

**CHAPTER 300 - NURSES AND MIDWIVES ACT: SUBSIDIARY LEGISLATION**

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**NURSES AND MIDWIVES ACT (COMMENCEMENT) ORDER, 2001**

[Section 1]

**Arrangements of Paragraphs**

*Paragraph*

1. Title
2. Commencement of Act No. 31 of 1997

SI 35 of 2001.

**1. Title**

This Order may be cited as the Nurses and Midwives Act (Commencement) Order, 2001.

**2. Commencement of Act No. 31 of 1997**

The Nurse and Midwives Act, 1997, shall come into operation on the date of publication of this Order.

**NURSES AND MIDWIVES (REGISTRATION QUALIFICATIONS) REGULATIONS, 2002**

[Section 7]

**Arrangements of Regulations**

*Regulation*

1. Title
2. Particulars to enter into register

SI 87 of 2002.

**1. Title**

These Regulations may be cited as the Nurses and Midwives (Registration Qualifications) Regulations, 2002.

## 2. Particulars to enter into register

The following particulars and qualifications shall be entered into the register for a person who has qualified to be a registered nurse or midwife or specialist under the Act-

- (a) name of applicant;
- (b) sex;
- (c) date of birth;
- (d) marital status;
- (e) personal identity number/PIN'
- (f) years of clinical experience in-
  - (i) medicine and medical nursing;
  - (ii) surgery and surgical nursing;
  - (iii) paediatrics and paediatric nursing;
  - (iv) gynaecology and gynaecological nursing;
  - (v) obstetrics and obstetrical nursing;
  - (vi) community/public nursing;
  - (vii) Other.
- (g) educational and professional training including specialisation as follows-
  - (i) Zambia Enrolled Nurse;
  - (ii) Zambia Enrolled Midwife;
  - (iii) Psychiatric or Mental Health Nurse;
  - (iv) Operating Theatre Nurse;
  - (v) Paediatric Nurse;
  - (vi) Occupational Health;
  - (vi) other
- (h) membership with professional bodies;
  - (i) Language proficiency in-
    - (a) English;
    - (b) other.

### **NURSES AND MIDWIVES (NURSING HOME AND AGENCY) REGULATIONS, 2002**

[Section 30]

#### **Arrangements of Regulations**

##### *Regulation*

1. Title
2. Interpretation
3. Application to register nursing home or agency
5. Council to issue certificate of registration
6. Appeal to Minister
7. Council to suspend certificate of registration
8. Penalty

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

## 1. Title

These Regulations may be cited as the Nurses and Midwives (Nursing Homes and Agency) Regulations, 2002.

## 2. Interpretation

In these Regulations unless the context otherwise requires-

"Council" means the General Nursing Council of Zambia established under section 3 of the Act;

"inspector" means a person appointed inspector under section 38 of the Act;

"nursing agency" means a registered private organisation established for the purpose of providing quality nursing and midwifery care in any setting in a community at a cost to be determined by the agency;

"Registrar" means the person appointed as Registrar under section 5 of the Act.

## 3. Application to register nursing home or agency

(1) Any person-

- (a) above 21 years; and
- (b) without a criminal record,

may apply to the Registrar for registration of a nursing home or agency as set out in Form 1 of the First Schedule.

(2) On receipt of an application for registration under sub-regulation (1), the Registrar shall, forward the application to the Council which shall consider the application.

(3) The Council shall examine and consider the application in terms of the requirements under the Act including-

- (a) the name of the applicant;
- (b) the name of the proprietor;
- (c) the status of the company;
- (d) bank statements;
- (e) the names and qualifications of the proposed management and professional staff;
- (f) the details of available facilities; including building plan;
- (g) list of directors, partners or trustees; the physical location of the nursing home or agency;
- (h) that the management of the nursing home or agency has at least one member who is a nurse or midwife registered with the Council and who has a minimum of five years experience;
- (i) that the nursing home or agency has a full time nurse or midwife registered with the Council who has a minimum of five years experience who shall supervise the daily professional nursing or midwifery services in a nursing home;
- (j) that the nursing home or agency has a residence or visiting medical practitioner who is registered with the Medical Council of Zambia; provided that where there is a visiting medical practitioner; that person shall conduct a minimum of three weekly units of at least one hour each.

(4) In the case of a nursing home or agency, the physical and other infrastructure and requirements set out in the Second Schedule shall be complied with for the purpose of registration under these Regulations.

(5) Where the Council considers an application under sub-regulation (3) it shall, where necessary, require an inspection to produce relevant reports and other information to the Council for purposes of ascertaining the application.

