such a person is not available then a nursing educator having a Master of science in Nursing (MSN) degree with ten years practical nursing experience in a reputable hospital, may be considered:

Provided further that the nominees shall have no prior criminal convictions, be of sound mind and body and of reputable standing amongst her or his colleagues and community;

- (b) two members representing faculty members of private universities, school or college of Nursing and Midwifery selected by the Prime Minister on the same criteria as the nominees from the public universities, school or college of Nursing and Midwifery colleges as above;

- (c) one Nurse or Midwife with MSN degree nominated by the Surgeon General of the armed forces;
- (d) one midwife with a graduate degree in nursing or midwifery who is a faculty member of a school or college of Nursing and Midwifery from each province to be nominated by each provincial health ministry or equivalent provincial government body, such nominee to have at least seven years post graduate teaching and practical midwifery experience, with a BSN or higher degree, in a reputable hospital, with no prior criminal convictions, of sound mind and body, and of reputable standing amongst his or her colleagues and community;
- (e) four LHV, one each from the Punjab, Khyber Pakhtunkhwa, Sindh and Baluchistan respectively, from faculty members from schools or colleges of Nursing and Midwifery nominated by the relevant provincial health ministry or equivalent provincial government body, such nominee to have at least five years

practical experience as a Health Visitor, with no prior criminal convictions, of sound mind and body, and of reputable standing amongst her or his colleagues and community;

- (f) one Nursing Educator nominated by the Prime Minister with an MSN or higher degree, from a reputable public or private nursing teaching institution. Such nominee shall be currently in a teaching position with at least seven years teaching experience in a reputable institution, with no prior criminal convictions, of sound mind and body, and of reputable standing amongst her or his colleagues and community; and

- (g) three members from civil society nominated by the Prime Minister from amongst persons of repute in technical and professional fields including retired civil servants, educationists, social workers, businessman, and renowned philanthropists, preferably with previous demonstrated interest in nursing.

(7) The Council 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.”.

5. **Insertion of new section 3A, in the Act XXVI of 1973.-** In the said Act, after section 3, a new section 3A shall be inserted, namely:-

“3A. Powers of the Council.- The powers of the Council shall be-

- (a) to regulate registered nurse, Nurse specialist, nurse practitioner, Midwife and LHV 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 entry to practice with Council 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 shall be in accordance with the law and Council shall ensure that the right to prescribe drugs or medical devices may not be given to registered nurses, nurse specialists, nurse practitioners, midwives or LHV, or any other nurse practitioners in contravention of the law;
- (h) to evaluate and accredit institutions that provide education and training in nursing, midwifery, LHV and to cooperate with other accreditation bodies where necessary in accordance with the objectives of the Council 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 Council;

- (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 or policies for registration or license to practice;
 - (iii) conditions or policies for enrollment into nursing programs; and
 - (iv) conditions or policies for institutions offering nursing programs.;
- (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 arms for quality assurance, examination, accreditation and or curriculum development and approvals for Council credibility as deemed by the Council. The independent arms shall accredited by any international credible agency such as International Organization for Standardization;
- (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 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 Council; and
- (u) to do all things necessary and ancillary to the above purposes of the Act.”

6. Amendment of section 4, Act XXVI of 1973.- In the said Act, in section 4,-

- (a) in sub-section (2), for the words “resign his office by writing under his hand addressed” the expression “submit his written, signed resignation” shall be substituted;
- (b) in sub-section (3), in clause (a),-
 - (i) after the words “represent or” the word “ceases” shall be inserted;

- (ii) for the word "qualified" the word "eligible" shall be substituted; and
- (iii) after the words "qualified to be elected or nominated", the words "or retired from such position" shall be inserted.

7. **Amendment of section 7, Act XXVI of 1973.**- In the said Act, in section 7,-

(a) In sub-section (1),-

- (i) for the word "six", the word "three" shall be substituted; and
- (ii) for the words "times and places", the words "time and place" shall be substituted;

(b) for sub-section (3), the following shall be substituted, namely;-

"(3) A written notice along with the agenda and the time and place of each meeting shall be sent by post or courier or by modern electronic means that constitutes documentary proof of notice such as an email, by the Registrar 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.”; and

- (c) in sub-section 4, for the word “fourteen”, the word “twelve” shall be substituted.

