

**REPUBLIC OF SOUTH SUDAN**

**LAWS OF SOUTH SUDAN**

**THE NURSES AND MIDWIVES BILL, 2025**

# **THE NURSES AND MIDWIVES BILL, 2025**

## **ARRANGEMENT OF CHAPTERS AND SECTIONS**

### **CHAPTER I PRELIMINARY PROVISIONS**

1. Title and Commencement
2. Repeal and Saving
3. Purpose
4. Authority and Application
5. Interpretation

### **CHAPTER II ESTABLISHMENT, COMPOSITION, POWERS AND FUNCTIONS OF THE COUNCIL AND APPOINTMENT THE COMMITTEES OF THE COUNCIL**

6. Establishment
7. Composition of the Council
8. Disqualification
9. Powers and Functions of the Council
10. Establishment of Committees of the Council
11. Tenure of office
12. Loss of Membership of the Council
13. Remuneration of Members of the Council
14. Meetings of the Council
15. Quorum and Decision of the Council
16. Disclosure of Interest
17. Minutes of Meetings
18. Immunity of Members of the Council
19. Fees

### **CHAPTER III SECRETARIAT OF THE COUNCIL**

20. The Secretariat
21. Appointment of the Registrar
22. Powers and Functions of the Registrar
23. Other Employees of the Secretariat
24. Appointment and Duties of the Supervisory Inspectors

### **CHAPTER IV REGISTRATION AND LICENSES OF NURSES AND MIDWIVES**

25. Registration Requirement
26. Application for Registration
27. Qualification Requirements for Registration

28. Issuance of Registration to Practice
29. Limitations of Registration
30. Registered Nurses and Midwives Entitlements
31. Publication of Names in the Register
32. Cancellation of Registration
33. Application for Nurses and Midwives License
34. Issuance of Nurses and Midwives License
35. Refusal to Issue License to Nurses and Midwives
36. Validity of Nurses or Midwives License
37. Form of License
38. Display of License
39. Certificate to be Signed
40. Specialist qualifications
41. Nurses and Midwives Registers
42. Registration of Trainees
43. Removal of Fraudulent Entry
44. Renewal of Nurses and Midwives License
45. Re-Registration after Removal from Register
46. Appeal Against Suspension or Revocation of Nurses and Midwives License
47. Roll of Auxiliary Nurses and Midwives

CHAPTER V  
EDUCATION AND TRAINING OF NURSES AND MIDWIVES

48. Registration and Accreditation of Nursing and Midwifery Institutions
49. Rules Relating to Education and Training
50. Continuing Competence

CHAPTER VI  
PROFESSIONAL PRACTICE AND CONDUCT OF NURSES AND MIDWIVES

51. Nursing and Midwifery Scope of Practice
52. Unfitness to Practice
53. Professional Conduct Committee
54. Complaints to and Inquiries by the Professional Conduct Committee
55. Proceedings of the Professional Conduct Committee
56. Powers of Professional Conduct Committee
57. Appeals From Decision of the Council
58. Restoration of Name on Register
59. Regulations Relating to Unprofessional Conduct

CHAPTER VII  
PRIVATE PRACTICE, REGISTRATION OF NURSING AND MIDWIFERY HOMES  
AND AGENCIES

60. Private Practice
61. Registration of Nursing and Midwifery

62. Refusal to Register Nursing and Midwifery Homes or Agencies
63. Certificate of Registration to be Displayed
64. Cancellation of Registration
65. Appeals by Nursing and Midwifery Homes or Agencies
66. Regulations Relating to Nursing and Midwifery Homes or Agencies

#### CHAPTER VIII INSPECTION

67. Inspection of Institutions, Homes or Agencies
68. Powers of Inspectors
69. Duty of Inspector to Report

#### CHAPTER IX FINANCE, REPORTS AND AUDITS PROVISIONS

70. Sources of Funding
71. Bank Account
72. Financial Reports
73. Audit
74. Other Annual Reports

#### CHAPTER X OFFENCES AND PENALTIES

75. Breaches Any Provisions of this Bill
76. Acquiring Registration or License by Fraud
77. Changing of Venue
78. Using the Title of a Nurse or a Midwife
79. Nursing and Midwifery Homes or Agencies

#### CHAPTER XI MISCELLANEOUS PROVISIONS

80. Confidentiality
81. Regulations

## **THE NURSES AND MIDWIVES BILL, 2025**

In accordance with the provisions of Article 55(3)(b) read together with Article 85(1) of the Transitional Constitution of the Republic of South Sudan, 2011 (as amended) the Transitional National Legislative Assembly, with the assent of the President, hereby enacts the following:

### **CHAPTER I PRELIMINARY PROVISIONS**

#### **1. Title and Commencement**

This Bill shall be cited as “the Nurses and Midwives Bill, 2024” and shall come into force on the date of its signature by the President.

#### **2. Repeal and Saving**

Any existing provision of legislation which governs the subject of this Bill is hereby repealed; provided that all actions or proceedings taken, appointments made, orders and regulations issued under the repealed provision shall remain in force until repealed or amended in accordance with the provisions of this Bill.

#### **3. Purpose**

The purpose of this Bill is to enhance the protection of the nurses and midwives to ensure their participation in the health services and, to provide for the establishment of the Nurses and Midwives Council, training, registration and licensing of nurses, midwives and for other matters connected to.

#### **4. Authority and Application**

(1) This Bill is drafted in accordance with the provisions of Article 52, paragraphs (22) and (56) of Schedule A paragraphs (3), (6) and (23) of Schedule C of the Transitional Constitution of the Republic of South Sudan, 2011, (as amended), which grant the National Government the legislative and executive competence to enact legislation establishing national institutions and setting minimum standards for the delivery of health services, especially for the care of mothers and children in South Sudan.

(2) The provisions of this Bill shall apply to all nurses, midwives, institutions training nurses and midwives and to all nursing, midwifery homes and agencies.