## 5. Council to issue certificate of registration

(1) Where the Council is satisfied that the application meets the requirements specified in the Act and under these Regulations, and on payment of the fee set out in the Third Schedule, the Council shall issue a certificate of registration, to the nursing home or agency within 14 days of the approval of the application by the Council.

(2) The certificate of registration shall be as set out in Form 2 of the First Schedule and shall be renewed every year.

(3) Where the Council rejects an application of a nursing home or agency, it shall instruct the Registrar within 14 days of such rejection to notify the applicant of the refusal to register and furnish the grounds of such refusal.

(4) The notice of refusal to register a nursing Home or Agency shall be as set out in Form 3 of the First Schedule.

## 6. Appeal to Minister

A person aggrieved by any decision of the Council in respect of the registration of a Nursing Home or Agency may appeal to the Minister within 14 days of receipt of notification of that decision.

## 7. Council to suspend certificate of registration

(1) Where after a certificate of registration has been issued under these Regulations, it comes to the notice of the Council that a nursing home or agency is not complying with the conditions for registration, the council shall suspend the certificate of registration stating the grounds for suspension and request the nursing home or agency to exculpate itself in writing within 14 days from the receipt of the letter of suspension.

(2) After receipt of a statement of exculpation the Council may-

(a) decide to hear the nursing home or agency on the matter;

(b) revoke the suspension of the registration with or without condition to implement specified measures; or revoke the certificate of registration.

## 8. Penalty

A person who runs a nursing home or agency without registration commits an offence and shall be liable on conviction to a term of imprisonment not exceeding three months or to a fine not exceeding 1,000 penalty units.

### FIRST SCHEDULE

[Regulations 3, 4 and 5]

### FORM 1

REPUBLIC OF ZAMBIA

NURSES AND MIDWIVES ACT

### APPLICATION FOR REGISTRATION OF NURSING HOME OR AGENCY

To the Registrar, General Nursing Council, Lusaka

1. (a) Name of applicant: .....

(b) Nationality: .....

NRC/Passport No: .....

2. Name of the nursing home/agency: .....

3. Physical location: .....

P.O. Box No. ....

4. (a) Name of proprietor: .....

(b) Nationality: .....

(c) Occupation: .....

(d) NRC/Passport No. ....

(e) Address: .....

5. Legal status of nursing home/agency:

(a) Limited Company

(b) Firm

(c) Co-operative

(d) Other (state)

\* tick applicable

6. List

(a) Names of directors: .....

.....  
.....

(b) partners: .....

.....  
.....

(c) trustees: .....

.....  
.....

(d) board members: .....

.....  
.....

(e) Other (specify): .....  
.....  
.....  
7. (a) Name of person in charge of operations: .....  
(b) Professional qualifications: .....  
(c) Nationality: .....

8. Services and facilities offered at by the nursing home or agency:  
.....  
.....  
.....

This ..... day of ..... 20 ..

Signature .....

Signature .....

Applicant

Registrar

**FORM 2**

REPUBLIC OF ZAMBIA

NURSES AND MIDWIVES ACT

THE GENERAL NURSING COUNCIL OF ZAMBIA

**CERTIFICATE OF REGISTRATION OF NURSING HOME OR AGENCY**

[Regulation 5]

I, HEREBY certify that ..... has this day been registered under section 23 of the Nurses and Midwives Act as a Nursing Home/Agency.

Dated at ..... this ..... day of ..... 20 ..

Signature .....

Signature .....

President  
General Nursing Council of Zambia

Registrar  
General Nursing Council of Zambia

**FORM 3**

REPUBLIC OF ZAMBIA

NURSES AND MIDWIVES ACT

THE GENERAL NURSING COUNCIL OF ZAMBIA

**NOTIFICATION TO REGISTER A NURSING HOME OR AGENCY**

[Regulation 5]

To: .....

I hereby give you notice that in exercise of the powers conferred on me by section 24 of the Nurses and Midwives Act, I have refused to register as a nursing home under this said Act on the grounds that:  
.....

Any appeal to the Minister against this refusal must be delivered to the Permanent Secretary, Ministry of Health within 21 days of receipt of this notice.

Dated at ..... this ..... day of ..... 20 ..

Signature .....

Signature .....

President  
General Nursing Council of Zambia

Registrar  
General Nursing Council of Zambia

**FORM 5**

REPUBLIC OF ZAMBIA

NURSES AND MIDWIVES ACT

APPLICATION FOR RENEWAL OF CERTIFICATE OF REGISTRATION OF NURSING HOME/AGENCY

I, ..... hereby apply for the renewal of the certificate of registration issued in respect of the undermentioned nursing home/agency.

