

## Terms of Reference

### Dental Registration and Compliance Committee

#### 1. Purpose

The Dental Registration and Compliance Committee (the Committee) is established by the Dental Board of Australia (the National Board) pursuant to Schedule 4, clause 11 of the Health Practitioner Regulation National Law (the National Law), as in force in each state and territory to:

1. exercise functions delegated under section 37 of the National Law and,
2. undertake associated functions as set out in these terms of reference.

#### 2. Functions

The function of the Committee is to exercise powers delegated to a Registration and/or Notification and/or Compliance Committee by the Board under section 37 of the National Law. These delegations are described in the Board's Instrument of Delegation.

The Committee's functions are:

1. to perform functions delegated by the National Board under section 37 of the National Law;
2. the review, assessment and determination of applications for registration as a dental practitioner or student;
3. overseeing the monitoring of registration restrictions imposed on the registration of dental practitioners or students;
4. to determine and articulate reasons for the Committee's decisions;
5. to refer and make recommendations in relation to registration as a dental practitioner or student to the National Board as the Committee determines necessary or as required by the National Board's delegations;
6. to advise the National Board on emerging trends or issues relating to registration; and
7. to provide expertise, assistance or advice to the National Board in the exercise of its functions.

#### 3. Appointment and membership

There shall be at least six members of the Committee. Members shall be appointed by the National Board and must comprise an equal number of:

- practitioner members; and
- community members.

All members are appointed to the Committee by the National Board for a period of three years or as otherwise determined at the time of appointment.

Where:

- any member of the Committee is unavailable for a particular meeting/s; or
- there is a necessity, based in the item/s listed for the Committee meeting, for a practitioner member from a division of the Register of Dental Practitioners to be included in the deliberations of the meeting;

the Chair of Committee at their discretion may appoint an approved member of another Notification and/or Compliance Committee as an acting member of this Committee. If the Chair of this Committee is unavailable or unable to undertake this responsibility then the Chair of the National Board will appoint both the Chair (if necessary) and member, as set out above, at their discretion.

#### **4. Chair**

At least two members of the Committee will be nominally appointed by the National Board to act as a Chair of a convened meeting. Meetings of the Committee can be chaired by either a practitioner member or community member.

For the purposes of convening a meeting to consider a matter or matters, one of the nominally appointed Chairs of the Committee will be selected to chair a meeting. The Chair will be selected by Ahpra's Regulatory Secretariat (the Secretariat) function.

#### **5. Quorum**

A quorum will be at least four members including:

- two health practitioner members, and
- two community members.

The quorum must always comprise an equal number of practitioner members and community members.

#### **6. Voting**

A decision of the Committee shall be agreed to by consensus. If consensus cannot be reached, then a decision will be agreed to by a simple majority of votes (more than half of the members who cast a vote) of the Committee members. In the event of an equality of votes the Chair of the meeting has a second or casting vote.

#### **7. Defects in appointment of members**

A decision of the Committee is not invalidated by any defect or irregularity in the appointment of any member (or acting member) of the Committee.

#### **8. Meetings and procedures**

The Committee will meet in a timely manner, in response to demand.

The Chair, in consultation with the Secretariat, will determine the most appropriate medium for the Committee to meet.

#### **9. Public interest**

Members are to act impartially and in the public interest in the exercise of a member's functions. A member of the Committee is to put the public interest before the interests of particular health practitioners or any entity that represents health practitioners, as set out in Schedule 4, clause 7 of the National Law and corresponding National Board policies and procedures.

#### **10. Conflict of interest**

Members of the Committee are to comply with the conflict of interest requirements set out in Schedule 4, clause 8 of the National Law and corresponding Board policies and procedures.

#### **11. Appellable decisions**

The Committee may exercise an appellable decision as specified in these terms of reference and the Instrument of Delegation. Where the decision of the Committee is appealed, instructions in respect of the appeal will be provided by the Chair.

#### **12. Support**

Staff from Ahpra's Regulatory Operations Directorate will provide operational support and advice to the Committee.

Ahpra's Regulatory Secretariat team will provide secretariat support to the Committee.

### 13. Document Control

<b>Approver</b>	Dental Board of Australia	
<b>Date Approved</b>	27 December 2023	
<b>Date Commenced</b>	1 July 2024	
<b>Date for review</b>	These terms of reference will be reviewed every 3 years or as necessary.	
<b>Responsible Officer</b>	Executive Officer, Dental	
<b>Sections modified</b>	<b>Date</b>	<b>Description</b>
	December 2023	Amendments made to the following sections: <ul style="list-style-type: none"> <li>• Purpose</li> <li>• Membership of the Committee</li> <li>• Quorum for a meeting</li> <li>• Chair of a meeting</li> <li>• Appealable decisions</li> <li>• Support</li> <li>• Review</li> </ul>