#### **5. Interpretation**

In this Bill, unless the context otherwise requires:

<b>“auxiliary nurse”</b>	means a person who has completed a pre-service study course in nursing For less than two (2) years from a formally recognized nursing or Midwifery programmed;
<b>“Certificate”</b>	means a certificate of registration or enrolment issued by the Council to a person entitled to be registered or enrolled in accordance with the provisions of this Bill;
<b>“Council”</b>	means the Nursing and Midwifery Council established by this Bill;
<b>“Enrolled Midwife”</b>	means a person who has completed two years and five months of a Recognized basic midwifery educational programme and is qualified and authorized to practice midwifery under the supervision of a registered Midwife;
<b>“Enrolled Nurse”</b>	means a person who has completed two years and five months of a Recognized basic nursing educational programme and is qualified and Authorized to practice nursing under the supervision of a registered nurse;
<b>“Health unit”</b>	includes a private hospital, clinic, nursing home, maternity centre or other specialized establishment, as well as a Government unit of the same nature;
<b>“Inspector”</b>	means a person appointed by the Council to inspect the practice of persons registered or enrolled under the provisions of this Bill;
<b>“Institution”</b>	includes colleges, schools and universities providing nursing and midwifery training;
<b>“Midwife”</b>	means a person authorized by a license issued under this Bill to practice midwifery as an enrolled or registered midwife;
<b>“Midwifery”</b>	means giving care and provision to a woman during pregnancy, labour and postpartum period, caring for new born babies and infants and working with families, individuals and communities in any setting including homes, communities, hospitals, clinics and health units;
<b>“Minister”</b>	means the Minister responsible for Health;

- “Nurse”** means a person who is trained, qualified and authorized by a license issued under this Bill to practice as an enrolled or a registered nurse;
- “Nursing”** encompasses autonomous and collaborative care of individuals (the sick or healthy) of all ages, families, groups and communities; it includes the promotion of health, prevention of illness, and the care of the ill, disabled and dying people;  
it also includes advocacy, promotion of a safe environment, research,  
participation in shaping health policy and in-patient and health systems management and education;
- “Private Maternity Home”** means a place established by a registered midwife to provide restorative, rehabilitative, curative and recuperative midwifery care to an individual, family or the community;
- “Private Midwifery Services”** means private services established by a midwife for providing reproductive and child health services in accordance with this Bill;
- “Private Nursing Home”** means a place of residence established by a licensed nurse or midwife for people who require constant nursing care;
- “Private Nursing Services”** means private services established by a nurse for assisting individual or groups of person to maintain optimal health throughout the life process by assessing their health status, establishing nursing diagnosis, planning and implementing a strategy of care to accomplish defined goals and evaluating responses of care and treatment;
- “Registered Midwife”** means a person who has successfully completed the prescribed course of studies in midwifery for a minimum period of 3 years and is qualified and authorized to practice midwifery;
- “Registered Nurse”** means a person who has successfully completed the prescribed course of studies in nursing for a minimum period of 3 years and is qualified and authorized to practice nursing;
- “Register”** means the register kept by the Council under this Bill;
- “Registrar”** means the chief executive officer of the Council;

<b>“Specialist Midwife”</b>	means a registered professional midwife who has advanced expertise in the area of specialization, holds an additional qualification in midwifery recognized as such with the Council;
<b>“Specialist Nurse”</b>	means a registered professional nurse who has advanced expertise in the area of specialization, holds an additional qualification in nursing recognized as such with the Council;
<b>“Trainee”</b>	means a person who is undergoing training in nursing and midwifery in a registered institution under this Bill.

## **CHAPTER II**

### **ESTABLISHMENT, COMPOSITION, POWERS AND FUNCTIONS OF THE COUNCIL AND APPOINTMENT OF THE COMMITTEES OF THE COUNCIL**

#### **6. Establishment**

- (1) The Council is hereby established.
- (2) The Council shall be a body corporate having perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The Council shall regulate the standards of nursing and midwifery education, practice and review such standards from time to time to meet the changing needs of the society.

#### **7. Composition of the Council**

- (1) The Council shall consist of the following:
  - (a) the Director of nursing and midwifery services, Ministry of Health.
  - (b) representative of the medical Council.
  - (c) principal Tutor representing institutions providing nursing and midwifery training.
  - (d) representative of the Ministry responsible for Higher Education.
  - (e) the head of the department of training and professional development, Ministry of Health.
  - (f) the President of the South Sudan Nurses and Midwives Association.
  - (g) registered nurse or midwife representing each of the three (3) national referral and specialized hospitals in the greater regions of Equatoria, Bahar El Gazal and Upper Nile.
  - (h) registered nurse or midwife representing the armed forces.
  - (i) registered nurse or midwife representing the law enforcement agencies.

- (j) nurse or midwife representing private health units.
  - (k) legal counsel from the Ministry of Justice.
  - (l) nurse or midwife representing faith-based health institutions; and
  - (m) nurse or midwife appointed by the Minister representing non-governmental organizations or private partners providing nursing and midwifery service.
- (2) The Council may, whenever required, co-opt any person with special knowledge and skills to provide expertise on a particular issue who shall have no right to vote in any meeting.

## **8. Disqualification**

Person shall not be appointed a member of the Council if he or she:

- (a) has been declared bankrupt or has entered any composition with his or her creditors.
- (b) has been convicted of an offence related to dishonesty or moral attribute.
- (c) Is unable, by reason of infirmity of mind or body, to perform; and
- (d) has been disqualified under this Bill from practicing or carrying on the profession.

## **9. Powers and Functions of the Council**

The Council shall exercise and perform the following:

- (a) supervise the registration and licensure of all cadres of nurses and midwives who possess the prescribed qualifications and requirements.
- (b) issue licenses to the holders of relevant qualifications to practice nursing or midwifery.
- (c) suspend, cancel or revoke the registration or license of nurses and midwives.
- (d) add or remove names of persons listed on the register.
- (e) conduct, in accordance with national Standards, examinations for initial registration under this Bill.
- (f) develop with the approval of the Minister, rules and regulations as it deems necessary for carrying out the purposes of this Bill.
- (g) hold property.
- (h) approve or change contents of training, curriculum and other standards pertaining to nursing and midwifery professions in South Sudan.
- (i) prescribe the qualifications necessary in respect of the nursing and midwifery professions.
- (j) set, maintain and improve the standards of profession of nursing and midwifery to safeguard the interests of nurses and midwives.
- (k) monitor adherence to, and investigate breaches of, the code of ethics of nurses and midwives.
- (l) initiate action including disciplinary proceedings for any breaches or offences made in accordance with the provisions of this Bill.
- (m) advise and make recommendations to the ministry of health with respect to amendments to this Bill and other related legislation relating to nursing and midwifery as it shall consider necessary;

- (n) prescribe requirements for continuous professional development of nurses and midwives.
- (o) approve annual budget of the Council.
- (p) prescribe uniforms, badges and any other distinctive identities to be worn by nurses and midwives.
- (q) set criteria, standards and conditions for establishing private nursing or midwifery services including nursing and maternity homes and health units.
- (r) grant license for establishing private nursing or midwifery services, institutions providing nursing and midwifery training; and
- (s) performing such other functions as may be conferred on it by this Bill or any other related law.