Name of nursing home/agency: \_\_\_\_\_

Address: \_\_\_\_\_

Name of Administrator/Manager \_\_\_\_\_

I certify that the particulars of the Nursing Home or Agency are the same as those submitted with the first application for certificate of registration in respect of this nursing home/agency with the exception of the changes and structural alterations set out in the attached statement.

Dated ..... Signed .....

**SECOND SCHEDULE**

[Regulation 4]

**Physical Structure**

A proposed Nursing home shall include the following:

Strong and secure building

An alarm system

Adequate corridor space

Easy to clean and non slippery floor

Fire extinguisher

Adequate protection against insects, vectors and intruders for safety of patients, staff and equipment

Minimum of three toilets and two bathrooms clearly labelled male, female and staff or such other numbers as will be commensurate with the clientele

Laundry

Sluice room

Incinerator/Placenta pit, where applicable located in a site approved under the Town and Country Planning Act.

A Nursing Home shall have a minimum of the following rooms with adequate ventilation and lighting, equipment, furniture and waste bins:

Reception Room Size: 300 x 300cm

Furniture: Desk with three chairs/stools

Locable cupboards for patient's records

Sitting Room/Waiting Area

Minimum: 400 x 400 cm

Furniture: desk, chairs (number depending on staff), record storage, secure stationery and drug cupboards

Treatment Room

Minimum Size 300 x 250 cm width:

Hand basin (sink) with running water

Separate sink for washing equipment

Adequate storage space for equipment

Small fridge for drugs and vaccines

Separate cupboard for storage of controlled drugs, under the Laws of Zambia Act

Trolleys (Dressing, drug etc)

Resuscitation tray with the minimum requirements of the following drugs:

Hydrocortisone-2 ampules

Adrenaline-2 ampules

Aminophylline-2 ampules

Anti-Convulsant-2 ampules

Anti-Histamine-2 ampules

Sodium Bicarbonate 4

Syringes and needles

Recommended disinfectant

Surgical gloves

Cut down set

Laryngoscope

Metal spatula/Tongue depressor

Pair of sterile examination gloves

Multistix for urinalysis

Glucometer

Ambu bag (with various sizes of masks)

I.V. fluids-5% Dextrose, Normal saline, Darrows, Ringers lactate

50% Dextrose

Drip stand

Cannulae and giving sets

Oxygen cylinder with working gauge

Suction machine and suction catheters

Weighing scale

Clinical thermometers

Sphygmomanometer and stethoscope

Working steriliser or portable autoclave

Fire extinguisher

Instruments (Gynaecological and obstetric)

Oxygen masks and humidifier

Airway, Endotracheal tubes

Torniquet

Examination Room

Size: 300 x 300 cm

Furniture: table; two chairs; couch foot stool; examination tray

Wash hand basin with hot and cold running water

Pharmacy

Size: as specified by the Pharmacy and Poisons Board (the Proprietor is encouraged to obtain a copy of the Pharmacy and Poisons Board guide-lines if he/she wishes to have a pharmacy on site):

Kitchen/Kitchenette

Kitchen size: 250 x 300cm

Fridge/Freezer or Cold room for perishables

Cooker/Stove

Microwave oven (optional)

Adequate crockery

Sink (s) with running water

Storage Space

Bedroom (s)

(a)Single Room

300 x 300cm

Hospital bed and mattress in good condition

Bedside lockers

Bedside table

Wardrobe

Chairs

Sink and running water

*(b)* Double Room

Size: 400 x 400cm

2 hospital beds and mattresses in good condition

2 lockers

Wardrobes

2 bedside tables

Sink and running water

Labour Ward

Size: 300 x 300 cm

Lithotomy bed

Baby crib (s) and mattress

Suction machine

Drip stand, IV sets and fluids

Resuscitation tray

Sphygmomanometer and stethoscope

Thermometer

Delivery packs

Trolley (s)

Incubator

Foetal scope

Torniquet

Forceps

Adults and baby scales

Resuscitaire

Postnatal Room

As above for both single room and double room plus baby cribs and mattresses

Laboratory

For specifications, refer to Medical Laboratory Policy Guidelines

Storage Room

Adequate storage room for various items

Stationery

A nursing Home shall have the following stationery:

Â§ Registers: patients; births; deaths

Â§ Obstetric Record book

Â§ Admission Forms

Â§ Continuation forms



- Â§ Fluid balance charts
- Â§ Observation charts
- Â§ Evaluation charts
- Â§ Patients satisfaction survey questionnaire
- Â§ Referral forms
- Â§ Partograms
- Â§ Antenatal cards/if applicable
- Â§ Tetanus toxoid immunisation cards
- Â§ Laboratory request forms
- Â§ Radiological request forms
- Â§ Prescription pads
- Other important items
- Adequate linen (bed sheets, blankets, counterpanes)
- Pillows
- Stretcher
- Vaccine fridge where necessary
- Communication facilities
- radio
- phone
- fax
- E-mail

