

The State Peace and Development Council
The Law Amending the Law Relating to the Nurse and Midwife
(The State Peace and Development Council Law No. 3/2002)
The 14th Waxing of Tabodwe 1363 M.E.
(26th February, 2002)

The State Peace and Development Council hereby enacts the following

1. This Law shall be called the Law Amending the Law relating to the Nurse and Midwife.

2. In section 2 of the Law Relating to the Nurse and Midwife

(a) sub-section (h) shall be substituted as follows : -

"(h) Licence means the permit issued by the Council for the services of nurse or midwife or both."

(b) sub-section (i) shall be substituted as follows

"(i) Nurse and Midwife Training School means a school, institute, college, degree college or university opened by any government department or organization or by the permission of any government department or organization for the training of nursing profession or midwifery profession or both."

(c) sub-section (j) shall be substituted as follows

"(i) Supervisory Body means the State, Division, District and Township Supervisory Bodies formed under this law to supervise whether or not the services of the nurse or midwife are in accordance with the stipulations."

3. Section 3 of the Law relating to the Nurse and Midwife shall be substituted as follows: -

"3. The Ministry of Health : -

(a) shall, with the approval of the Government, form the Myanmar Nurse and Midwife Council consisting of at least 11 Council members as follows:

- | | | |
|-----|---|-----------------|
| (1) | one nursing chief assigned duty by
the Minister of the Ministry of Health | Chairman |
| (2) | persons from the Government departments
and organizations related to nurse and midwife | Council members |
| (3) | representatives from the associations
relating to nurse and midwife | Council members |
| (4) | suitable nurses and midwives | Council members |
| (5) | Registrar appointed under this law | Secretary |

(b) in forming the Council under sub-section (a), a vice chairman and a joint secretary may be determined and assigned duty, if necessary.

4. In section 7 of the Law relating to the Nurse and Midwife : "

(a) sub-section (e) shall be substituted as follows : -

"(e) prescribing the duties and powers of the Registrar,"

(b) sub-section (i) shall be substituted as follows "

"(i) issuing the nurse, midwife or nurse and midwife licence extending the tenure thereof, suspending subject to a time limit and ca the same,"

(c) sub-section (I) shall be substituted as follows :-

"(I) forming the following bodies with suitable persons and prescribing their duties and powers and supervising such bodies : "

(i) State, Division, District and Township Supervisory Bodies;

(ii) body for raising the standard of nursing, midwifery profession and practice."

(d) sub-section (m) shall be substituted as follows:-

"(in) raising the standard of nursing profession or midwifery profession to reach the international level, and if necessary, -suggesting and submitting to the Ministry of Health in respect of teaching of such profession."

5. The expression "to the respective Supervisory Body with the prescribed application form in the prescribed manner" contained in section 11 of the Law relating to the Nurse and Midwife shall be substituted by the expression "to the Council in the prescribed manner."

6. The expression "and the respective Supervisory Body" contained in subsection (i) of section 14 and sub-section (i) of section 15 of the Law relating to the Nurse and Midwife shall be deleted.

7. Section 16 of the Law relating to the Nurse and Midwife shall be substituted as follows -

"16. If it is found after scrutiny that a licence holder has violated the provision contained in sub-section (d) or (e) of section 14 or the provision contained in sub-section (d) or (e) of section 15 : -

(a) the Council may pass any of the following orders : -

(i) suspending the licence subject to a time limit;

(ii) cancelling the licence.

(b) the State or Division Supervisory Body may pass any of the following orders : -

(i) warning;

(ii) determining an appropriate fine and causing it to be paid."

8. Section 17, section 18 and section 19 of the Law relating to the Nurse and Midwife shall be substituted as follows:-

"17. A person dissatisfied with the order or decision of the respective State or Division Supervisory Body may appeal to the Council, within 30 days after the receipt of such order or decision.

18. A person dissatisfied with the order or decision passed by the council, may appeal to the Minister of the Ministry of Health, within 30 days after the receipt of such order or decision.

19. (a) The decision of the Council in an appeal under section 17 shall be final and conclusive.

(b) The decision of the Minister of the Ministry of Health in an appeal under section 18 shall be final and conclusive."

9. Section 20 of the Law relating to the Nurse and Midwife shall be substituted as follows : -

"20. The Minister of the Ministry of Health:

(a) shall appoint a Registrar.

(b) may suspend, revoke, terminate or cancel the registration certificate or licence issued by the Council.

(c) may amend, alter or cancel the order or decision passed by the Council or the State or Division Supervisory Body.

(d) may pass any appropriate order after reviewing the order passed under sub-section (b) or sub-section (c)."

10. The expression "or with fine which may extend to kyats 3000" contained in section 24 of the Law relating to the Nurse and Midwife shall be substituted by the expression "or with fine."

11. Section 28 of the Law relating to the Nurse and Midwife shall be substituted as follows:-"28. The Department of Medical Sciences shall draw up the curriculum relating to the nursing profession and midwifery profession and hold the entrance examination of the Nurse and Midwife Training School and internal school examinations.

12. Sub-section (b) of section 33 of the Law relating to the Nurse and Midwife shall be substituted as follows : -

(b) the Ministry of Health, Council and the Department of Medical Sciences may issue necessary notifications, orders and directives."

**(Sd.) Than Shwe
Senior General
Chairman**

The State Peace and Development Council

http://web.archive.org/web/20110902222528/http://www.blc-burma.org/html/Myanmar%20Law/lr_e_ml02_03.html