

Terms of Reference

Dental Board of Australia Immediate Action Committee

1. Purpose

The Immediate Action Committee (the Committee) is established by the Dental Board of Australia (the Board) under Schedule 4, clause 11 of the Health Practitioner Regulation National Law (the National Law) as in force in each state and territory to exercise any functions or powers delegated to the Committee under section 37 of the National Law.

2. Functions

The function of the Committee is to exercise the Board's powers of immediate action under the National Law.

The Committee may exercise any power properly delegated to it by the Board under section 37 of the National Law. These delegations are described in the Board's Instrument of Delegation.

The Committee is to report to the Board in a frequency and manner specified by the Board.

3. Appointment and membership

Members shall be appointed by the Board and must comprise an equal number of:

- practitioner members, and
- community members.

All members are appointed to the Committee for their full term as a committee member on their Registration and/or Notifications and/or Compliance Committee, or the Board, unless otherwise expressly determined by the Board at the time of appointment.

4. Quorum

For the purposes of convening a meeting to consider a particular matter or matters, when the Committee meets to consider a matter or matters, the 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.

5. 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.

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 upon advice of the receipt of a notification, or information that requires a determination as to whether immediate action is required to protect the public.

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 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 make appellable decisions 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.

The Secretariat will provide secretariat support to the Committee.

13. Document Control

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