8. Amendment of section 8, Act XXVI of 1973.- In the said Act, in section 8,-

- (a) in sub-section (2), for the words “as such for so long as he continues to be a member”, the expression “according to sub-section (1) of section 4 and otherwise sub-section (1) and (2) of section 6 (1) and (2) shall be substituted; and

- (b) after sub-section (2), the following new sub-sections (3) and (4) shall be inserted;-

“(3) The Vice President of the Council shall be elected from among the voting members of the Council.

(4) The election of the president, and vice president, shall, subject to the provisions of this Act, be held one month before their term of office ends at such time and place and in such manner as may be prescribed by the rules and regulations.”

9. Amendment of section 9, Act XXVI of 1973.- in the said Act, in section 9,-

- (a) for sub-section (1), the following shall be substituted, namely;-

“(1) The Council shall, 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 shall 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.”

- (b) for sub-section (2), the following shall be substituted, namely:-

“(2) Council may also constitute such other committees or subcommittees as it may deem fit for carrying out the purposes of this Act.”

- (c) in sub-section (3), for the words “or under this Act”, the words “the Council and shall report on its activities to Council at every Council meeting” shall be substituted.

10. Insertion of new sections 9A, 9B, 9C, 9D, 9E , 9F and 9G, Act XXVI of 1973.- In the said Act, after section 9, the following new sections 9A, 9B, 9C, 9D, 9E, 9F and 9G shall be inserted, namely:-

“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 shall 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 shall 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 that the Federal Government may by notification direct the National Medical Authority to undertake and provide all administrative functions of the Council 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.

9D. Secretary.- (1) The Council shall appoint a full time Secretary as prescribed. The Secretary shall:

- (a) act under the direction of the President of the Council;
- (b) be responsible for the efficient management of the office of the Council;
- (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 shall appoint a full time Finance Director as prescribed. The Finance Director shall be responsible for financial management and maintenance of proper accounts of the Council shall ensure the annual audit by a duly appointed registered chartered accountant. He shall report all matters to the President and shall keep

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.- (1) Functions of the Council shall be-

- (a) to administer, manage and run the affairs of the Council efficiently and to hire and fire staff whenever or wherever deemed necessary in the interests of the Council;
- (b) to properly maintain the records, minutes and all documents of the Council;
- (c) to administer the finance and maintain the accounts of the Council 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 Council;
- (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; and
- (g) to carry out all actions connected and ancillary to the purposes of the Act.”.

11. Amendment of section 10, Act XXVI of 1973.- In the said Act, in section 10,-

- (a) in the heading, for the word “servants”, the words “Supportive Staff” shall be substituted;
- (b) in sub-section (1),-
 - (i) for the words “a Registrar of the Council and may appoint a Secretary, a Treasurer and such others officers and servants”, the words “professional and

administrative and supportive staff on contract” shall be substituted;

(ii) after the words “it may deem”, the words “fit and” shall be inserted; and

(iii) the proviso shall be deleted.

(c) In sub-section (2),-

(i) the words “with the previous sanction of the Federal Government” shall be omitted; and

(ii) for the word “servants”, the words “supportive staff” shall be substituted.

12. Amendment of section 11, Act XXVI of 1973.- In the said Act, in section 11,-

(a) in the heading, the word “Provincial” shall be omitted;

(b) for sub-section (1), the following shall be substituted, namely;-

“(1) The Council in consultation with provincial Government shall constitute a provincial nursing examination board.”;

(c) in sub-section 2,-

- (i) after the words "Board shall be", the words "to hold examinations and" shall be inserted; and
 - (ii) the words "and to hold and conduct examination to be undergone by persons desiring to obtain such qualifications" shall be omitted; and
- (d) after sub-section (2), the following new sub-sections (3) and (4) shall be inserted, namely:-

"(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 Council."

13. Amendment of section 12, Act XXVI of 1973.- In the said Act, for section 12, the following shall be substituted, namely;-

"21. Recognition of institutions or authority conducting educational course or programs.- (1) Any institution or authority aiming to conduct any Degree or courses or programs of study, in nursing, midwifery and health

visiting shall apply to the Council for its recognition. The institution may start the course only after obtaining approval from the Council.

(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 fulfill the following requirements as may be prescribed by the Council:-

- (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.; and
- (c) satisfy the Council that it shall comply with the rules, regulations and standards as prescribed by the Council.”.