**THIRD SCHEDULE**

[Regulation 5]

**PRESCRIBED FEE**

|                                     | Fee Units |
|-------------------------------------|-----------|
| Registration fee for Nursing Home   | 1000      |
| Registration fee for Nursing Agency | 600       |

**NURSES AND MIDWIVES (INFAMOUS CONDUCT) REGULATIONS, 2002**

[Section 37]

**Arrangements of Regulations**

*Regulation*

1. Title
2. Interpretation
3. Committee to hear cases
4. Offences that may constitute infamous conduct
5. Investigation of Complaint
6. Investigations Committee to interview witness, visit premises etc.
7. Charge to be made against Practitioner
8. Charge to be personally served on practitioner
9. Practitioner to exculpate self
10. Committee to set time, date and place of hearing

11. Practitioner to inform Registrar or presentation and witness
12. Conduct of hearing
13. Consideration of matter by Committee and ruling of Committee
14. Practitioner to appeal to High Court

#### SCHEDULE

SI 89 of 2002.

#### 1. Title

These Regulations may be cited as the Nurses and Midwives (Infamous Conduct) Regulations, 2002.

#### 2. Interpretation

In these Regulations, unless the context otherwise requires-

"Committee" means the Professional Conduct Committee constituted under section 31 of the Act;

"Council" means the General Nursing Council established under section 3 of the Act;

"Legal Practitioner" means the legal practitioner appointed under section 31 of the Act;

"Practitioner" means nurse, midwife or specialist registered under the act and includes nursing student; and

"Registrar" means the person appointed Registrar under section 5 of the Act.

#### 3. Committee to hear cases

The professional Conduct Committee may consider and hear cases of infamous conduct in a professional respect-

- (i) brought before it in form of a complaint against a practitioner; or
- (ii) resulting from proceedings in a court of law and brought to its attention.

#### 4. Offences that may constitute infamous conduct

Acts or omissions that constitute infamous conduct in a professional respect are specified in the Schedule to these Regulations.

#### 5. Investigation of Complaint

Where a complaint has been laid before the Council and the Council determines that the matter warrants an investigation, it shall instruct the Professional Conduct Committee to investigate the matter and make appropriate recommendations to it.

#### 6. Investigations Committee to interview witness, visit premises etc.

(1) During the course of its investigations, the Committee shall have power to-

- (a) interview witnesses;
- (b) visit premises;
- (c) collect and inspect documents that may be relevant to the investigation; or
- (d) do any other thing that may be relevant to the conduct of the investigation.

(2) At the conclusion of an investigation the Committee shall submit a report of its findings to the Council stating that-

- (a) its preliminary investigations show that there is no *prima facie* case against a Practitioner alleged to have committed or omitted to do anything;
- (b) there is a *prima facie* case against a Practitioner who has been alleged to have committed acts or omissions that constitute infamous conduct in a professional respect and that given the circumstances of the case it is recommending that an inquiry be conducted against the Practitioner; or
- (c) it would not be feasible to conduct an inquiry in the case given the circumstances.

#### 7. Charge to be made against Practitioner

Where the Committee recommends that an inquiry is necessary to be conducted against a Practitioner under the Act and the Council accepts the recommendation under Rule 6, the Committee shall make a charge against that Practitioner which shall contain-

- (a) the name and age of the Practitioner;
- (b) the physical address of the Practitioner; and
- (c) particulars of the acts or omissions constituting infamous conduct in a professional respect including-
  - (i) the place and time when the acts or omissions occurred;
  - (ii) the persons present when the acts or omissions occurred; and
  - (iii) the facts of the incident.

## 8. Charge to be personally served on practitioner

The charge in Regulation 7 shall be served personally on the Practitioner.

## 9. Practitioner to exculpate self

- (1) After the service of the charge to the Practitioner, the Practitioner shall within 14 days of the service submit an exculpatory statement.
- (2) The Practitioner shall serve the exculpatory statement on the Registrar.

## 10. Committee to set time, date and place of hearing

After receipt of the exculpatory statement under regulation 9, the Committee shall set the time, date and place of hearing of the matter, which shall be communicated to the Practitioner at least seven clear days before the date of hearing.

