



## NATIONAL REGISTRATION AND ACCREDITATION SCHEME FOR THE HEALTH PROFESSIONS

### APPLICATION GUIDE FOR PRACTITIONER MEMBERS

#### NATIONAL BOARDS FOR THE 2012 HEALTH PROFESSIONS

#### Call for nominations and expressions of interest

Individuals may express their interest, or may be nominated by a third party (individual or group), for appointment to a National Board for the four further health professions of –

- Aboriginal and Torres Strait Islander Health Practice
- Chinese Medicine (acupuncture, Chinese herbal medicine, Chinese herbal dispensing)
- Medical Radiation Practice (diagnostic radiography, nuclear medicine technology, radiation therapy)
- Occupational Therapy.

The four further professions will be regulated under the National Registration and Accreditation Scheme (NRAS) from 1 July 2012.

To apply for appointment, please complete **Form 1: Practitioner Member application form for the National Board that you are interested in**, and attach any requested documentation to the form.

Note that if you are a health practitioner that is not currently registered in a State or Territory to practice your profession, you will need to complete an additional form to enable an eligibility assessment to be undertaken.

Appointments are made by the Australian Health Workforce Ministerial Council (AHWMC). AHWMC is a Ministerial Council established under the *Health Practitioner Regulation National Law Act*, and comprises Health Ministers of the governments of the Commonwealth and all States and Territories.

Applications must be submitted by **5pm on Friday, 8 April 2011** to the NRAS 2012 Project Team –

Email: [contact@nras2012.ahpra.gov.au](mailto:contact@nras2012.ahpra.gov.au)

Mail: ATTENTION NRAS 2012 Project Team  
GPO Box 9958, Canberra, ACT, 2601

**Electronic lodgement is preferred.** Submissions will be acknowledged by return email.

If you have questions, please contact the NRAS 2012 Project Team on 1300 419 495.

#### Application assessment process

All information requested to be provided in the **profession-specific Practitioner Member Application Form (Form 1)** will be assessed. The following criteria will also be taken into account:

1. A demonstrated high level of performance in significant fields of endeavour including, if applicable, in the relevant health profession. Demonstrated leadership, teamwork and/or management skills (previous board, tribunal, panel hearings, committees and/or senior management experience would be an advantage).

2. A practitioner member should be an experienced health practitioner of good standing (*please refer to "Practitioner Member Appointments" for specific eligibility regarding registration*)
3. Demonstrated integrity - a high standing in the community is essential.
4. Capacity to demonstrate impartiality, open-mindedness, sound judgment, and fairness and knowledge of the rules of procedural fairness and natural justice.
5. Appreciation of the need for quality and consistency in decision making.
6. Capacity to develop sound knowledge and understanding of legislation relevant to the board including the *Health Practitioner Regulation National Law Act* (National Law) as in force in each state and territory.
7. A clear understanding of the objectives, roles, duties and obligations of a member of a board established under the National Law.
8. An appreciation (from a practitioner's perspective) of appropriate standards of professional care and the role of health practitioner registration boards in protecting the public.
9. An understanding of the health sector, broader health issues and how these relate to the health profession regulated by the board.
10. Availability and a good working knowledge and understanding of accountability relationships.
11. Satisfaction of any legislative requirements related to eligibility for appointment – completion of the Application form (and if necessary, the Eligibility Assessment Form) will assist with this process.

Experience serving on an existing State or Territory registration board will be well regarded.

In addition, **in the selection of the Chair of the Board**, emphasis will be placed on a person who is:

- able to exhibit clear leadership talents; and
- able to work effectively with:
  - other members of the board;
  - Chairs and members of other National Boards;
  - the executive of AHPRA;
  - the Agency Management Committee and the Ministerial Council;
  - other stakeholders (professional, consumer, government and non-government) as relevant to the National Board.

## National board membership

In accordance with the National Law, four National Boards are to be established twelve months in advance of national registration for the four health professions (ie established from 1 July 2011).

During the transition to national registration, the National Boards will be empowered under the National Law to undertake preparation work to facilitate readiness for national registration of their professions from 1 July 2012. Information on the National Boards and the role and responsibilities of board members is at **Attachment 1**.

### Appointment of board members

In accordance with the National Law, National Board members are appointed by the Australian Health Workforce Ministerial Council (the AHWMC). In deciding whether to appoint a person as a

board member, the AHWMC will have regard to the skills and expertise of the person, as relevant to the exercise of the Board's functions.

