
THE NURSES AND MIDWIVES ACT, 2019

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY PROVISIONS

Section

1. Short title and commencement
2. Interpretation

PART II

NURSING AND MIDWIFERY COUNCIL OF ZAMBIA

3. Continuation and renaming of the General Nursing Council
4. Functions of the Council
5. Constitution of Board of Council
6. Functions of Board
7. Delegation of functions of Board
8. Registrar
9. Staff of Council
10. Emoluments and other conditions of service of Registrar and other staff

PART III

INSPECTORATE

11. Inspectorate
12. Power of entry, search and inspection
13. Code of Conduct for inspectors

PART IV

REGISTRATION OF NURSES AND MIDWIVES, AND PRACTISING CERTIFICATES

14. Prohibition of practising without registration
15. Registration as nurse or midwife
16. General qualifications for, and disqualifications from, registration as nurse or midwife
17. Provisional registration
18. Full registration
19. Specialist registration
20. Changes in detail
21. Cancellation of certificate of registration and deregistration
22. Re-registration of nurse or midwife
23. Prohibition of practice without practising certificate
24. Application for and issue of a practising certificate
25. Display of practising certificate
26. Renewal of practising certificate
27. Cancellation of practising certificate
28. Retention of non-practising nurse or non-practising midwife on register

- 29. Regulations on practising certificates
- 30. Prohibition of transfer of certificate
- 31. Duplicate certificate
- 32. Surrender of cancelled certificate

PART V

EDUCATION AND TRAINING OF NURSES AND MIDWIVES

- 33. Prohibition of provision of nursing or midwifery training without approval
- 34. Application for approval of training programme
- 35. Approval of training programme
- 36. Display of certificate of approval
- 37. Review of approved training programme
- 38. Withdrawal of approval of training programme
- 39. Re-approval of training programme
- 40. Regulations on education and training and continuing professional development
- 41. Prohibition of use of practical training site without accreditation or approval
- 42. Application for accreditation as practical training site
- 43. Grant of accreditation
- 44. Display of certificate of accreditation
- 45. Renewal of accreditation
- 46. Suspension and revocation of accreditation
- 47. Indexing of students
- 48. Prescription of qualifications and issue of certificates
- 49. Offences relating to training of nurses and midwives

PART VI

SCOPE OF NURSING AND MIDWIFERY PRACTICE

- 50. Scope of nursing and midwifery practice
- 51. Prohibition of prescription of listed medicine and allied substance without certificate of competence
- 52. Certificate of competence to prescribe listed medicine and allied substance

PART VII

LICENSING OF NURSING AND MIDWIFERY FACILITIES

- 53. Prohibition of operation nursing or midwifery facility without licence
- 54. Application for licence
- 55. Grant of licence
- 56. Display of licence
- 57. Transfer of licence
- 58. Amendment of licence
- 59. Duplicate licence
- 60. Renewal of licence

- 61. Surrender of licence on discontinued operation of nursing or midwifery facility
- 62. Suspension or revocation of licence
- 63. Publication of licenced nursing and midwifery facilities
- 64. Offences relating to nursing and midwifery facilities

PART VIII

DISCIPLINARY MATTERS

- 65. Code of Ethics
- 66. Professional misconduct
- 67. Initiation of disciplinary action
- 68. Professional Conduct Committee
- 69. Reference of matters to Professional Conduct Committee
- 70. Functions of Professional Conduct Committee in relation to complaint or information
- 71. Sanctions for professional misconduct by Professional Conduct Committee
- 72. Disciplinary Committee
- 73. Functions of Disciplinary Committee
- 74. Proceedings of Disciplinary Committee
- 75. Powers of Disciplinary Committee at a hearing
- 76. Sanctions for professional misconduct by Disciplinary Committee
- 77. Report by Disciplinary Committee
- 78. Rules by Chief Justice

PART IX

GENERAL PROVISIONS

- 79. Registers
- 80. Publication of copies of registers
- 81. Appeals
- 82. Jurisdiction over acts committed outside Zambia
- 83. Prohibition of publication or disclosure of information to unauthorised persons
- 84. Offences by principal officers of bodies corporate and unincorporate bodies
- 85. General penalty
- 86. Administrative penalty
- 87. Immunity
- 88. Guidelines
- 89. Regulations
- 90. Repeal of Act No. 31 of 1997, and savings and transitional provisions

SCHEDULES

GOVERNMENT OF ZAMBIA

ACT

No. 10 of 2019

Date of Assent: 4th December, 2019

An Act to regulate the education and training of nurses and midwives; continue the existence of the General Nursing Council and rename it as the Nursing and Midwifery Council of Zambia and provide for its functions; provide for the registration of, issuance of practising certificates to, nurses and midwives; provide for the scope of practice of nurses and midwives; regulate the practice and professional conduct of nurses and midwives; provide for the licensing of nursing and midwifery facilities; repeal and replace the Nurses and Midwives Act, 1997; and provide for matters connected with, or incidental to, the foregoing.

[6th December, 2019

ENACTED by the Parliament of Zambia

Enactment

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the Nurses and Midwives Act, 2019, and shall come into operation on the date appointed by the Minister by statutory instrument.

Short title
and
commence-
ment

2. In this Act, unless the context otherwise requires—

“administer” means to give a medicine or an allied substance to a human being orally, by injection, by external application or by introduction into the body in any other way, whether by direct contact with the body or not;

Interpretation

Act No. 3 of 2012	<p>“associate” has the meaning assigned to the word in the Anti-Corruption Act, 2012;</p> <p>“Board” means the Board of the Council constituted in accordance with section 5;</p> <p>“certificate of accreditation means a certificate of accreditation of a practical training site issued in accordance with section 43;</p> <p>“certificate of approval” means a certificate of approval of a training programme issued in accordance with section 35;</p> <p>“certificate of full registration” means a certificate of full registration as a nurse or midwife issued in accordance with section 18;</p> <p>“certificate of provisional registration” means a certificate of provisional registration as a nurse or midwife issued in accordance with section 17;</p> <p>“certificate of registration” means, as the case may be, a certificate of full registration, certificate of provisional registration, certificate of temporary registration or specialist registration certificate;</p> <p>“Chairperson” means the person appointed as Chairperson of the Board in accordance with section 5;</p> <p>“clinical practice” means nursing or midwifery services provided by a nurse or midwife;</p> <p>“Code of Ethics” means the Code of Ethics for nurses and midwives developed and published in accordance with section 65;</p>
Act No. 4 of 2013	<p>“college” means a higher education institution established, declared or registered as a college in accordance with the Higher Education Act, 2013;</p> <p>“committee” means a committee of the Board constituted in accordance with paragraph 4 of the First Schedule;</p> <p>“competence examination” means examinations administered by the Council for the purpose of establishing the prospective practitioner’s professional practice competence levels and suitability to be registered and issued with a practising certificate under this Act;</p> <p>“Council” means the Nursing and Midwifery Council of Zambia established under section 3;</p>
Cap. 1	<p>“Defence Force” means the Defence Force established under the Constitution;</p> <p>“diagnostic centre” means a laboratory or radiological service, or any other related service;</p> <p>“dispense” means to prepare and give out a medicine or an allied substance and other necessity to a patients or clients;</p>