## 11. Practitioner to inform Registrar or presentation and witness

- (1) Where the Practitioner receives the notice of hearing, the Practitioner shall inform the Registrar, in writing, whether the Practitioner intends to appear in person or to be presented by an advocate of the Practitioner's choice.
- (2) Where the Practitioner intends to call by an advocate, the Practitioner shall submit to the Registrar the name and the address of the advocate.
- (3) The Practitioner shall submit the names of the names of the persons the practitioner intends to call as witnesses.
- (4) The Practitioner shall submit any documents or things to the Registrar which the Practitioner intends to adduce as evidence.

## 12. Conduct of hearing

At the hearing of the matter, the committee-

- (a) shall introduce the members of the Committee and read out the charge to the Practitioner;
- (b) the Practitioner shall lead and call evidence against the Practitioner by *viva voce* which may include calling relevant witnesses, producing documents or other relevant things;
- (c) the Practitioner shall be accorded an opportunity to cross examine the witnesses called by legal practitioner and the legal practitioner shall thereafter be given an opportunity to re-examine the witness;
- (d) the Practitioner shall give a closing statement on the matter;
- (e) the Practitioner shall be asked to state case *viva voce*, call witnesses and tender all relevant evidence;
- (f) legal Practitioner shall cross examine the Practitioner and the witnesses for the Practitioner;
- (g) the Practitioner may re-examine the witnesses called by the Practitioner; and
- (h) the Practitioner and the legal practitioner shall give a closing statement on the matter.

## 13. Consideration of matter by Committee and ruling of Committee

- (1) The Committee shall consider the evidence produce and submitted at the hearing and shall make a ruling on the case-
  - (a) finding the Practitioner not guilty of the charge; or
  - (b) finding the Practitioner guilty of infamous conduct in a professional respect.
- (2) Where the Committee finds a Practitioner not guilty of the infamous conduct in a professional respect it shall recommend to the Council that the Practitioner-
  - (a) be censured;
  - (b) be ordered to pay an amount not exceeding six thousand penalty units;
  - (c) be cautioned;
  - (d) shall have the enforcement of the punishment of that Practitioner suspended for a period of not exceeding one year on security of good behaviour and conduct during that period;
  - (e) be ordered to pay to the Council any costs connected with or incidental to the proceedings; or
  - (f) be erased from the register.

## 14. Practitioner to appeal to High Court

Where the Practitioner is aggrieved by the decision of the Council, the Practitioner may within 30 days following the decisions of the Council appeal to the High Court.

### SCHEDULE

[Regulation 4]

I. A. Nurses Acts or Omissions constituting infamous conduct in a professional respect.

1. falsely claiming nursing qualifications.

2. Obtaining nursing qualifications by fraud.
3. Making or giving any false statement or information in connection with the application for issuing of a practising licence.
4. Impersonating another licensed nurse, midwife, or specialist or permitting another person to use practitioner's certificate.
5. Nursing practice;
  - (a) incompetence;
  - (b) negligence;
  - (c) giving improper explanation to a patient relating to a major operation;
  - (d) divulging professional confidence;
  - (e) procuring, siding, attempting, agreeing or offering to procure or assist at a criminal abortion.
6. Practising under the influence of alcohol.
7. Practising without a licence
8. Advertising a Practitioner's services
9. Issuing unauthorised press statement

#### II B. Drug acts or omissions

1. The preparation, consumption or self-administration of any drug included in the Dangerous Act or listed under the Schedule of the Pharmacy and Poisons Act.
2. Use of cannabis.
3. Alcoholism

#### III C. Patient Abuse

4. Negligence - causing death or deformity
5. Negligence - in the giving of prescribed drug treatments.
6. Abuse of patients physically, mentally or sexually.
7. Failure or refusing to offer assistance to a patient.

#### IV D. Theft and Other Dishonesty Acts

8. Theft of hospital property.
9. Other theft.

### NURSES AND MIDWIVES (REGISTRATION OF PRIVATE NURSING COLLEGE) REGULATIONS, 2002

[Section 18]

#### Arrangements of Regulations

##### *Regulation*

1. Title
2. Interpretation
3. Application for registration of private nursing college
4. Application to provide certain details
5. Registration of nursing college

SI 90 of 2002.

#### 1. Title

These Regulations may be cited as the Nurses and Midwives (Registration of Private Nursing College) Regulations, 2002.

#### 2. Interpretation

In these Regulations, unless the context otherwise requires-

"college" means a nursing college Registered under these Regulations;

"Council" means the General Nursing Council established under the Act;

"Registrar" means the person appointed as Registrar under section 5 of the Act;

### 3. Application for registration of private nursing college

- (1) Any person-
- (a) above the age of 21 years; and
- (b) without criminal record,

may establish a private college and apply to the Council for the registration of the college as set out in Form I in the First Schedule.