### **Practitioner member appointments – for inaugural National Boards**

As the four National Boards are to be appointed 12 months in advance of national registration taking effect for the four professions, the National Law makes special transitional arrangements for the first National Board appointments for the four new professions.

The **profession-specific Practitioner Member Application Form 1** provides the information you need to apply for appointment as a practitioner member.

If a practitioner is not currently registered with a State or Territory Board for their profession, or have previously been registered, his/her **eligibility for registration will need to be assessed**. The profession-specific Eligibility Assessment Form is Attachment A to the main Application Form.

#### ***Why is it necessary to assess eligibility for appointment as a practitioner member?***

Under section 302 of the National Law, a person is eligible for appointment as a practitioner member of the first National Board for a relevant health profession if the person —

- (a) is registered in the profession under a law of a participating jurisdiction (a relevant State or Territory); **or**
- (b) holds a qualification that entitles the person to registration in the profession under a law of a participating jurisdiction; **or**
- (c) is otherwise eligible to apply for or hold registration in the profession under the law of a participating jurisdiction.

Therefore, if you are not currently registered to practice the profession in your State or Territory, your eligibility for practitioner membership on the National Board will need to be assessed.

**Appendix A to this Application Guide**, provides information about the qualifications recognised for registration by the relevant State or Territory Board/s.

The process is to enable an eligibility assessment to be conducted against sections 302(b) and 303(c) of the National Law. Advice on eligibility will be sought from representatives of the relevant State or Territory Boards for your profession. You do not have to pay for this assessment to be carried out.

If you want to seek registration with an existing State or Territory Board, you may do so by completing the relevant application for registration, providing the required documentation, and paying the required fee.

Please note that all other eligibility criteria for practitioner members apply to the first board appointments. That is, a person is not eligible to be appointed as a practitioner member of a National Board if the person has ceased to be registered as a health practitioner in the profession as a result of the person's misconduct, impairment, or incompetence. Also, the person is not eligible if the person has, at any time, been found guilty of an offence that in the opinion of the AHWMC renders the person unfit to hold the office of member.

### **Term of appointment**

The length of appointment is for a period of up to three years (as determined by the AHWMC).

If appointed to a national board, a member can continue to serve on an existing State or Territory Board for that profession during the transition to national registration on 1 July 2012. However, a person may not serve as a member of the AHPRA Agency Management Committee and as a member of a National Board.

## Time commitment

Board members may attend different types of meetings, including:

- scheduled Board meetings;
- additional Board meetings which are held between scheduled Board meetings when additional matters need to be considered or urgent decisions need to be made;
- committee meetings: different committees may meet to consider particular issues and then report back to the Board;
- retreats or planning days: these are often held away from the normal meeting location for a full day or weekend. They allow Board members to take part in deeper discussions about strategic challenges and directions for the next year or beyond.

The National Law provides that National Board meetings can be face to face, by video conference, or by teleconference.

## Remuneration – Current sitting fees for National Board Members

The remuneration for National Board members is determined by the Australian Health Workforce Ministerial Council (AHWMC). AHWMC determined that in accordance with the Queensland Government's *Remuneration of Part-time Chairs and Members of Government Boards, Boards and Statutory Authorities*, National Board member's fees are set at Category C, Level 2, in keeping with National Board members' having '*Regulatory powers with substantial influence on a particular industry*'.

### All National Board meetings

Category C Level 2

Role	Attendance (fee includes preparation and up to 4 hours travel time)	Extra Travel time	
	Daily sitting fee (more than 4 hours in a day)	Between 4-8 hours	Over 8 hours
National Board Chair	\$691	\$345.50	\$691
National Board member	\$567	\$283.50	\$567

For meetings that are less than 4 hours, half the daily fee is payable.

### Special assignment\* fees for National Board members

Category C Level 2 Special Assignment rate

Role	Attendance (fee includes preparation and up to 4 hours travel time)	Extra Travel time	
	More than 4 hours in a day (Daily fee)	Between 4-8 hours	Over 8 hours
Chair	\$576	\$288	\$576
Other Board/Committee members	\$472	\$236	\$472

\* Special Assignment fees are payable for board related commitments that are not related to meetings and include consultations, conferences, seminars, investigations or the writing of special reports by a Board member, approved by the Chair. Dinners, functions, openings, ceremonies and social engagements are not considered to be special assignments. For special assignments that are less than 4 hours, half the daily fee is payable.

## Statutory protections.

Under section 236 of the National Law, members of the National Boards are provided with appropriate statutory immunities for exercising their functions in good faith.