#### **10. Establishment of Committees of the Council**

- (1) The Council may, for the effective discharge of its powers and functions establish such Committees.
- (2) Without prejudice to the generality of subsection (1) of this section, the Council may establish:
  - (a) finance committee.
  - (b) education, examination and professional development Committee.
  - (c) professional conduct committee.
  - (d) research committee; and
  - (e) registration and enrolment committee.
- (3) The composition, procedures, restrictions and other terms of the committees shall be determined by the Council.
- (4) The committees shall, in the performance of their powers and functions under this section, be answerable to the Council.

#### **11. Tenure of office**

A member of the Council shall hold office for a term of three years from the date of appointment and shall be eligible for re-appointment for subsequent term.

#### **12. Loss of Membership of the Council**

- (1) A member of the Council shall lose office if:
  - (a) he or she dies.
  - (b) his or her term of office expires.
  - (c) he or she resigns by written notice to the Council; or
  - (d) he or she is removed by the Council in consultation with Minister where he or she:
    - (i) is unable to perform his duties as a member due to physical or mental illness.

- (ii) absconds from, or refuses to attend, five consecutive meetings of the Council without permission.
  - (iii) has been sentenced to imprisonment without the option of a fine or is convicted of an offence involving dishonesty.
  - (iv) is declared bankrupt in accordance with the laws of South Sudan.
  - (v) is disqualified or suspended otherwise than at his own request, from his profession in South Sudan or any other country in the region by an order of any competent authority; or
  - (vi) contravenes this, Bill.
- (2) Where a member is, by reason of illness or unable to perform his or her duties or unable to attend meetings of the Council, the Council may appoint another qualified person to act as an alternate member for the unexpired remainder of the term of the predecessor.
  - (3) The appointment or termination of membership of the Council whether by death, resignation, revocation shall be officially published.
  - (4) Notwithstanding any defect in the appointment of any of its members, the Council shall be deemed to be properly constituted.
  - (5) Notwithstanding the provisions of this section, a member whose term has expired shall continue to hold office until his or her successor is appointed.

### **13. Remuneration of Members of the Council**

The Council shall pay its members such remuneration and allowances as the finance committee may determine.

### **14. Meetings of the Council**

- (1) The Council shall meet at least once every quarter of a year at a time and place to be fixed by the Council and given not less than seven (7) days' notice of any meeting together with an agenda.
- (2) The Chairperson, or in his or her absence, the vice Chairperson, may, at any time, convene an emergency meeting whenever he or she deems it necessary.
- (3) An extraordinary meeting of the Council shall be convened by the Chairperson at such place and time and on such date as he or she may determine with a request of at least a third of the members.

### **15. Quorum and Decision of the Council**

- (1) At any meeting of the Council, a quorum is constituted by simple majority (50+ 1), present.

- (2) The decision of the Council shall be by a simple majority of the votes of members present; provided that in the event of an equality of votes, the Chairperson shall have a casting vote in addition to his or her deliberative vote.

**16. Disclosure of Interest**

- (1) A member of the Council who has a direct or indirect interest in a matter being, or about to be considered by the Council shall, as soon as possible, after the relevant facts have come to his or her knowledge, disclose the nature of his or her interest to the Council.
- (2) A disclosure of interest under subsection (1) of this section, shall be recorded in the minutes of the meeting of the Council, and the member making such disclosure shall not, unless the Council otherwise determines in respect of that matter, be present during any deliberation on the matter by the Council or take part in the decision of the Council.

**17. Minutes of Meetings**

The Council shall cause minutes of all proceedings of its meetings to be recorded and kept, and the minutes of each meeting shall be confirmed by the Council at the next meeting and signed by the Chairperson of the meeting.

**18. Immunity of Members of the Council**

A member of the Council, acting in good faith, shall not be liable in any civil proceedings for any act done or omission made in the performance by him or her of any function under this Bill.

**19. Fees**

The Council may, from time to time, determine such fees for:

- (a) registration of nurses and midwives;
- (b) annual retention of the registration of a person;
- (c) restoration of the registration of the name of a person;
- (d) inclusion of registration with additional qualification recognized by the Council;
- (e) entry into any examination or assessment by the Council;
- (f) award certificate of registration; and
- (g) any other service which the Council may from time to time so provide.

**CHAPTER III  
SECRETARIAT OF THE COUNCIL**

**20. The Secretariat**

The Council shall have a secretariat to assist in carrying out its powers and functions under this Bill.

**21. Appointment of the Registrar**

- (1) The Council shall, with the approval of the Minister, appoint a Registrar who shall:
  - (a) be a registered nurse or midwife; and
  - (b) be an ex officio member of the Council.
- (2) The Registrar shall be the chief executive officer of the Council and head of the Secretariat.

**22. Powers and Functions of the Registrar**

- (1) The Registrar shall exercise and perform the following:
  - (a) keep a register of nurses and midwives practicing in general nursing and midwifery;
  - (b) make necessary alterations or corrections to the register or roll in relation to any entry as may be directed by the Council;
  - (c) inspect and have full access, on behalf of the Council, to all maternity homes, nursing homes, clinics and nursing training schools;
  - (d) be the custodian of all records and documents of the Council and committees;
  - (e) implement the decisions of the Council; and
  - (f) performing any other duty that may be required under this Bill or as the Council may direct subject to the provisions of this Bill.
- (2) Register, enter and maintain eligible nurse or midwife in accordance with prescribed form.

**23. Other Employees of the Secretariat**

- (1) The Council shall appoint other employees of the Secretariat in various categories as may be required in accordance with the organizational structure of the Council.
- (2) Employees of the Secretariat shall be answerable to the Registrar.

**24. Appointment and Duties of the Supervisory Inspectors**

- (1) The Council may in respect of any State or health institution, appoint a senior registered nurse or midwife to be the supervisory inspector over all nurses or midwives in the respective States, Administrative areas, counties or health institutions as the case may be.

- (2) It shall be the duty of every supervisory inspector, in respect of any registered or enrolled nurse or midwife under supervision, to:
  - (a) exercise general supervision in accordance with the rules made under this Bill;
  - (b) investigate any charges or complaints against a registered or enrolled nurse or midwife including malpractice, lack of competence, unfitness to practice, negligence and misconduct;
  - (c) temporarily suspend from practice any registered or enrolled nurse or midwife for a period not exceeding three months;
  - (d) report to the Council the name of any registered or enrolled nurse or midwife convicted of any offence and the nature of the offence committed as soon as possible; and
  - (e) submit to the Council, the name of the registered or enrolled nurse or midwife who has ceased to practice nursing or midwifery or died.