### 4. Application to provide certain details

- (1) The application in Regulation (3) shall state-
- (a) the name of the nursing college;
- (b) the physical location of business and the postal address;
- (c) the type of nursing college;
- (d) the names, qualifications and experience of the proposed tutors and lecturers of the college;
- (e) the name of the proprietor;
- (f) list of directors, partners or trustees; and
- (g) the person in charge or to be in charge of the college.

(2) The applicant shall submit with the application-

- (a) a certificate under the Public Health Act;
- (b) any affiliation documents;
- (c) inspection certificate issued by the Council;
- (d) Fire Inspection Certificate;
- (e) Certificate of Incorporation or partnership articles, Trust Deed;
- (f) Any other information or document which the Council may require.

### 5. Registration of nursing college

(1) If, on application the Council is satisfied that-

- (a) the college meets the nursing or midwifery training requirements of the area in which it is proposed to be situated;
- (b) the premises of the college, including any hostel or other buildings used or to be used in connection with the instruction or accommodation of persons attending the nursing college;
- (c) adequate financial provision has been made or will be made for the maintenance of the nursing college;
- (d) the applicant is or has a suitable person to manage the college;
- (e) the programme of instruction is of a nature or standard approved by the Council and in accordance with the Syllabus approved by the Council;
- (f) the teaching staff employed or to be employed at the nursing college will have the qualifications set out in the Third Schedule; and
- (g) the person in charge of the nursing college will be a registered nurse or midwife with the qualifications and experience as set out in the Third Schedule;
- (h) proper compliance will be made with other provisions of the Act;

the Council shall, upon payment of a fee as set out in the Second Schedule, register the college for a period not exceeding one year and the Registrar will issue a certificate of Registration as in Form 2 set out in the First Schedule to these Regulations.

(2) The registration of a college shall be renewable each year.

(3) Where the Council is of the opinion that the nursing college applying for registration does not meet any of the requirements referred to in sub-regulation (1), it shall reject the application stating the grounds for refusal to register and inform the applicant in writing within 14 days of making that decision.

## **NURSES AND MIDWIVES (RECORDS AND RETURNS) REGULATIONS, 2002**

[Section 42]

### **Arrangements of Regulations**

#### *Regulation*

1. Title
2. Interpretation
3. Nursing home college or agency to submit records and returns

**1. Title**

These By-laws may be cited as the Nurses and Midwives (Records and Returns) Regulations, 2002.

**2. Interpretation**

In these Regulations unless the contexts otherwise requires-

"Council" means General Nursing Council of Zambia established under section 3 of the Act;

"nursing agency" means a registered private organisation established for the purpose of providing quality nursing and midwifery care in any setting in a community at a cost to be determined by the agency;

"nursing college" means any premises used or intended to be used for the training of nurses or midwives including the premises used for the reception of and the provision of nursing or midwifery care to persons with reproductive health needs or suffering from any disease, injury or infirmity;

"Registrar" means the person appointed Registrar under section 5 of the Act.

**3. Nursing home college or agency to submit records and returns**

A nursing home, nursing agency or nursing college registered under the Act shall at the beginning of each year submit records and returns contained in the Schedule to these Regulations to the Registrar of the Council.

**SCHEDULE**

[Regulations 2]

| <i>Type of Institution</i> | Records and Returns to be Submitted                              |
|----------------------------|--|
| 1. Nursing College         | (a) Student returns  |
|                            | (b) Examination results  |
|                            | (c) Index of students  |
|                            | (d) Staffing levels  |
|                            | (e) Infrastructure-  |
|                            | - schools  |
|                            | - hostels  |
|                            | - clinical area available  |
|                            | (f) Financial records  |
|                            | (g) Copies of curriculum   |
|                            | (h) Teaching and learning schedules                              |
|                            | (i) Registration and renewal of college licence                  |
| 2. Nursing Homes           | (a) Patients register  |
|                            | (b) Register of births and deaths (maternal and infant included) |
|                            | (c) Staffing levels  |
|                            | (d) Financial records  |
|                            | (e) Audit reports  |
|                            | (f) Records of disciplinary cases                                |
|                            | (g) Admission and discharge records                              |
|                            | (h) Bed capacity   |

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(i) Referred records

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(j) Records of inventory

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(k) Regular sources of supplies

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(l) Records of service offered

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3. Nursing Agencies

(a) Staff register

---

(b) Record of services provided

---

(c) Inventory of equipment

---

(d) Financial records

---

(e) Records of audit reports-

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- staff

---

- services

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(f) Records of practising licences for professional of members of staff-

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- curriculum vitae

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- practising licence

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- qualifications

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(g) Records of disciplinary cases

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(h) Records of disciplinary cases and procedures

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(i) Evidence of registration with Registrar of Companies.

