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Legislation

No. 96

Nursing and Midwifery profession Practice Law

No. (96) Of 2012

قانون مزاوله مهنتى القبالة والتمريض

Translated in

Ministry Of Justice

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2025



In the Name of People

Presidency Council

RESOLUTION NO. (97)

Based on what had been approved by the Parliament, in accordance with the provisions of Item (First) of Article (61) and Item (Third) of Article (73) of the Constitution, the President decided, on December 4, 2012, to promulgate the following law:

NO. (96) OF 2012

**NURSING AND MIDWIFERY
PROFESSION PRACTICE**



SECTION ONE OBJECTIVES AND VALIDITY

ARTICLE 1

This law aims to regulate the practice of nursing and midwifery by developing them scientifically and practically in a way that achieves the protecting the society from unsafe practices.

ARTICLE 2

The objectives of this law shall be achieved by the following means:

First: Organizing the granting of the nursing and midwifery practice license from the Nursing Syndicate.



Second: Setting standards and controls in how to practice the profession.

Third: Upgrading the nursing and midwifery professions and raising the scientific and professional level of the members of the Syndicate through training courses for those covered by the provisions of this law.

ARTICLE 3

This law shall be applied to:

First: Graduates of nursing colleges and technical medical institutes (nursing departments) after completing the requirements of the health gradation.

Second: Graduates of nursing and midwifery high schools one year after completing health graduation requirements.



SECTION TWO

PROFESSION PRACTICE LICENSE

ARTICLE 4

Whoever is granted a license to practice the nursing profession must be:

First: Iraqi National.

Second: Holding an initial university degree in nursing from a recognized university, holding a diploma or institute certificate its duration of study is not less than (2) two years or a graduate of nursing high school.

Third: Not sentenced to a felony or dishonourable misdemeanor.

Fourth: Safe from communicable and infectious diseases and physical, psychological and mental disabilities, with a report from an official medical committee.

Fifth: Completed the requirements for health gradation stipulated in the Medical and Health Professional Graduation Law No. (6) of 2000.

Sixth: A member of nursing syndicate.



ARTICLE 5

In addition to the conditions stipulated in Article (4) of this Law, a license to practice obstetrics and midwifery shall be granted to any female meets one of the following qualifications:

First: Passing a training course for a period of (6) six months prepared by the Ministry if she holds an initial university degree in nursing.

Second: Passing a course in midwifery and obstetrics for a period of (1) one year prepared by the Ministry (Ministry of Health. Translator) if she is a graduate of technical medical institutes (nursing departments) or a graduate of nursing schools.

Third: Graduate of Midwifery and Obstetrics High School.

ARTICLE 6

A special register shall be adopted in the syndicate in which the names of those licensed to practice the profession shall be recorded, including the following information:

First: License number.

Second: Name, surname, age and nationality.

Third: Educational qualifications and date of obtaining them.



Fourth: Number and date of the committee's decision approving the granting of the license.

Fifth: Place of work and residence.

Sixth: any other information.

ARTICLE 7

The Nursing Syndicate shall grant and renew the license to practice the profession after paying the fees mentioned in the table attached to this law.

ARTICLE 8

The license to practice the profession shall be renewed annually during January of each year, and in the event that it is not renewed during the mentioned period without a legitimate excuse, he/she will be prevented from practicing the profession and will be re-registered after paying double the fee.

ARTICLE 9

The civil midwife or the authorized midwife licensed in the practice of the nursing or midwifery profession shall abide by the following:



Laws

Nursing and Midwifery profession Practice Law

First: Inform birth and death registration offices within the geographical area of all live and dead births and natural abortions or by arson.

Second: Practicing the profession and carrying out its duties with honor and honesty and it is may not perform work that contradicts with the ethics and behaviors of the profession and the provisions of this law.

Third: Refrain from performing the delivery process for serious or difficult cases and must be referred to the hospital.

ARTICLE 10

The following acts are considered a violation of the provisions of this Law:

First: Using of non-permitted persons in nursing and midwifery by licensed persons.

Second: Submission of forged documents for the purpose of obtaining license to practice the profession.

Third: Disclosure of patient's secret.

Fourth: Transfer of the place of practice of the profession without the consent of the syndicate.



CHAPTER THREE DISCIPLINARY

ARTICLE 11

The Minister of Health shall refer the employee who violates the provisions of this law and who practices the profession of nursing or midwifery to a disciplinary committee formed in each health department headed by its nursing officer and the membership of the representative of the Nursing Syndicate and legal officer, and submit its recommendations to the Minister for approval.

ARTICLE 12

The Disciplinary Committee provided for in Article (11) of this Law shall submit a recommendation to the Minister to issue one of the following penalties:

First: warning: It shall be by a letter addressed to the violator specifying the violation.

Second:



- a. Banning from practicing the profession for a period of not less than one month and not more than one year, and paying a fine of not less than (500,000) five hundred thousand dinars and not more than (1,000,000) one million dinars, or both penalties.
- b. In the event of a repeat violation, the violator shall be prohibited from practicing the profession for a period of not less than one year and not more than three years, and a fine of not less than (1,000,000) one million dinars and not more than (3,000,000) three million dinars.

Third: The name of the violator shall be removed from the syndicate's registry and referred to the courts in the event that he/she commits an act that leads to the death of the patient, mother or child or the appearance of serious complications on them, according to the decision of a specialized investigative committee that proves his negligence.

Fourth: The name of the violator shall be removed from the syndicate's registry for those convicted of a non-political felony or a misdemeanor that violates honor for the period of the sentence.

ARTICLE 13

First: Anyone who has been subjected to one of the penalties stipulated in Article (12) of this law may appeal it to the Minister of Health within (30) Thirty days from the date of notification.

Second: The grievance shall be deemed rejected if thirty (30) (thirty) days have passed from the date of its registration with the Minister's office and it has not been responded to.



SECTION FOUR GENERAL & TRANSLATION PROVISIONS

ARTICLE 14

A foreigner has the right to practice nursing and midwifery in accordance with the law and the principle of reciprocity .

ARTICLE 15

Anyone who has been granted a license to practice the nursing and midwifery profession in accordance with the provisions of the Health Professions Practice System No.)11(of 1962 shall continue to practice the profession.



ARTICLE 16

First: Anyone who practices the nursing and midwifery professions before the issuance of this law is obligated to submit a request to the Syndicate to register his/her name in the register stipulated in Article(6) of this law within ninety (90) days from the date of its entry into force.

Second: Anyone who violates the provisions of Clause (First) of this Article shall be prohibited from practicing the profession until he/she is registered.

ARTICLE 17

Articles (13) to (28) of the Health Professions Practice System No. (11) of 1962 shall be deleted.

ARTICLE 18

The Minister of Health may exempt foreign contractors from the nursing staff.



ARTICLE 19

The Minister of Health shall issue instructions to facilitate the implementation of the provisions of this law within a period of ninety (90) days from its entry into force.

ARTICLE 20

This law shall be implemented from the date of its publication in the Official Gazette.

Jalal Talaban

President of the Republic



FEE SCHEDULE

First : For Iraqis	Practice Fee in dinars	Annual renewal fees in dinars
Graduate of the institute or college		
Or above (Nursing)	50000 Fifty thousand dinars	25000 twenty five dinars
Nursing secondary school graduate		
Or below (nursing)	40000Forty thousand dinars	20000Twenty thousand dinars
Obstetrics and gynecology for all		
Graduates and authorized women	100000 one hundred thousand dinars	50000 Fifty thousand dinars
For non - Iraqis	Double the fee	Double the fee