14. Amendment of section 14 Act, XXVI of 1973.- In the said Act, in section 14, in sub-section (1), for the words “Federal Government”, the words “Higher Education Commission” shall be substituted.

15. Amendment of section 15 Act, XXVI of 1973.- In the said Act, in section 15, in clause (c), in paragraph (ii), for the words “a supplementary”, the words “an advanced professional” shall be substituted.

16. Amendment of section 16 Act, XXVI of 1973.- In the said Act, for section 16, the following shall be substituted, namely:-

- (a) for the words “course of study or training”, the words, “educational programs” shall be substituted ;
- (b) after the words “granted by it”, the expression, “in the fields Nursing, Midwifery or Health Visitors” shall be inserted;
- (c) in clause (a), for the words, “course of study and training”, the words, “Educational Program” shall be substituted;
- (d) in clause (b), for the words “study and training”, the words, “the Educational Program” shall be substituted; and
- (e) after clause (c), a new clause (cc) shall be inserted, namely:-
“(cc) Clinical setting and beds pertaining to education Program.”.

17. Amendment of section 17, Act XXVI of 1973.- in the said Act, in section 17,-

(a) for sub-section (1), the following shall be substituted, namely;-

“(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.”

(b) in sub-section (2),-

(i) for the words “Executive Committee”, the word “Council” shall be substituted; and

(ii) for the word “training”, the word, “educational program” shall be substituted.;

(c) in sub-section (3), for the words “Executive Committee”, the word “Council” shall be substituted;

(d) for sub-section (4), the following shall substituted, namely;-

“(4) Upon the expiry of the period specified under sub-section (3) the Council shall, make such recommendations thereon as it may deem fit.”; and

- (c) after sub-section (4), new sub-sections (5) and (6) shall be inserted, namely:-

“(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 Council.”.

18. Amendment of section 18, Act XXVI of 1973.- In the said Act, in section 18,-

- (a) in sub-section (1),-

(i) in clause (a), for the words “course of study or training”, the words, “education program” shall be substituted; and

- (ii) for clause (b), the following shall be substituted, namely;-

“(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 of such explanation as the institution or authority may like to offer.”.

- (b) sub-section (2) shall be omitted;
- (c) in sub-section (3),-
 - (i) for the expression “sub-section (2)”, the expression “clause (b) of sub-section (1)” and for the words “Federal Government may”, the words “Council” shall be substituted; and
 - (ii) for the words “direct the Council to”, the word “shall” shall be substituted.

19. Insertion of new section 18A, Act XXVI of 1973.- In the said Act, a new section 18A shall be inserted, namely:-

“18A. Maintenance of Data Base- The council shall maintain, the following data, for national nursing human resources, namely:-

- (a) pre-registration;
- (b) registration; and
- (c) faculty registration.”.

20. Amendment of section 21, Act XXVI of 1973.- In the said Act, in section 21,-

- (a) in sub-section (1), after the words “being heard”, the expression “where a person’s name has been removed from the register, the Council shall publish this fact on its website” shall be inserted; and
- (b) in sub-section (2), for the word “which”, the word “who” shall be substituted.

21. Amendment of section 23, Act XXVI of 1973.- In the said Act, in sub-section (1), for the words “or aided by Federal Government or a local authority”, the words “by public or private sector” shall be substituted.

22. Amendment of section 24 Act, XXVI of 1973.- In the said Act, in section 24,-

- (a) in sub-section 1,-

- (i) for the words "six months", the words "one year", shall be substituted;
- (ii) the words "which may extend to one thousand rupees" shall be omitted; and

- (b) after sub-section (1), a new sub-section (2) shall be inserted, namely:-

"(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."

23. Amendment of section 25, Act XXVI of 1973.- In the said Act, in section 25, in sub-section (1),-

- (a) after the words "Federal Government", the words "and display on its website" shall be inserted; and
- (b) after the words "end of every" the word "fiscal" shall be inserted.

24. Amendment of section 26, Act XXVI of 1973.- In the said Act, in section 26,-

- (a) in sub-section (1), for the expression “may, with the previous sanction of the Federal Government”, the word “shall” shall be substituted;
- (b) in sub-section (2),-
 - (i) in sub-clause (f), the word “servants” shall be substituted with the word “supportive staff”
 - (ii) clause (g) shall be omitted;
 - (iii) after clause (m), the following new sub-clauses (n) and (o) shall be inserted;
 - “(n) prescribing a code of professional conduct and standard for practice and education for Nurses, Midwives and Lady Health Visitors; and
 - (o) prescribing the functions of the Nursing Examination Boards.”.