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**NURSES AND MIDWIVES (CONDUCT OF EXAMINATIONS) RULES, 2002**

[Section 20]

**Arrangements of Rules**

*Rule*

1. Title
2. Interpretation
3. Appointment of examiner
4. Eligibility selection of examiner
5. Examinations to take place at designated places
6. Examiners to work as group
7. Council to appoint panel of examiners
8. Colleges to set questions
9. Question to show allotted marks
10. Examiners to be provided with model answer
11. Examiners to ensure scripts are secure
12. Examiners to draw up master list
13. Council to verify results
14. Examiners to travel to venue of examination
15. Examiner to observe candidate perform procedure

**1. Title**

These rules may be cited as the Nurses and Midwives (Conduct of Examination) Rules, 2002.

**2. Interpretation**

In these Regulations unless the context otherwise requires-

"Council" means the General Nursing Council of Zambia established under section 5 of the Act; and

"Registrar" means the person appointed as Registrar under section 5 of the Act.

**3. Appointment of examiner**

(1) The Registrar shall each year request a hospital or group of hospitals to submit to the Council names of persons suitable to conduct nurses and midwives written and practical examination in the following-

- (a) general nursing;
- (b) operating theatre nursing;
- (c) psychiatry nursing;
- (d) and any other courses that may be specified by the council.

(2) The Council shall select names of examiners from those submitted by hospitals and respective nursing college under sub-rule (1).

(3) Where the Council selects a person as examiner, the Registrar shall inform that person of this fact in writing and require that person to notify the council in reasonable time on whether or not that person has accepted the selection.

(4) The Registrar shall coordinate all examinations conducted by the Council.

**4. Eligibility selection of examiner**

(1) Subject to the other provisions of this rule, a person may be eligible for selection as an examiner under these Regulation if that person-

- (a) is a medical practitioner;
- (b) is a nurse or midwifery tutor;
- (c) is a registered nurse with specialisation in midwifery, operating theatre nursing, mental health nursing or other areas; or
- (d) has at least three years clinical experience.

(2) A person may qualify to be-

(a) a theory examiner if that person is a nurse or midwifery tutor with a minimum of a Bachelor of science degree and is currently a practising nurse, midwife or specialist;

(b) a practical examiner if that person is a nurse, midwife or specialist and is currently practising as such.

(3) A person shall be appointed as an examiner under sub-rule (2) for a period of three years subject to renewal for another like term.

(4) An examiner's appointment may be revoked by the Council for-

- (a) unsatisfactory performance of his duties as an examiner;
- (b) negligence of duty as examiner;
- (c) unauthorised disclosure or leakage of examination questions or results;
- (d) other forms of misconduct affecting his duties as examiner; or
- (e) mental or physical incapacity to discharge the function as an examiner.

**5. Examinations to take place at designated places**

Examinations will take place at times and places to be designated by the council.

**6. Examiners to work as group**

Examiners shall work as a group and shall enter the examination room together and leave it together at the same time.

**7. Council to appoint panel of examiners**

(1) The Council shall appoint a panel of examiners from the list of those who have qualified under Rule 3.

(2) The selected panel of examiners shall elect a Chairperson from amongst themselves for that particular panel.

**8. Colleges to set questions**

(1) The Council shall request individual nursing colleges to set a number of examination questions and submit them to the council.



(2) The Council shall select examination questions from the questions submitted by the college under sub rule (1) for the examinations each year.

#### 9. Question to show allotted marks

Every set of examination question shall specify the marks allotted for that question.

#### 10. Examiners to be provided with model answer

The panel of examiners appointed under Rule 7 shall provide a model answer to the Registrar or Registrar's agent for every question before marking examinations scripts.

#### 11. Examiners to ensure scripts are secure

(1) Examiners shall ensure that the examination scripts are secured in sealed envelopes which shall be opened in the presence of all panel members under the supervision of an officer from the Council.

(2) The Chairperson of each panel of examiners shall-

- (a) ensure that examination scripts of all candidates are accounted for;
- (b) allocate to each examiner examination papers to mark using a Council list of candidates examination numbers.

#### 12. Examiners to draw up master list

At the end of marking examination all examination scripts, examiners will draw up a master list of examination results will shall indicate-

- (a) candidates examination number;
- (b) questions attempted by each candidates and marks scored; and
- (c) general comments on the performance of each candidate.

#### 13. Council to verify results

The Council shall verify all the result compiled by the examiners and shall, after approval by the Minister, publish the results.

#### 14. Examiners to travel to venue of examination

(1) All examiners for practical subject examinations coming from outside the centre where the examination is conducted shall travel, upon notification by Council, to the venue of practical examination a day before the sitting of the examinations and prepare, in consultation with nursing college, the conduct of examination.