## **CHAPTER IV**

### **REGISTRATION, ENROLLEMENT AND LICENSES OF NURSES AND MIDWIVES**

#### **25. Registration Requirement**

- (1) A person shall not practice nursing or midwifery, unless he or she is registered, and holds a valid license issued, under this Bill.
- (2) Registration under subsection (1) may be:
  - (a) full;
  - (b) temporary; or
  - (c) specialist.
- (3) Full registration under subsection (2)(a) shall entitle the holder, where he or she also holds a valid nurses and midwives license, to practice general nursing or midwifery for an indefinite period, unless such registration is suspended or revoked under this Bill.
- (4) Temporary registration under subsection (2)(b) of this section, shall entitle the holder to practice general nursing or midwifery for a period not exceeding one year, unless such registration is suspended or revoked under this Bill.
- (5) Specialist registration under subsection (2)(c) of this section, shall entitle the holder, where he or she also holds a valid nurses and midwives license, to practice nursing or midwifery in a particular field of nursing or midwifery for specified period, unless such registration is suspended or revoked under this Bill.
- (6) Where nurse or midwife holding full registration does not hold a specialist registration under this Bill, he or she shall not practice as a Specialist in the field of nursing or midwifery.

- (7) A person who contravenes subsection (6) of this section, shall have his or her full registration under this Bill cancelled by the Council.

## **26. Application for Registration**

- (1) A person who wishes to be registered to practice nursing or midwifery shall:
- (a) apply to the Council in the prescribed form;
  - (b) pay the prescribed fee; and
  - (c) meet the requirements of this Bill.
- (2) An application under subsection (1) of this section, shall be accompanied by:
- (a) proof of the qualifications of the applicant;
  - (b) proof of identity of the applicant;
  - (c) proof that the applicant is a fit to practice nursing or midwifery from previous registering body where applicable;
  - (d) a certificate of good conduct from the applicant's previous registering body, where applicable; and
  - (e) such other information as the Council may require.
- (3) A certificate of good conduct under subsection 2(d) of this section, shall include information on:
- (a) professional conduct of the nurse and midwife; and
  - (b) any complaint(s) made by members of the public against such nurse or midwife lodged with the Council.
- (4) An applicant seeking for temporary registration under subsection (2)(b) of the section, shall, in addition to meets the requirements for application under subsections (1) and (2) of the section, satisfy the Council that he or she is temporarily residing in South Sudan and qualify for registration under this section by virtue of his or her qualification to practice nursing or midwifery in his or her own country or place of residence; and he or she shall be required to provide:
- (a) a certificate of registration from country of origin;
  - (b) supporting letter from the association or school; and
  - (c) orientation and recommendation letter from the previous hospital or any other setting of practice.

## **27. Qualification Requirements for Registration**

An applicant shall:

- (a) hold a degree, diploma or certificate granted by a recognized institution providing nursing and midwifery training that, in the opinion of the Council, is proof of satisfactory training in nursing and midwifery;
- (b) have completed not less than three years of experience in nursing or midwifery, as the Council may approve;
- (c) provide prove recommendation from the health institution or training school; and

- (d) produce evidence to the satisfaction of the Council that he or she is registered or that he or she has been, and is still, entitled to be registered as a nurse or a midwife in any country.

## **28. Issuance of Registration to Practice**

- (1) An applicant, who satisfies to the Council that he or she:
  - (a) can read, write, speak and understand English or Arabic language;
  - (b) is qualified according to section 27 of this Bill, to be registered; and
  - (c) is fit and proper person to practice nursing or midwifery in South Sudan.
- (2) Upon compliance with the requirement of this Bill be granted full, temporary or specialist registration to practice nursing or midwifery.
- (3) The Council shall not refuse to register an applicant as a nurse or midwife on the basis that he or she is not a national of South Sudan.
- (4) The registration of an applicant under this section shall not entitle the holder to practice nursing or midwifery in South Sudan unless he or she holds a valid nurses and midwives license.
- (5) Notwithstanding the provisions of this Bill a first time applicant for registration to practice, who meets the requirements for registration, shall be deemed to have met the requirements for the initial issue of a nurses and midwives license under this Bill, shall be issued a nurses and midwives license.
- (6) Where the Council issues temporary registration to an applicant such registration may specify:
  - (a) the time during which the temporary registration remains in force;
  - (b) the area to which it extends;
  - (c) the nature and character of the work which may be performed;
  - (d) such other terms and conditions as the Council may deem it expedient to impose.

## **29. Limitations of Registration**

May be where an applicant under this Bill is not a South Sudanese national, registration to practice, granted under this Bill he or she may be subject to such limitations as the Council may determine.

## **30. Registered Nurses and Midwives Entitlements**

A person registered under this Bill shall be entitled to:

- (a) have his or her name entered on the nurses and midwives register;

- (b) apply for a nurses and midwives license to practice nursing and midwifery in South Sudan; and
- (c) use the title “registered nurse”, “registered midwife”, “enrolled nurse” or “enrolled midwife” or “specialist nurse” or “specialist midwife”, Doctor in nursing or midwifery or any abbreviation thereof against his or her name as is approved by the Council.

**31. Publication of Names in the Register**

- (1) The Council shall cause to be published, each year the names of persons who obtained nurses and midwives Licenses; and
- (2) A copy of the register containing the list referred to in subsection (1) of this section, or the name of the person published pursuant to subsection (1) of this section, in the absence of proof to the contrary, be *prima facie* proof of the registration on the nurses and midwives register or the issue of a temporary nurses and midwives license to any person named therein as the case may be.

**32. Cancellation of Registration**

The Council may cancel the registration of any nurse or midwife where he or she has been convicted of an offence under the Bill or where he or she contravenes any of the provision of this Bill.

**33. Application for Nurses and Midwives License**

A person whose name is listed on the nurses and midwives register, and who wishes to be issued with a nurses and midwives license, shall:

- (a) apply to the Council in the prescribed form;
- (b) pay the required license fee; and
- (c) meet the licensing requirements under this Bill.

**34. Issuance of Nurses and Midwives License**

- (1) Where the Council satisfied that an application made under the provision of this Bill, has met the requirements, it may issue such nurses and midwives license to the applicant.
- (2) A nurses and midwives license issued under subsection (1) of this section, may contain such information as the Council may deem necessary.

**35. Refusal to Issue License to Nurses and Midwives**

The Council shall not refuse to grant an applicant a nurses and midwives license except on the following grounds that:

- (a) satisfactory proof of education qualification as required by this Bill, has not been produced;
- (b) the applicant has not complied with the provisions of this Bill with respect to applications for nurses or midwives licenses; and
- (c) the Council realizing forged academic documents.