25. Amendment of Schedule, XXVI of 1973.- In the said Act, the Schedule shall be substituted with, namely:

THE SCHEDULE

[see section 3(n)]

RECOGNIZED QUALIFICATION:

- (a) Bachelor's 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: 1year 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-year Midwifery Course;
- (k) Post Associate Bachelor's Degree for (LHV): Two years Degree Course; and
- (l) Post Associate Midwifery Degree(RM): Two year Midwifery degree Course.

Statement of Objects and Reasons

To amend and consolidate the law relating to education and training of Nursing and Midwives and Lady Health Visitors, an initiative was taken by National Health Task Reforms Force constituted by the Prime Minister to draft the bill titled "Pakistan Nursing Council (Amendment) Act, 2021" to make nursing profession vibrant and responsive to nursing requirements.

1. Salient Features of the Act are as under:
 - i. To protect, promote and maintain the public health, to serve the public regarding health care services in general, but nursing and midwifery services in particular.
 - ii. To ensure competence of registered professionals of Pakistan Nursing Council with all stakeholders about nursing and midwifery education professional conduct and practice within and outside the Pakistan.
 - iii. Inclusion of the Director General Nursing from each province, one Nurse or Midwife from Surgeon General of Armed forces, one from Provincial Health Department, one from Public Sector Hospital, three members from civil society to be nominated, renowned philanthropists, educationists, social worker, businessman preferably working in the nursing and midwifery field nominated by the Prime Minister in the Council.
3. In order to carry out the mandate of the law, the draft bill has been prepared to achieve the above said objects.

(Zaheer-ud-Din Babar Awan)
Adviser to the Prime Minister
on Parliamentary Affairs

[قومی اسمبلی میں پیش کرنے کے لیے]

پاکستان نرسنگ کونسل ایکٹ، ۱۹۷۳ء میں مزید ترمیم کرنے کا بل

ہر گاہ کہ یہ قرین مصلحت ہے کہ بعد ازیں رونما ہونے والی اغراض کے لیے پاکستان نرسنگ کونسل ایکٹ، ۱۹۷۳ء (نمبر ۲۶ بابت ۱۹۷۳ء) میں مزید ترمیم کی جائے۔
لہذا بذریعہ ہذا قانون وضع کیا جاتا ہے:-

۱۔ مختصر عنوان اور آغاز نفاذ:- (۱) یہ ایکٹ پاکستان نرسنگ کونسل (ترمیمی) ایکٹ، ۲۰۲۱ء کے نام سے موسوم ہوگا۔

(۲) یہ فی الفور نافذ العمل ہوگا۔

۲۔ ایکٹ نمبر ۲۶ بابت ۱۹۷۳ء کی دفعہ ۲ میں ترمیم:- پاکستان نرسنگ کونسل ایکٹ، ۱۹۷۳ء (نمبر ۲۶ بابت ۱۹۷۳ء) میں، بعد ازیں جس کا حوالہ مذکورہ ایکٹ کے طور پر دیا گیا ہے، کی دفعہ ۲ کو، درج ذیل سے تبدیل کر دیا جائے گا، یعنی:-

”۲۔ تعریفات:- (۱) اس ایکٹ میں، بجز اس کے کہ کوئی امر موضوع یا سیاق و سباق کے منافی نہ

ہو،---

(الف) ”پچلر ڈگری“ سے مراد یونیورسٹی یا منظور شدہ انسٹی ٹیوشن کی جانب سے ہائر سیکنڈری سکول کے بعد کم از کم چار سالہ میعاد کی تسلیم شدہ کوئی بھی ڈگری ہے جسے کونسل نے مذکورہ ڈگری عطاء کرنے کے لیے تسلیم کیا ہو؛

(ب) ”بورڈ“ سے مراد اس ایکٹ کے تحت تشکیل کردہ صوبائی نرسنگ اور ڈوائفنگری امتحانی بورڈ ہے؛

(ج) ”سٹوڈنٹ“ سے مراد تسلیم شدہ انسٹی ٹیوشن کی جانب سے کم از کم ایک سالہ میعاد کی کوئی بھی منظور شدہ قابلیت جس قابلیت کو اس ایکٹ کے تحت جاری کیا جائے؛