(2) The exercise in sub-rule (1) shall include familiarisation of the examiners with clinical areas where examinations will be conducted.

#### 15. Examiner to observe candidate perform procedure

(1) During practical examinations, an examiner shall observe very candidate perform a procedure, at least one of which shall involve the interaction between a patient and nurse.

(2) Prior to assessment the examiner will check every candidate's practical work record book to ascertain-

- (a) if all learning experience have been covered for the candidate's level of training; and
- (b) if the candidate has achieved proficiency in the specified areas.

### **NURSES AND MIDWIVES (PROFESSIONAL PRACTICE) RULES, 2002**

[Section 22]

#### **Arrangements of Rules**

##### *Rule*

1. Title
2. Interpretation
3. Application
4. Registered nurse, midwife or specialist to provide care and treatment
5. Assessment of condition of patient
6. Diagnosis
7. Reference of patient to another level of care
8. Nurse, midwife or specialist to have a certificate
9. Nurse, midwife or specialist to follow formulary
10. Nurse, midwife or specialist provide information

SCHEDULE

**1. Title**

These Rules may be cited as the Nurses and Midwives (Professional Practice) Rules, 2002.

**2. Interpretation**

In these Rules unless the context otherwise requires-

"Council" means the General Nursing Council;

"Registrar" means the person appointed under section 5 of the Act;

"Specialist" means a person registered as specialist under section 11 of the Act.

**3. Application**

These Rules shall apply to the care and treatment of patients and clients in nursing and midwifery practice in a registered health institution or in school, community, workplace, private and public health facilities.

**4. Registered nurse, midwife or specialist to provide care and treatment**

The care and treatment of patients and clients referred to in Rule 3 shall be provided by nurses, midwives and specialists registered with the Council under the Act.

**5. Assessment of condition of patient**

In the course of attending to a patient or client, a nurse, midwife or specialist shall assess the general condition of the patient which may include-

- (a) history taking;
- (b) physical examination; or
- (c) other relevant examination.

**6. Diagnosis**

Where a nurse, midwife or specialist makes an assessment under rule 5, the nurse, midwife or specialist shall make a diagnosis and undertake appropriate and necessary therapeutic interventions which may include-

- (a) insertion;
- (b) removal of devices;
- (c) intubation;
- (d) resuscitation;
- (e) infusions; or
- (f) vacuum extraction.

**7. Reference of patient to another level of care**

Where in the course of attending to a patient or client, a nurse, midwife or specialist is of the opinion that the condition of the patient or client needs care and attention at another appropriate level, the nurse, midwife or specialist shall refer the patient or client to that level of care as soon as the circumstances may reasonably allow.

**8. Nurse, midwife or specialist to have a certificate**

(1) The Council shall issue a certificate to a nurse, midwife or specialist registered with the Council who has obtained appropriate and recognised training in prescription of drugs.

(2) A nurse, midwife or specialist issued with a certificate under sub rule (1) may prescribe and administer drugs.

(3) The certificate referred to in this rule shall be as set out in Form I of the Schedule.

**9. Nurse, midwife or specialist to follow formulary**

When prescribing drugs under rule (7) the nurse, midwife or specialist shall follow the established practice in Zambia Nurses and Midwives Formulary, approved by the Pharmacy and Poisons Board established under the Pharmacy and Poisons Act.

**10. Nurse, midwife or specialist provide information**

A nurse, midwife or specialist, where necessary, may provide information or do any other necessary interventions to prevent disease, illness or disability.

**SCHEDULE****FORM 1**

[Regulation 8]

THE GENERAL NURSING COUNCIL

CERTIFICATE OF COMPETENCE IN DRUG PRESCRIPTION AND ADMINISTRATION

[Rule 9]

It is hereby certified that .....having attended and successfully completed a prescribed training, is competent in prescribing and administering drugs under the National Drug Formulary pursuant to Cap. 299.

Date\_\_\_\_\_

Signature .....

Signature .....

President  
General Nursing Council of Zambia

Registrar  
General Nursing Council of Zambia

**NURSES AND MIDWIVES (DIPLOMA AND CERTIFICATES) RULES, 2003**

[Section 20]

**Arrangements of Rules**

*Rule*

1. Title
2. Interpretation
3. Council to issue diplomas and certificates
4. Form of diploma and certificate
5. Council to withdraw diploma or certificate
6. Council to investigate the grant of diploma or certificate
7. Loss or misplacement of diploma or certificate
8. Person to pass continuous assessment and examinations
9. Requirements for entry into nursing college

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