

THE PAKISTAN NURSING COUNCIL ACT, 1952
Act No. LIX of 1952

(PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
LEGISLATURE.)

(Received the assent of the Governor-General on the
14th December, 1952.)

AN ACT TO CONSTITUTE A CENTRAL NURSING COUNCIL

WHEREAS it is expedient to constitute a Central Nursing Council in order to establish a uniform standard of training for nurses, midwives and health visitors;

It is hereby enacted as follows:-

1.-(1) This Act may be called the Pakistan Nursing Council Act, 1952. Short title,
extent and
commence-
ment.

(2) It extends to all the Provinces and the Capital of the Federation.

(3) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the subject or context,- Inter-
pretati-
on.

(a) "the Council" means the Pakistan Nursing Council constituted under this Act;

(b) "Prescribed" means prescribed by regulations made under section 16;

(c) "Provincial Council" means a Council (by whatever name called) constituted under the law of a Province to regulate the registration of nurses, midwives or health visitors in the Province;

(d) "Provincial register" means a register of nurses, midwives, or health visitors maintained under the law of a Province.

3.-(1) The Central Government shall, as soon as may be, constitute a Council consisting of the following members, namely:- Constitution
and compo-
sition of the
Council.

(a) two nurses from every Province, who shall be elected by the respective Provincial Councils from among those nurses from teaching institutions whose names are enrolled on the provincial register;

(b) one member to be elected by the Central Legislature;

(c) one member to be elected from amongst themselves by the heads of institutions all over Pakistan in which health visitors are trained;

(d) one member to be elected by the Medical Council of Pakistan from among its members;

(e) one midwife from every Province to be elected from midwives enrolled on the Provincial register by the Provincial Council;

(f) the Chief Administrative Medical Officer of each Governor's Province or if the Provincial Government in any case so directs, the Superintendent of Nursing (by whatever name called) in the Office of the Chief Administrative Medical Officer of the Province, ex-officio;

(g) four members to be nominated by the Central Government, of whom at least two shall be nurses, midwives or health visitors enrolled in a Provincial register and one shall be an experienced educationist;

(h) the Director General, Health, Pakistan, ex-officio;

(i) the Director General, Medical Services (C.H.Q.) or Chief Nursing Superintendent in his office (by whatever name called) ex-officio;

(j) one representative to be elected by the Council of the Trained Nurses Association of Pakistan from amongst its members.

(2) The President of the Council shall be elected by the members of the Council from among themselves:

Provided that for five years from the first constitution of the Council the Director General, Health, shall be the President.

Contd.

(3) No act done by the Council shall be questioned on the ground merely of the existence of any vacancy in, or any defect in the composition of the Council.

Incorporation of the Council. -4. The Council constituted under section 3 shall be a body corporate by the name of the Pakistan Nursing Council having perpetual succession and a common seal, with power to acquire property both movable and immovable, and shall by the said name sue and be sued.

Mode of elections. 5.-(1) Elections by Provincial Councils under sub-section (1) of section 3 shall be conducted in accordance with rules made in this behalf by the respective Provincial Governments, and where any dispute arises regarding any such election it shall be referred to the Provincial Government concerned whose decision shall be final.

(2) Other elections under that sub-section shall be conducted in the prescribed manner, and where any dispute arises regarding any such election it shall be referred to the Central Government whose decision shall be final.

Term of office and Casual Vacancies. 6.-(1) Subject to the provisions of this section, an elected or nominated member, shall hold office for a term of five years from the date of his election or nomination or until his successor has been duly elected or nominated, whichever is longer.

(2) An elected or nominated member may at any time resign his membership by writing under his hand addressed to the President, and the seat of such member shall thereupon become vacant.

(3) An elected or nominated member shall be deemed to have vacated his seat if he is absent without excuse sufficient in the opinion of the Council from three consecutive meetings of the Council where the interval between the first and third of the said meetings exceeds six months.

(4) A casual vacancy in the Council shall be filled by fresh election or nomination, as the case may be, and the person elected or nominated to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was elected or nominated.

(5) Members of the Council shall be eligible for re-election or re-nomination but not for more than two terms consecutively.

7.-(1) The Council shall hold its first meeting at such time and place as may be appointed by the President, and thereafter the Council shall meet at such times and places as may be appointed by the Council.

(2) Unless otherwise prescribed seven members of the Council shall form a quorum, and all decisions of the Council shall be made by a majority of the members present and voting.

8.-(1) The Secretary of the Council (who may also, if it is deemed expedient by the Council, act as Treasurer), shall be an Officer for three years from the first constitution of the Council, shall be a person appointed by the Central Government and shall hold office during the pleasure of the Central Government.