**36. Validity of Nurses or Midwives License**

- (1) A nurses and midwives license issued under this Bill, shall remain valid for three (3) years unless revoked or suspended.
- (2) The Council may revoke a nurses and midwife license granted under this Bill, where the holder has:
  - (a) been convicted for an offence and
  - (b) refused to comply with the provisions of this Bill, in respect of the use of his or her license.
- (3) Where the Council revokes or suspends a nurses and midwives license, the revocation shall take effect from such date as the Council may direct.
- (4) Any person refuse or neglect to surrender his or her nurses or midwives license in accordance with subsection (3) of this section, commits an offence.

**37. Form of License**

A nurses and midwives license shall be in a form prescribed by the Council.

**38. Display of License**

A holder of nurses and midwives license shall display such license in a visible place where he or she operates from, for the public and inspectors to see.

**39. Certificate to be Signed**

Upon commencement of this Bill, no certificate required by any written law to be signed by a nurse or midwife shall be valid unless the person signing it is registered and licensed under this Bill.

**40. Specialist qualifications**

A registered nurse or midwife who is registered under this Bill, and who has obtained a higher degree or qualification other than the qualifications in respect of which he or she has been registered, is entitled to have that additional qualification inserted in the register in addition to the qualifications previously registered.

#### **41. Nurses and Midwives Registers**

- (1) The Council shall keep three registers for nurses and midwives, namely -
  - (a) nurses and midwives full registration register;
  - (b) nurses and midwives temporary registration register; and
  - (c) nurses and midwives specialist registration register.
- (2) The Council shall cause to be entered on each register listed in subsection (1) of this section, the name of every person entitled to be issued with registration under this Bill, together with the following particulars in respect of each person:
  - (a) his or her full name, date of birth, identity card number/passport number;
  - (b) the date of his registration;
  - (c) a description and date of the qualification in respect of which he or she is registered and such other degrees and certificates to which he is entitled; and
  - (d) name of the training institution.
- (3) In addition to the information to be entered for each Register under subsection (1) of this section, the Council shall in respect of the nurses and midwives temporary registration register cause for every person entitled to be issued with temporary registration under this Bill:
  - (a) period of such registration; and
  - (b) area of specialty.
- (4) In addition to the information required to be entered for each register under subsection (1) of this section, the Council shall in respect of the nurses and midwives specialist registration register cause, for every person entitled, to be issued with registration under this Bill, The area of specialty of the nurse or midwife.
- (5) The Registers under this section shall at all reasonable times be open to inspection at the office of the Council.
- (6) Where the name of a person is removed from the Register, the Council shall, in writing, inform such person about the removal of his or her nurses and midwives license.

#### **42. Registration of Trainees**

- (1) A person undergoing education or training in nursing, midwifery shall apply to the Council to be registered as a trainee nurse or midwife through their institution.

- (2) The Council shall register as a trainee nurse or midwife any person who has complied with the prescribed conditions and has furnished the prescribed particulars for a training programme at a nursing or midwifery education institution.
- (3) The person in charge of a nursing education institution shall, within ninety (90) days, notify and furnish to the Council information prescribed by the Council in respect of each trainee nurse or midwife who has commenced, completed, transferred to or abandoned a nursing or midwifery education and training programme.
- (4) A person in charge of a nursing and midwifery education shall furnish the Council, within a period of ninety (90) days, with the required particulars for the registration of a trainee nurse or trainee midwife as contemplated in this Bill.
- (5) Any person who contravenes this section commit an offence and liable on conviction to a fine or to imprisonment for a term not exceeding 12 months or a fine or both.

**43. Removal of Fraudulent Entry**

The Council shall cause to be erased from the register any entry which has been fraudulently made.

**44. Renewal of Nurses and Midwives License**

- (1) Registered nurses and midwives or who held nurses or midwives license issued under this Bill, which has expired and desires to renew as such shall apply to the Council for a renewal of such nurses and midwives license in such manner and form as may be prescribed.
- (2) An application under subsection (1) shall be accompanied by: –
  - (a) the prescribed fee;
  - (b) such other evidence of compliance with the requirements for renewal as prescribed under by this Bill.
- (3) Where the Council is satisfied that an application for renewal under subsection (1) of this section, has met the requirements for the renewal, the applicant's nurses and midwives license may renew.
- (4) A renewed nurses and midwives license shall be valid for three (3) year from the date of its issuance subject to a further renewal.

**45. Re-Registration after Removal from Register**

Where a nurse and midwife's license has been revoked under this Bill, the former holder of such nurses and midwives license may only apply for re-registration after a period of three (3) years from the date of such removal.

**46. Appeal Against Suspension or Revocation of Nurses and Midwives License**

- (1) Where a person is aggrieved by the decision of the Council to suspend or revoke his or her nurses and midwives license or by the refusal or failure to renew his or her nurses and midwives license, he or she may appeal to Minister then to the Court.
- (2) The court hearing an application under subsection (1) of this section, may confirm or reverse the suspension or revocation of the nurses and midwives license or make such orders as deems and its decision shall be final.

**47. Roll of Auxiliary Nurses and Midwives**

- (1) The Council shall keep a roll of auxiliary nurses and midwives in such prescribed form showing clearly the name, address, qualification and date of enrolment of the person as an auxiliary nurse or midwife, together with such remarks as may be necessary.
- (2) An auxiliary nurse or midwife shall not be recognised as a registered nurse or midwife and shall not be entitled to practice that profession by virtue of enrolment under this section.
- (3) Notwithstanding subsection (2) of this section, an auxiliary nurse or midwife may perform, under the direction of a registered nurse or midwife, such services of an elementary nature and under such conditions as the Council may prescribe or permit.
- (4) The Council shall not issue a licence to practice to an auxiliary nurse or midwife.

**CHAPTER V  
EDUCATION AND TRAINING OF NURSES AND MIDWIVES**

**48. Registration and Accreditation of Nursing and Midwifery Institutions**

- (1) Nursing and midwifery schools and colleges shall apply to the Council for registration and accreditation in a prescribed form and prescribed fee.
- (2) The application shall:
  - (a) prescribed detail of the education and training programme to be provided; and
  - (b) how it will meet the prescribed standards and conditions for education and training.

