

Chinese Medicine Board of Australia – Registration and Notifications Committee

September 2021

Terms of Reference

1. Delegating power

The Registration and Notifications Committee (the Committee or RNC) is established by the Chinese Medicine Board of Australia (the Board) pursuant to Schedule 4, clause 11 of the Health Practitioner Regulation National Law as in force in each state and territory (the National Law) to exercise any functions or powers delegated to the committee under section 37 of this law.

2. Functions

The committee will:

- make decisions in relation to registration and notification matters under the delegated authority from the Board as described in the Board's instrument of delegation
- provide professional and/or practitioner input to Australian Health Practitioner Regulation Agency (Ahpra) staff considering Chinese medicine registration and notification matters prior to them coming to the Committee and during Committee meeting discussions¹
- provide advice to Ahpra staff dealing with the Health Complaints Entities as required
- advise the Board and Ahpra on the ongoing relevance and effectiveness of the provisions of the instrument of delegation with respect to the functions of the Committee
- provide advice and make recommendations to the Board on relevant matters including the Committee structure, meeting format, schedule and procedures, emerging trends or issues relating to registration and notifications, and
- consider and provide advice to the Board on matters as requested by the Board or exercise any other functions delegated to it by the Board.

3. Membership

A minimum of five members are to be appointed by the Board. The constitution of the Committee must include that:

- the Committee Chair must be a Board member
- at least one member, in addition to the Chair, must be a Board member
- at least one member must be a community member
- at least one member must be a non-Board member
- the practitioner membership of the Committee must cover both acupuncture and Chinese herbal medicine.

¹ The Committee commonly appoints an Allocated Board member to specific matters

4. Appointment of members and term

The appointment of members to the committee shall be determined by the Board.

Committee members who are not members of the National Board will be appointed for a period of two years or as required.

Committee members who are members of the National Board will be appointed as required or to the end date of their appointment to the National Board.

The Board has the discretion to amend a member's term of appointment as required from time to time.

5. 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.

6. Meetings

The Committee shall normally meet monthly and face to face unless otherwise approved by the Chair of the Committee as set out in Schedule 4, clause 16 of the National Law. Any decision reached by the Committee must be approved in writing (including email) by the members.

At the discretion of the Chair, meetings may also be held by teleconference or by video conference.

Where the Chair of the committee is unavailable for a particular meeting/s, the members present will appoint the Deputy Chair in the first instance if available or another Board member present to preside over that meeting.

7. Quorum

A quorum for a RNC meeting will be three (3) members, with at least one community member and one practitioner member in attendance.

- If quorum of the Committee cannot be reached, for the purpose of hearing a high risk² matter, the Chair of the Committee may co-opt another member of the Board to form the committee in accordance with the Committee Membership

8. Voting

A decision supported by the majority of the Committee at which a quorum is present will be a decision of the Committee.

In the event of an equality of votes, the Chair has a second or casting vote.

9. Confidentiality

The papers, discussions and records of the Committee are confidential unless otherwise agreed.

10. Public interest

Members are to act impartially and in the public interest in the exercise of the 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.

11. 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 as further described in the *Manual for National Boards and their committees*.

² As defined in the *Health, performance and Conduct Management Operational Directive*, June 2013

12. Professional Development

The Chair of the Committee may apply to the Board to utilise the funding set aside by the Board for professional development of the members, including for the purpose of observing at other relevant Committee meetings of the Board or other National Boards with reasonable notice and permission of the Chair of the relevant Committee and National Board.

Support

Administrative and Secretariat support is to be provided by the relevant Ahpra office.

Review

These terms of reference apply from 13 September 2021.