(د) ”کلینکل نرس اسپیشلسٹ“ یا ”سی این ایس“ سے مراد ایک رجسٹرڈ شدہ نرس ہے جو مخصوص کلینکل ٹریکٹ میں متعلقہ شعبہ یا نرسنگ میں ماسٹر ڈگری (ایم ایس این) میں درج ہو چکی ہو اور کامیابی سے ایک سالہ یونٹ بیسک ڈپلومہ مکمل کر چکی ہو جس کو کونسل کی جانب سے تسلیم کیا گیا ہو اور رجسٹرڈ کیا گیا ہو اور ایکٹ کے تحت جسے بطور سی این ایس پریکٹس کرنے کا لائسنس دیا گیا ہو؛

(ه) ”کونسل“ سے مراد ایکٹ کے تحت قائم کردہ پاکستان نرسنگ اور ڈوائفیری کونسل ہے؛

(و) ”متعلقہ ڈویژن“ سے مراد ڈویژن ہے جس کو قواعد ہائے کار ۱۹۷۳ء کے تحت اس ایکٹ کے امور مختص کیے گئے ہوں؛

(ز) ”ڈپلومہ“ سے مراد کونسل کی جانب سے منظور شدہ انسٹی ٹیوٹن کی جانب سے جاری کردہ کم از کم دو سالہ یا زائد میعاد کی کوئی بھی منظور شدہ قابلیت ہے جو قابلیت اس ایکٹ کے تحت جاری کی جائے؛

(ح) ”انسٹی ٹیوٹن“ سے مراد انسٹی ٹیوٹ، کالج یا یونیورسٹی ہے جو کہ نرسوں، ڈاؤرز، لیڈی ہیلتھ وزیٹرز اور نرسنگ معاونین کو بنیادی اور اعلیٰ تعلیم عطا کرنے یا تربیت دینے یا دونوں کے لیے اس ایکٹ کے تحت رجسٹرڈ ہوں؛

(ط) ”لیڈی ہیلتھ وزیٹر“ یا ”ایل ایچ وی“ سے مراد لیڈی ہیلتھ وزیٹر ہے جس نے کونسل کی جانب سے منظور شدہ اور رجسٹرڈ شدہ ڈپلومہ کورس مکمل کر لیا ہو اور جس کو ایکٹ کے تحت بطور رجسٹرڈ شدہ لیڈی ہیلتھ وزیٹر پریکٹس کرنے کا قانونی لائسنس جاری کیا گیا ہو؛

(ی) ”رکن“ سے مراد کونسل کا رکن ہے؛

(ک) ”نرس“ سے مراد شخص ہے جس نے نرسنگ کے مقصد کے لیے منظور شدہ ڈپلومہ یا ڈگری پروگرام مکمل کر لیا ہو اور ایکٹ کے تحت رجسٹرڈ شدہ ہو؛

(ل) ”این پی“ یا ”نرس پریکٹیشنر“ سے مراد رجسٹرڈ شدہ ایڈوانسڈ پریکٹس نرس ہے جس کا کونسل کی جانب سے نرسنگ میں تسلیم شدہ ماسٹر ڈگری میں اندراج ہو گیا ہو، کونسل کے ساتھ بطور نرس پریکٹیشنر رجسٹرڈ ہو اور خود مختار پریکٹس کے لیے موجودہ لائسنس یافتہ ہو جس میں اس ایکٹ کے تحت نئے تجویز کرنا شامل ہے؛

(م) ”دیگر کمیٹیاں“ سے مراد اس ایکٹ کے تحت مخصوص مقصد کے لیے کونسل کی جانب سے تشکیل شدہ ذیلی کمیٹیاں مراد ہیں؛

(ن) ”صراحت کردہ“ ایکٹ کے تحت وضع کردہ قواعد و ضوابط کی جانب سے صراحت کردہ مراد ہے؛

(س) ”منظور شدہ اعلیٰ تعلیم“ سے مراد اعلیٰ تعلیمی کمیشن کی جانب سے منظور شدہ ڈگری یا قابلیت