- (3) Institutions of higher learning that offer undergraduate and postgraduate courses in nursing and midwifery shall apply to the Council for accreditation of the courses.
- (4) The Council shall, in performing its function under this section, have regard to: –
  - (a) functions be performed by other bodies that are similar or ancillary to the functions that the Council performs;
  - (b) the need to cooperate with and co-ordinate its activities with those of other public authorities or bodies if the performance of their functions affects or may affect health of the public;
  - (c) the need to promote efficiency in the delivery of training of candidates, post-registration training and specialist training through the development of standard practices; and
  - (d) the policies and objectives of the Government or any Ministry of the Government to the extent that those policies and objectives may affect or relate to the functions of the Council.
- (5) An application in subsections (1) and (2) of this section, shall state:
  - (a) the name and type of the nursing and midwifery school or college;
  - (b) the place of business;
  - (c) the names and qualifications of the tutors and lecturers; and
  - (d) any affiliate health training institution or hospital.
- (6) The Council shall issue a certificate of registration to a nursing and midwifery school or college registered under this section.
- (7) The Council shall have authority to inspect the schools, college before issuance of registration.
- (8) The Council shall keep a register of nursing and midwifery institution and publish periodically the approved institutions accordingly.
- (9) Where the Council is not satisfied with the application under this section, it shall refuse to register such nursing and midwifery institution and shall state the reasons for the refusal.
- (10) Any person aggrieved by any decision of the Council under this Bill, may within thirty (30) days of receipt of the decision of the Council appeal to the Minister.
- (11) The Minister shall, after receipt of the appeal, make a decision and shall communicate it to the appellant.
- (12) The Minister may:
  - (a) confirm or reverse the decision of the Council; or
  - (b) remit the matter to the Council for further consideration.

- (13) A person aggrieved with any decision of the Minister may take the matter to the Court.

#### **49. Rules Relating to Education and Training**

The Council may, with the approval of the Minister, issue rules to prescribe:

- (a) the type of diplomas and certificates to be issued;
- (b) the qualification of persons to be admitted into a nursing and midwifery institutions;
- (c) the qualification of tutors and lecturers of a nursing institution;
- (d) the course content or curriculum of any course offered in any nursing and midwifery institution;
- (e) the supervision of persons undergoing training in any nursing and midwifery institution;
- (f) the setting of nursing and midwifery examinations;
- (g) the appointment and remuneration of examiners, moderators and invigilators who are experts in nursing and midwifery education and practice;
- (h) the entry and disqualification of candidates for examination; and
- (i) the publication of results of examinations.

#### **50. Continuing Competence**

- (1) Any nurse or midwife registered to practice, under this Bill, shall fulfill all requirements for maintaining his or her competency and license.
- (2) The Council may institute diplomas and certificates of competency for nurses and midwives to persons who have qualified, in accordance with rules made under this Bill.

### **CHAPTER VI PROFESSIONAL PRACTICE AND CONDUCT OF NURSES AND MIDWIVES**

#### **51. Nursing and Midwifery Scope of Practice**

- (1) A nurse or midwife registered to practice under this Bill, shall provide preventive, therapeutic, palliative and rehabilitative care and treatment of illnesses normally carried out in nursing and midwifery practice.
- (2) A nurse or midwife referred to in subsection (1) of this section, shall in administering nursing or midwifery care shall: –
  - (a) assess, diagnose and provide the relevant therapeutic interventions;
  - (b) carry out physical examination;
  - (c) insert and remove devices;
  - (d) carry out resuscitation and intubation techniques;
  - (e) carry out vacuum extraction;
  - (f) carry out intravenous infusion procedures;

- (g) prescribe and administer relevant drugs and other pharmaceutical preparations as determined by training and regulations standards;
- (h) provide counselling and health education to patients and clients relating to any illness or health issue;
- (i) provide such other information, care and procedures relevant to nursing and midwifery practice necessary to prevent disease, disability or any illness or to protect life;
- (j) carry out independent nursing and midwifery research activities to contribute to body of knowledge in health care;
- (k) prescribe and provide anti-retroviral drugs in the provision of services to prevent mother to child transmission of HIV as per national policy and procedures; and
- (l) carry out any other procedure as is required within the scopes of practice and level of training.

## **52. Unfitness to Practice**

- (1) The Registrar shall, on behalf of the Council, when receive complaints against any nurse or midwife on unfitness to practice shall, present such complaints to the Council.
- (2) Unfitness to practice occurs when a person's fitness to practice is impaired by reason of:
  - (a) professional misconduct;
  - (b) lack of competence;
  - (c) conviction for criminal offence; or
  - (d) physical or mental health is impairment.

## **53. Professional Conduct Committee**

- (1) Subject to the provision of this Bill, there shall be established a professional conduct committee also referred to as a disciplinary committee and shall be charged with the duty of upholding standards of professional conduct.
- (2) The committee shall consist of:
  - (a) a chairperson;
  - (b) five (5) registered nurses and midwives; and
  - (c) legal counsel from the Ministry of Justice.
- (3) The legal counsel from the Ministry of Justice shall be an assessor at all meetings of the professional conduct committee on any question of law arising in any proceedings before it.
- (4) The professional conduct committee may co-opt any other person to be a member of the committee for the discharge of its functions under this Bill, such person shall not be entitled to vote on any matter for decision by the committee.

- (5) The terms of office of members of the professional conduct committee shall be the term of office of the members of the Council.
- (6) Where a vacancy occurs in the membership of the professional conduct committee, such vacancy shall be filled by the nomination of another member, who shall, hold office for the remainder of the period for which the previous member was nominated, by the Council, and the nomination shall be made in the same manner and from the same category of persons as the nomination of the previous member.

#### **54. Complaints to and Inquiries by the Professional Conduct Committee**

- (1) Where any allegation is made to the Council that any nurse or midwife registered under this Bill:
  - (a) has been convicted either in South Sudan or elsewhere of an offence;
  - (b) has been censured by a judicial authority in relation to his or her professional character; or
  - (c) has been suspected of conduct which, *prima facie*, constitutes professional misconduct.
- (2) Where the Council is satisfied that allegation made under paragraph (a) and (b) of subsection (1) of this section, is correct or in the case of an allegation made under paragraph (c), is made in good faith, call upon the nurse or midwife against whom the allegation is made to give in writing such explanation as he or she may wish to make and shall thereafter forward to the professional conduct committee all documents relating to the allegation, including any such written explanation.
- (3) The Council, if satisfied that a *prima facie* case for inquiry into the allegation has been established, shall notify the nurse or midwife accordingly, and refer the case to the professional conduct committee which shall proceed to inquire into the allegation.

#### **55. Proceedings of the Professional Conduct Committee**

- (1) Any meeting of the professional conduct committee, five members shall form a quorum.
- (2) The Chairperson or any other member elected by the committee shall preside at any meeting of the professional conduct committee.
- (3) A decision of the professional conduct committee on any question shall be by a simple majority of the members present and voting at the meeting and in event of an equality of votes, the Chairperson shall have a casting vote.