(2) The Council shall-

- (a) elect from among its members Vice-President;
- (b) constitute from among its members an executive Committee and such other committees for general or special purposes as the Council deems necessary to carry out the purposes of this Act;
- (c) subject to the provisions of sub-section (1) appoint a Secretary, who may also, if deemed expedient, act as Treasurer;

- (d) appoint or nominate such other officers and servants as the Council deems necessary to carry out the purposes of this Act;
- (e) require and take from the Secretary or from any other officer or servant, such security for the due performance of his duties as the Council deems necessary;
- (f) with the previous sanction of the Central Government, fix the fees and allowances to be paid to the President, Vice-President and members and the pay and allowances of officers and servants of the Council.

9.-(1) The Executive Committee shall consist of seven members of whom five shall be elected by the Council from among its members. The Executive Committee.

(2) The President and Vice-President of the Council shall be members ex-officio of the Executive Committee, and shall be President and Vice-President respectively of that Committee.

(3) In addition to the powers and duties conferred and imposed upon it by this Act the Executive Committee shall exercise and discharge such powers and duties as the Council may confer or impose upon it by any regulations which may be made in this behalf, or otherwise.

10.-(1) For the purposes of this Act the qualifications included in Part 1 of the Schedule shall be recognised qualifications, and the qualifications included in Part II of the Schedule shall be recognised higher qualifications.

(2) Any authority in the Provinces or the Capital of the Federation, which being recognised by the Provincial Government for the purpose of granting any qualification, grants a qualification in general nursing, midwifery, health visiting or public health nursing, not included in the Schedule may apply to the Council to have such qualification recognised, and the Council may declare that such qualification, or such qualification only when granted after a specified date, shall be a recognised qualification for the purposes of this Act.

(3) The Council may enter into negotiations with any authority in any State or country outside Pakistan which by the law of such State or country is entrusted with the maintenance of a register of nurses, midwives or health visitors, for the settling of a scheme of reciprocity for the recognition of qualifications granted in the Provinces and the Capital of the Federation and in pursuance of any such scheme the Council may declare that a qualification granted by any authority in any such State or country, or such qualifications only when granted after a specified date, shall be a recognised qualification for the purposes of this Act.

Provided that -

- (i) any reciprocal arrangement subsisting at the date of the commencement of this Act between a Provincial Council and any authority outside the Provinces or the Capital of the Federation for the recognition of qualifications shall, unless the Council decide otherwise, continue in force, and
- (ii) any qualification granted by an authority in any Acceding State and recognised at the said date by a Provincial Council shall continue to be a recognised qualification for the purpose of registration in the Province until the expiry of three years from the said date, or until a scheme of reciprocity is concluded by the Council under this sub-section with the authority concerned whichever is earlier:

Provided further that the Central Government, after consulting the Council may if it thinks fit direct that a qualification granted by an institution outside the Provinces and the Capital of the Federation shall be recognised for such period and upon such conditions as may be specified in the direction, notwithstanding that a reciprocal scheme of recognition has not been settled between the Council and such authority in that State or country as is referred to in this sub-section.

(4) The provisions of sub-sections (2) and (3) and of sections 14 and 15 shall apply with necessary modifications to the declaration by the Council of a qualification granted in respect of post-certificate nursing training as a recognised higher qualification.

11. Notwithstanding anything contained in any other law for the time being in force - Effect of recognition.

(a) any recognised qualification shall be a sufficient qualification for enrolment in any provincial register;

(b) no person shall, after the commencement of this Act, be entitled to be enrolled in any provincial register as a nurse, midwife, health visitor, or public health nurse unless he or she holds a recognised qualification:

Provided that any person already enrolled in any Provincial register before the said date may continue to be so enrolled notwithstanding that he or she may not hold a recognised qualification:

Provided further that any person who was immediately before the said date entitled to be enrolled in any provincial register but was not so enrolled shall, on application made in this behalf before the expiry of two years from the said date be entitled to be enrolled in that register;

(c) any person holding a recognised higher qualification shall be entitled to have the qualification entered as a supplementary qualification in any provincial register in which he or she is enrolled, and after the said date no person shall be entitled to have entered as a supplementary qualification in any provincial register any qualification which is not a recognised higher qualification.

12.-Every authority in Pakistan which grants a recognised qualification or a recognised higher qualification shall furnish to require such information as the Council may, from time to time, require as to the courses of study and training and examinations to be undergone in order to obtain such qualification information as to the ages at which such courses of study and examinations are given and such qualifications conferred, and generally as to the requirements for obtaining such qualifications. courses of study, training and examinations.

13.-(1) The Executive Committee may appoint as many inspectors as it considers necessary to inspect any institution recognised as a training institution, and to attend examinations held for the purpose of granting any recognised qualification or recognised higher qualification. Inspections.

(2) Inspectors appointed under this section shall report to the Executive Committee on the suitability of the institution for the purposes of training and on the adequacy of the training imparted therein or as the case may be, on the sufficiency of the examinations.