### Background

In March 2008, the Council of Australian Governments (COAG) agreed to establish a single national scheme to create nationally consistent, rigorous registration and accreditation arrangements and improve protection to the public.

On 1 July 2010, the *Health Practitioner Regulation National Law Act* commenced in all States and Territories, except Western Australia, where it commenced on 18 October 2010. The objects and guiding principles of the National Law are at **Attachment 2**.

The National Law established NRAS, with the Australian Health Practitioner Regulation Agency (AHPRA) and a National Board for each of the regulated professions of: chiropractic; dental (dentists, dental hygienists, dental therapists, dental prosthetists); medical ; nursing and midwifery; optometry; osteopathy; pharmacy; physiotherapy; podiatry; and psychology.

The remaining four professions are those that are not regulated in all jurisdictions under State/Territory laws ('partially regulated professions') – but are included in the National Law and will be regulated from 1 July 2012. The table below identifies which jurisdictions currently register each of the four professions.

Health Profession	ACT	NSW	NT	Qld	SA	Tas	Vic	WA
Aboriginal and Torres Strait Islander health practice	x	x	✓ *	x	x	x	x	x
Chinese medicine	x	x	x	x	x	x	✓	x
Medical radiation practice	✓	x	✓ +	✓	x	✓	✓	✓
Occupational therapy	x	x	✓	✓	✓	x	x	✓

\* NT registers Aboriginal Health Workers

+ NT registers radiographers only

## APPENDIX A: State and Territory registration forms and current qualifications for registration

- The list of qualifications that appear in this Appendix have been compiled from published information on each of the State and Territory Board websites.
- While care has been taken to confirm the currency of this information, should additional information come to hand, this Appendix will be updated, with any changes clearly identified.

### For the Aboriginal and Torres Strait Islander health practice profession –

Registration board	Qualifications and/or experience recognised for registration:
<b><i>Aboriginal Health Worker Board of the Northern Territory</i></b>	<ol style="list-style-type: none"> <li>1. Certificate IV Aboriginal and Torres Strait Islander Primary Health Care (Practice) awarded in the Northern Territory; <b><i>or</i></b></li> <li>2. Certificate III Aboriginal Health Work (Clinical) studies awarded in the Northern Territory prior to 30 June 2008; <b><i>or</i></b></li> <li>3. Evidence of a qualification that is, in the opinion of the NT Board, equivalent to the qualification referred to in 1 above; <b><i>and</i></b></li> <li>4. Evidence of completing the Apply First Aid qualification (HLTAF301B) within the last 3 years.</li> <li>5. Further, the NT Board will assess applicants, on their individual merit, who have previously been registered in the Northern Territory and have allowed their registration to lapse.</li> </ol>

**For the Chinese medicine profession –**

Registration board	Qualifications and/or experience recognised for registration:
<p><b><i>Chinese Medicine Registration Board of Victoria</i></b></p>	<p>Approved courses:</p> <ul style="list-style-type: none"> <li>(a) <u>For Acupuncture.</u> <i>Bachelor of Health Science (Acupuncture)</i> BHSc(Acu) from <b>Endeavour College of Natural Health</b> (previously Australian College of Natural Medicine). CMR Board approval only applies to the course as delivered in Victoria <b>and</b> Queensland.</li> <li>(b) <u>For Acupuncture.</u> <i>Bachelor Health Science (Acupuncture and Chinese Manual Therapy)</i> - 4 years from <b>RMIT University, Division of Chinese Medicine.</b></li> <li>(c) <u>For Acupuncture.</u> <i>Master of Applied Science (Acupuncture)</i> by coursework - 3 years from <b>RMIT University, Division of Chinese Medicine.</b></li> <li>(d) <u>For Acupuncture and Chinese Herbal Medicine.</u> Double Bachelor degree undergraduate program: <i>Bachelor of Applied Science (Chinese Medicine) &amp; Bachelor of Applied Science (Human Biology)</i> - 5 years from <b>RMIT University, Division of Chinese Medicine.</b></li> <li>(e) <u>For Acupuncture and Chinese Herbal Medicine.</u> <i>Bachelor of Health Science – Chinese Medicine</i> (BHSc-CM) from <b>Southern School of Natural Therapies.</b></li> <li>(f) <u>For Chinese Herbal Medicine.</u> <i>Master of Applied Science (Chinese Herbal Medicine)</i> by coursework - 3 years from <b>RMIT University, Division of Chinese Medicine.</b></li> </ul>