ہے اور نرس، مڈوائف اور ایل ایچ وی کے لیے قائم کردہ انسٹی ٹیوشن، بورڈ یا یونیورسٹی کی جانب سے جاری کی جائے اور وفاقی اور صوبائی حکومتوں کی جانب سے برقرار رکھی جائے جس کو اس ایکٹ کے مقاصد کے لیے منظور شدہ اعلیٰ تعلیم قرار دیا گیا ہو، اور وہ تعلیمی قابلیت بھی شامل ہے جو اس ایکٹ کے فی الفور نفاذ سے قبل، پاکستان کونسل ایکٹ، ۱۹۵۲ء (۵۹ بابت ۱۹۵۲ء) کے تحت منظور شدہ اعلیٰ تعلیم تھی۔

(ع) ”منظور شدہ قابلیت“ سے مراد بورڈ یا یونیورسٹی کی جانب سے جاری کردہ قابلیت ہے جس

کو اس ایکٹ کے مقاصد کے لیے منظور شدہ قابلیت قرار دیا گیا ہے اور بشمول۔۔۔

(i) تعلیمی قابلیت جو جدول میں مختص کی گئی ہے؛

(ii) قابلیت جو فوری طور پر اس ایکٹ کے نفاذ سے قبل پاکستان نرسنگ کونسل ایکٹ،

۱۹۵۲ء (۵۹ بابت ۱۹۵۲ء) کے تحت منظور شدہ قابلیت تھی؛

(ف) ”رجسٹر“ سے مراد ایکٹ کے تحت قائم کردہ نرسوں، مڈوائف، ہیلتھ وزٹرز اور نرسنگ

معاونین کا رجسٹر ہے؛

(ص) ”رجسٹرٹنس“ سے مراد اس ایکٹ کے تحت رجسٹرڈ شدہ نرسیں، مڈوائف، لیڈی ہیلتھ وزٹرز

اور نرسنگ معاونین ہیں؛

(ق) ”ضوابط“ سے مراد اس ایکٹ کے تحت وضع کردہ ضوابط ہیں؛

(ر) ”آراہیم“ یا ”رجسٹرڈ شدہ مڈوائف“ سے مراد رجسٹرڈ شدہ مڈوائف جو کہ مندرجہ ہو اور جس نے

کامیابی سے مڈوائف تعلیم اور کورس مکمل کیا ہو، جو ایکٹ کے تحت مڈوائف پریکٹس کی مجوزہ سعت

کے اندر، کونسل کی جانب سے باضابطہ منظور شدہ ہو اور بطور رجسٹرڈ شدہ مڈوائف لائسنس یافتہ

ہو اور جو رجسٹریشن سٹیٹیکٹ کا حامل ہو؛ اور

(ش) ”قواعد“ سے مراد اس ایکٹ کے تحت وضع کردہ قواعد ہیں؛

(۲) اس ایکٹ کے تحت دیگر عبارتیں جو استعمال ہوئی ہوں مگر بیان نہ کی گئی ہوں، قوانین اور اس کے تحت وضع کردہ قواعد کو ویسے ہی مفہوم حاصل ہوگا جیسا کہ متعین کیا گیا ہو۔“

۳۔ ایکٹ نمبر ۲۶ بابت ۱۹۷۳ء میں نئی دفعہ ۲ الف کی شمولیت :- مذکورہ ایکٹ میں، دفعہ ۲ کے بعد، درج ذیل نئی دفعہ ۲ الف کا اندراج کیا جائے گا، یعنی :-

”۲ الف۔ پاکستان نرسنگ اور ڈوائفیری کونسل کے کارہائے منصبی :- پاکستان نرسنگ اور ڈوائفیری کونسل درج ذیل کارہائے منصبی سرانجام دے گی، یعنی :-

(الف) عوامی صحت اور فلاح و بہبود کو تحفظ دینا، ترقی دینا اور قائم رکھنا؛

(ب) پاکستانی عوام کی صحت سے متعلق عمومی خدمت کرنا، لیکن نرس یا آرایم کی جانب سے خاص طور پر نرسنگ اور ڈوائفیری خدمات فراہم کرنا؛

(ج) کونسل کے رجسٹرڈ شدہ پیشہ واران قابلیت کی یقین دہانی کروانا؛

(د) نرسنگ، ڈوائفیری، تعلیم، پیشہ ورانہ چال چلن اور پاکستان کے اندر اور باہر پریکٹس کرنے سے متعلق تمام شراکت داروں کے ساتھ رابطہ رکھنا؛ اور

(ه) ایکٹ کے تحت متعلقہ ڈویژن کی جانب سے کونسل کو کوئی کارہائے منصبی متعین کرنا“

۴۔ ایکٹ نمبر ۲۶ بابت ۱۹۷۳ء کی، دفعہ ۳ میں ترمیم :- مذکورہ ایکٹ میں دفعہ ۳ میں، --