(3) The Executive Committee shall forward a copy of such report to the authority or institution concerned, and shall also forward copies, with the remarks, if any, of the authority or institution concerned to the Central Government and to the Provincial Government and Provincial Council of the Province in which the authority or institution is situated.

14. - (1) When, upon report by the Executive Committee, it appears to the Council- Withdrawal of recognition.

(a) that the courses of study and training and the examinations to be undergone in order to obtain a recognised qualification from any authority in any Province, the Capital of the Federation, or the Conditions for admission to such courses of the standards of proficiency required from the candidates at such examinations are not in conformity with the regulations made under this Act or fall short of the standards required thereby, or

(b) that an institution recognised by a Provincial Council for the training of nurses, midwives or health visitors does not satisfy the requirements of the Council,-

the Council may send to the Government of the Province in which the authority or institution is situated, Contd.-5.

(2) To enable the Council to be first constituted, the President may, with the previous sanction of the Central Government, make regulations for the conduct of the elections referred to in sub-section (2) of section 5, and any regulations so made may be altered or rescinded by the Council in exercise of its powers under this section.

- 17.-(1) The Central Nursing Council Ordinance (Amendment) Act, 1949, is hereby repealed.
- (2) It is hereby declared that this Act shall be deemed to have effect as if it had commenced on the fifteenth day of August, 1947, and had repealed the Central Nursing Ordinance, 1947, on that day; but that notwithstanding such repeal all things in good faith done or purporting to be done under that Ordinance between the said day and the commencement of this Act shall be deemed to have been done or to purport to have been done under the corresponding provisions of this Act, subject as follows that the Nursing Council set up under the said Ordinance and in being at the commencement of this Act shall continue in being only until the Council is set up under this Act; but subject as aforesaid such Nursing Council shall during such continuance, have the powers of the Council under this Act.

THE SCHEDULE

(See sections 10 and 11)

PART 1

RECOGNISED QUALIFICATIONS

A.-General Nursing

Certificates (including senior and junior certificates) and Diplomas in Nursing issued by any of the following authorities, namely:-

- *1. The Examination Board appointed by the Government of Madras.
- *2. The Bombay Nurses, Midwives and Health Visitors Council.
3. The Bombay Presidency Nursing Association (when issued before the 1st day of January, 1936).
- *4. The Bengal Nursing Council.
- *5. The United Provinces State Medical Faculty.
- *6. The United Provinces Nurses and Midwives Council.
- *7. The State Board of Medical Examinations United Provinces.
8. The Punjab Nurses Registration Council.
- *9. The Bihar Medical Examination Board.
- *10. The Bihar Nurses Registration Council.
- *11. The Central Provinces Medical Examination Board.
- *12. The Assam Nurses, Midwives and Health Visitors Council.
- *13. The Orissa Medical Examination Board.
- *14. The Sind Nurses and Midwives Council.
- *15. The Mid-India United Board of Examiners for Nurses.
- *16. The Joint Missionary Board of Examination for Nurses (Marathi Area).
- *17. The North India United Board of Examination for Mission and other Hospitals.
- *18. The Examining Board of the Nurses Auxiliary of the Christian Medical Association of India (South India Branch).
19. East Bengal Nurses Registration Council.

B. - Midwifery

Certificates or Diplomas in Midwifery issued by any of the following authorities, namely:-

- *1. Any of the authorities mentioned in section A except item No. 18 thereof.
2. The Punjab Central Midwives Board.
3. The North-West Frontier Province Central Midwives Board.
- *4. The Mid-India United Board of Examiners for Midwifery.
- *5. The National Association for supplying female medical aid to the women of India.
6. East Bengal Central Midwives Board.

Contd.-7.

C.- Health Visitors

Health Visitors Certificates or Diplomas issued by any of the following authorities, namely:-

- *1. The Government Training School for Health Visitors, Madras.
- *2. The Sir John Anderson Health School, Calcutta.
- *3. The United Provinces State Medical Faculty.
- *4. The United Provinces Nurses and Midwives Council.
- *5. The Punjab Health School.
- *6. The Government Health School, Nagpur.
- *7. The Assam Nurses, Midwives and Health Visitors Council.
- *8. The Lady Reading Health School, Delhi.
- *9. The Bombay Nurses, Midwives and Health Visitors Council.
- *10. The Bengal Nursing Council.

PART 11

RECOGNISED HIGHER QUALIFICATIONS

Certificates or Diplomas in respect of Post-certificate nursing training issued by the following authorities, namely:-

- *1. The Examination Board appointed by the Government of Madras.
- *2. The College of Nursing Delhi.
- *3. The Missionary Medical College, School of Nursing, Vellore.

*When granted on or before the 14th August, 1947.