- (4) The professional conduct committee shall meet at such times as may be necessary or expedient for the transaction of business; and such meetings shall be held at such places and times and on such days as it thinks fit.
- (5) For the purpose of any inquiry, the professional conduct committee may hear and receive evidence and may require the production of any book, record or document.
- (6) At every inquiry under subsection (4) of this section, the Registrar of the Council, the complainant and the alleged nurse or midwife shall each be entitled to appear.
- (7) The alleged nurse or midwife may be represented by a lawyer.
- (8) If after being notified of the time and place of the Inquiry, the nurse or midwife or his or her lawyer fails to appear, the committee may proceed in his or her absence.
- (9) For the purpose of the inquiry, the professional conduct committee may, by writing under the hand of the Chairperson and, in its discretion on the application of any party concerned, summon any person to attend a meeting of the professional conduct committee at a time and place specified in the summons and to give evidence and to produce books, documents in his or her custody, possession or control which he or she is required by the summons to produce.
- (10) Upon completion of the inquiry the professional conduct committee shall forward a copy of the proceedings together with its findings to the Council.

#### **56. Powers of Professional Conduct Committee**

- (1) The professional conduct committee after due inquiry of a registered nurse or midwife in accordance with this Bill may recommend to the Council for:
  - (a) warning;
  - (b) an order to pay an amount as determined by the Council or any cost connected with or incidental to the proceedings;
  - (c) caution or reprimand of the registered nurse or midwife;
  - (d) suspension from practice for such period and under such conditions as the Council may consider expedient;
  - (e) removal from the Register; or
  - (f) postponement of the making of such order to the Registrar for such period as the Council may consider expedient.
- (2) Notwithstanding subsection (1) of this section, the professional conduct committee may recommend to the Council, after due inquiry, that the name of any registered nurse or midwife be erased from the register if that person becomes mentally or physically unable to the extent that the continued practice of such a person is contrary to the welfare of the public.

- (3) The Council may cause to be erased any entry made in a register which has been fraudulently or incorrectly entered.
- (4) Where the Council makes a decision under subsection (1) of this section, or any order as to costs in respect of the decision, it shall cause a copy of the findings of the professional conduct committee and the Council's decision thereon to be served upon the nurse or midwife concerned.
- (5) A nurse or midwife who has been suspended from practice or whose name has been ordered to be removed from the register shall surrender for retention or cancellation, as the case may be, the registration certificate within a period directed by the professional conduct committee.

#### **57. Appeals From Decision of the Council**

- (1) A nurse or midwife served with the findings of the professional conduct committee and the Council's decision thereon may, not later than thirty (30) days after such service, appeal against the findings of the professional conduct committee and the Council's decision thereon to the Court whose decision shall be final.
- (2) On hearing any appeal under this section, the Court may allow or dismiss the appeal or alter or vary the decision of the Council or make any other order that may appear just.

#### **58. Restoration of Name on Register**

- (1) A person whose name has been erased or removed from the register under this Bill, may apply to the Council to restore his or her name after a period of six (6) months from date of erasure.
- (2) The Council may, in its absolute discretion after such inquiry as it may consider desirable, order the Registrar to restore to the register the name of the nurse or midwife.
- (3) The person referred to in subsection (1) of this section, shall pay a prescribed fee to the Council for the restoration of his or her name on the register.

#### **59. Regulations Relating to Unprofessional Conduct**

- (1) The professional conduct committee may recommend to the Council rules prescribing standards of professional etiquette and professional conduct of nurses and midwives and may by such rules direct that any specified breach of these rules shall constitute grave professional misconduct.

- (2) Without restricting the power of the Council to direct any specified branch of the rules as grave professional misconduct, shall be deemed to be committed where a nurse or midwife registered under this Bill:
  - (a) willfully betrays a professional confidence;
  - (b) impersonates another nurse or midwife;
  - (c) directly or indirectly holds himself or herself out as being specially qualified in any particular branch of nursing and midwifery and who has not taken a special course in such branch and received a certificate of specialty therein which is recognised by the Council; or
  - (d) fails to do any act or procedure, which the Council considers to be unprofessional or discreditable.

**CHAPTER VIII**  
**PRIVATE PRACTICE, REGISTRATION OF NURSING AND MIDWIFERY**  
**HOMES AND AGENCIES**

**60. Private Practice**

- (1) A nurse or midwife may engage in private practice if he or she:
  - (a) is South Sudanese or a foreign national;
  - (b) is registered and licensed in South Sudan;
  - (c) is a holder of a valid practising license;
  - (d) meets all the requirements prescribed by the Council.
- (2) Nurses and midwives who meets the requirement in subsection (1) of this section, may practice as a private practitioner, where there is no homes or agencies.

**61. Registration of Nursing and Midwifery**

- (1) A person shall apply to the Council for registration of a nursing and midwifery home or agency in the prescribed form.
- (2) This registration process shall be limited to the technical competencies for the provision of nursing and midwifery services.
- (3) An application referred to in subsection (1) of this section shall state:
  - (a) the name of the nursing and midwifery home or agency;
  - (b) the place of business;
  - (c) the license number provided by Government business regulating authority;
  - (d) the names and qualifications of the nursing and midwifery staff; and
  - (e) the type of nursing/ midwifery services to be provided.
- (4) Subject to the other provisions of the section, the Council shall only register a nursing and midwifery home or agency once a license is granted by the regulating Government Authority for such a business.

- (5) The Council shall issue a certificate of registration to a nursing and midwifery home or agency registered under this Bill.
- (6) The Council shall keep a register of nursing and midwifery homes or agencies registered under this Bill.

**62. Refusal to Register Nursing and Midwifery Homes or Agencies**

- (1) The Council may refuse to register a nursing and midwifery home or agency if:
  - (a) the proprietor or the person registered under this Bill, who is in charge of the nursing and midwifery home or agency is not a proper and fit person;
  - (b) the premises and equipment are not appropriate or adequate for the purpose;
  - (c) the nursing and midwifery and other staff are not adequately trained; or
  - (d) the person in charge of the operations of the nursing/ midwifery home is not licensed to operate such a facility.
- (2) The Minister may, on the recommendations of the Council, make rules by statutory instrument, prescribing the conditions and requirements for the proper functioning and operations of nursing and midwifery homes or agencies.

**63. Certificate of Registration to be Displayed**

The certificate of registration issued under section 61(5) of this Bill, shall be displayed in a conspicuous place in the nursing and midwifery home or agency.