(الف) شہ سرخی میں لفظ ”the“ کے بعد الفاظ ”پاکستان نرسنگ اور ڈوائفیری“ کو شامل کر دیا جائے گا؛

(ب) ذیلی دفعہ (۱) کو درج ذیل سے تبدیل کر دیا جائے گا، یعنی :-

”(۱) وفاقی حکومت قومی سطح پر کونسل قائم کرے گی جو پاکستان نرسنگ اور ڈوائفیری

کونسل کے نام سے موسوم ہوگی اور کونسل، کونسل کے امور کا انتظام و انصرام منضبط

کرنے کے لیے ایگزیکٹو کمیٹی کا انتخاب کرے گی، ایگزیکٹو کمیٹی کو، ہر تین سالوں

کے لیے کونسل کے اراکین میں سے منتخب کیا جائے گا اور اس میں حق رائے دہی کے

انہیں اراکین شامل ہوں گے“؛

(ج) ذیلی دفعہ (۲) کے بعد، درج ذیل نئی ذیلی دفعات (۳)، (۴)، (۵)، (۶) اور (۷) کو

شامل کر دیا جائے گا، یعنی :-

” (۳) ایکٹ اور قواعد اور ضوابط کی مطابقت میں جیسا کہ کونسل کی جانب سے صراحت کیا جائے،

اہلیت اور انتخابی عمل ہوگا۔“

(۴) کونسل جو کہ عمومی ہیئت کی ہوگی اور درج ذیل اراکین پر مشتمل ہوگی، یعنی:-

(الف) بر بنائے عہدہ غیر حق رائے دہی والے اراکین؛ اور

(ب) حق رائے دہی والے اراکین:-

مگر شرط یہ ہے کہ کوئی بھی شخص کونسل کی رکنیت کا اہل نہیں ہوگا اور وہ فرد یا اس کا خاندان کا نرسنگ یا ڈوائفنگ کے نجی

ادارے میں مفاد ہو۔

(۵) حسب ذیل بر بنائے عہدہ ووٹ نہیں دینے والے اراکین پر مشتمل ہوں گے یعنی:-

(الف) ایک صوبے میں ڈائریکٹر جنرل نرسنگ یا مطابق عہدے کا حامل شخص عہدے کا حامل ہو۔

(ب) ڈائریکٹر جنرل نرسنگ یا گلگت بلتستان یا دیگر کسی نئے صوبے میں مطابق خط و کتابت کے

عہدے کا حامل، شخص؛ اور

(ج) ڈائریکٹر جنرل نرسنگ یا آزاد جموں و کشمیر مطابق عہدے کا حامل شخص۔

(۶) حسب ذیل ووٹ دینے والے اراکین پر مشتمل ہونگے یعنی:

(الف) پبلک سکول یا نرسنگ اور ڈوائفنگ کالج کے تدریسی فیکلٹی مع نرسنگ سائنس میں پیچر ڈگری

(BSN) یا اعلیٰ ڈگری کا حامل ہو کا ایک رکن ہر ایک صوبے سے علیٰ الترتیب

ہر ایک صوبائی وزارت صحت یا مساوی حکومتی ہیئت یا وفاقی وزارت صحت کی جانب سے نامزد کیا

گیا ہو۔ مذکورہ نامزدہ شخص ایسوسی ایٹ پروفیسر یا بطور نرسنگ یا ڈوائفنگ معلم کا کم سے کم

سات سال کا تجربہ اور عمدہ معیار رکھتی ہو۔

مگر شرط یہ ہے کہ اگر مذکورہ شخص دستیاب نہ ہو تو نرسنگ معلم جو نرسنگ میں ماسٹر آف

سائنس کی ڈگری بمع ایک اچھی شہرت کے حامل ہسپتال میں دس سالہ نرسنگ کا عملی تجربہ

رکھتا ہو کو زیر غور لایا جائے گا:

مزید شرط یہ ہے کہ نامزد اشخاص کو پہلے کسی بھی جرم میں سزا نہیں دی گئی ہو۔ وہ تو انا ذہن

اور جسم کا مالک ہو اور اسکے ساتھیوں اور کمیونٹی میں اچھی شہرت کا حامل ہو:-