**64. Cancellation of Registration**

- (1) The Council may cancel the registration of a nursing, midwifery home or agency if:
  - (a) the proprietor or person in charge of the home or agency has been convicted of an offence under this Bill; or
  - (b) it has not complied with any condition or requirement specified under this Bill for a nursing and midwifery home or agency.
- (2) The Council shall give fourteen (14) days' notice to the proprietor or the person in charge of a nursing and midwifery home or agency before cancelling the registration.
- (3) The notice referred to in subsection (2) of this section, shall state:
  - (a) the grounds on which the Council intends to cancel the registration of a nursing and midwifery home or agency; and
  - (b) that the proprietor or the person in charge of such home or agency shall cause the reason why the registration of the nursing and midwifery home or agency shall not be cancelled.

**65. Appeals by Nursing and Midwifery Homes or Agencies**

- (1) Any person aggrieved by any decision of the Council under this Bill, may within thirty (30) days of receipt of the decision of the Council appeal to the Minister.
- (2) The Minister shall, within thirty (30) days of receipt of the appeal, make a decision and shall communicate it to the appellant.
- (3) The Minister on appeal in accordance with subsection (1) of this section, may:
  - (c) confirm or reverse the decision of the Council; or
  - (d) remit the matter to the Council for further consideration.
- (4) A person or agency aggrieved with any decision of the Minister may within thirty (30) days of receipt of the decision of the Minister, appeal to the Court.

**66. Regulations Relating to Nursing and Midwifery Homes or Agencies**

The regulations may prescribe matters relating to nursing and midwifery homes or agencies

**CHAPTER IX  
INSPECTION**

**67. Inspection of Institutions, Homes or Agencies**

- (1) The Council shall appoint inspectors who will be supervised by the Registrar and shall be responsible for inspection of institutions, homes and agencies registered under this Bill.
- (2) The Registrar shall issue an identity card to each inspector who shall at all times carry it during any inspection activities.

**68. Powers of Inspectors**

- (1) An inspector shall have the power to inspect, in collaboration with other medical councils, any institution, home or agency registered under this Bill, to ensure that the provisions under this Bill, are complied with.
- (2) Notwithstanding subsection (1) of this section, an inspector may inspect any premises and equipment and other documents relating to any of the public and private institutions, homes or agencies registered under this Bill.
- (3) In inspecting the facilities referred to under subsection (2), the inspector (s) shall ensure that adequate arrangements for the general welfare, education, training, health and records kept are in accordance with the provisions of this Bill.

- (4) Any person who obstructs an inspector appointed under this Bill, in the exercise of his or her duties under this Bill, shall be guilty of an offence and shall be liable to imprisonment or fines in accordance with Penal Code Act.

**69. Duty of Inspector to Report**

An inspector shall furnish the Council, through the Registrar, with such reports and information relating to matters referred to in this Bill.

**CHAPTER X  
FINANCE, REPORTS AND AUDIT PROVISIONS**

**70. Sources of Funding**

- (1) The source of funding shall be from the following:
  - (a) budget allocation approved by Government.
  - (b) grants, gifts, and donations from legitimate sources to the Council; and
  - (c) fees and other monies paid for the services rendered by the Council.
- (2) The Council shall manage its finances in accordance with sound financial principles and practices and shall ensure that its budget is sufficient to meet its expenditures.

**71. Bank Account**

- (1) The Registrar shall open, maintain and manage the bank account with the Bank of South Sudan and in any of commercial banks.
- (2) The Registrar shall ensure that any money received by or on behalf of the Council, is safely kept and immediately deposited in its bank account.
- (3) The Registrar shall ensure that no money is withdrawn from or paid out of, any of the bank accounts of the Council without its approval.

**72. Financial Reports**

- (1) The Registrar shall keep and maintain proper books of accounts and records of all funds received and spent by the Council during the financial year.
- (2) The Registrar shall prepare and submit a financial report to the Council, not later than three (3) months, from the end of the previous financial year. The report shall include:
  - (a) a financial statement of income and expenditure during the financial year;
  - (b) a balance sheet statement setting out the assets and liabilities of the Council at the end of the financial year; and
  - (c) a financial audit report.

**73. Audit**

- (1) The Council shall ensure that for each financial year the accounts of the Council are audited by the Auditor General or such other qualified audit firm or external auditor approved by the Auditor General.
- (2) The Auditor General shall have access to all financial records held by the Council and be entitled to receive any further information or clarification upon request.

**74. Other Annual Reports**

- (1) The Council shall, every year, make a report to the Minister with respect to the administration of this Bill.
- (2) The Council shall furnish the Minister with such information as he or she may require from time to time in respect of the conduct of its affairs and any other matter arising out of the administration of this Bill.

**CHAPTER XI  
OFFENCES AND PENALTIES**

**75. Breaches Any Provisions of this Bill**

Any person who contravenes any provisions of this Bill, commits an offence and shall be liable, upon conviction to imprisonment or with a fine or both.

**76. Acquiring Registration or License by Fraud**

Whoever:

- (a) makes or produces or causes to be produced any false certificate to himself, herself or to any other person to be registered;
- (b) wilfully makes or causes to be made any false entry in the register, commits an offence and shall be liable, upon conviction to imprisonment or with a fine or both.

**77. Changing of Venue**

Whoever, changes a place of his or her practices without given a notice to the inspector, shall within seven (7) days before commencing to practice, give a notice to inspector, a nurse or midwife who fails to comply with the order, commits an offence and shall be liable on conviction to imprisonment or fine or both.

**78. Using the Title of a Nurse or a Midwife**

Whoever:

- (a) uses a title of a nurse or midwife, which he or she is not entitled or registered to use under this Bill; or
- (b) employs a person who is not registered as nurse or midwife, commits an offence and shall be liable on conviction to imprisonment or fine or both.

**79. Nursing and Midwifery Homes or Agencies**

Whoever registered illegally nursing or midwifery homes or agencies without registration with the Council, commits an offence and shall be liable on conviction to imprisonment or fine or both.

**CHAPTER VI  
MISCELLANEOUS PROVISIONS**

**80. Confidentiality**

- (1) Any information, record or document obtained during the work of the Council, Nurses, midwives, homes, or agencies shall be considered confidential.
- (2) Information, record or document referred to in subsection (1) of this section, shall not be disclosed without the consent of the Council, except when the discloser is expressly ordered or requested by court of law.

**81. Regulations**

The Minister may issue rules and regulations for the effective and efficient implementation of the provisions of this Bill.

**Issued under my hand in Juba, this ..... day of the month of ..... in the year 2024.**

**Salva Kiir Mayardit  
President  
Republic of South Sudan  
Juba**

---