**For the Medical radiation practice profession –**

Registration Board	Qualifications recognised for registration
<b>Medical Radiation Scientists Board of the Australian Capital Territory</b>	Refer to website: <a href="http://health.act.gov.au/c/health?a=&amp;did=10204393">http://health.act.gov.au/c/health?a=&amp;did=10204393</a>
<b>Radiographers Board of the Northern Territory</b>	<p>Radiographers educated in <u>Australia or New Zealand</u>:</p> <ol style="list-style-type: none"> <li>1. Qualification from an Australian or New Zealand university;</li> <li>2. Statement of Accreditation from the Australian Institute of Radiography;</li> <li>3. Certified copy of registration certificate (if applicable), or current license to conduct radiographic procedures (non regulated jurisdictions) (if applicable)</li> </ol> <p>Radiographers educated in <u>overseas countries other than New Zealand</u> :</p> <ol style="list-style-type: none"> <li>1. Statement of Accreditation from the Australian Institute of Radiography;</li> <li>2. Certified copy of registration certificate (if applicable), or current license to conduct radiographic procedures (if applicable)</li> </ol>
<b>Medical Radiation Technologists Board of Queensland</b>	<p>Prescribed qualifications for registration:</p> <p><u>Medical imaging technology</u></p> <ol style="list-style-type: none"> <li>1. <i>Bachelor of Applied Science (Medical Radiation Technology)</i> from <b>Queensland University of Technology</b></li> <li>2. <i>Bachelor of Medical Radiation Science in Diagnostic Radiography</i>, from <b>University of Newcastle</b></li> <li>3. <i>Bachelor of Applied Science (Medical Radiation Sciences) Diagnostic Radiography</i>, from <b>University of Sydney</b></li> <li>4. <i>Bachelor of Applied Science (Medical Radiation Technology) Diagnostic Radiography</i>, from <b>University of Sydney</b></li> <li>5. <i>Bachelor of Applied Science (Medical Imaging)</i>, from <b>Charles Sturt University</b></li> <li>6. <i>Bachelor of Medical Radiation University of South Australia</i>, from <i>Bachelor of Applied Science in Medical Radiations</i>, <b>Royal Melbourne Institute of Technology</b></li> <li>7. <i>Bachelor of Radiography and Medical Imaging</i>, from <b>Monash University</b></li> <li>8. <i>Bachelor of Science (Medical Imaging Science)</i>, from <b>Curtin University of Technology</b></li> </ol>

Registration Board	Qualifications recognised for registration
(cont)	<p>9. <i>Bachelor of Health Science (Conversion Program)</i>, conferred or awarded before 2004 from <b>Wellington Institute of Technology, New Zealand</b></p> <p><u>Nuclear medicine technology</u></p> <ol style="list-style-type: none"> <li>1. <i>Bachelor of Health Science (Medical Imaging)</i>, from <b>Unitec Institute of Technology, New Zealand</b></li> <li>2. <i>Bachelor of Medical Imaging</i>, from <b>Christchurch Polytechnic Institute of Technology, New Zealand</b></li> <li>3. <i>Bachelor of Applied Science (Medical Imaging Technology)</i>, from <b>Manawatu Polytechnic (trading as Universal College of Learning), New Zealand</b></li> <li>4. <i>Bachelor of Medical Radiation Science in Nuclear Medicine</i>, from <b>University of Newcastle</b></li> <li>5. <i>Graduate Diploma in Medical Radiation Science (Nuclear Medicine)</i>, from <b>University of Newcastle</b></li> <li>6. <i>Bachelor of Applied Science (Medical Radiation Sciences) Nuclear Medicine</i>, from <b>University of Sydney</b></li> <li>7. <i>Bachelor of Applied Science (Medical Radiation Technology) Nuclear Medicine</i>, from <b>University of Sydney</b></li> <li>8. <i>Bachelor of Applied Science (Nuclear Medicine Technology)</i>, from <b>Charles Sturt University</b></li> <li>9. <i>Bachelor of Medical Radiation University of South Australia Bachelor of Applied Science in Medical Radiations</i>, from <b>Royal Melbourne Institute of Technology</b></li> </ol> <p><u>Radiation therapy</u></p> <ol style="list-style-type: none"> <li>1. <i>Master of Medical Radiations (Nuclear Medicine)</i>, from <b>Monash University</b></li> <li>2. <i>Bachelor of Health Science (Conversion Program)</i>, conferred or awarded before 2004 from <b>Wellington Institute of Technology, New Zealand</b></li> <li>3. <i>Bachelor of Applied Science (Medical Radiation Technology)</i>, from <b>Queensland University of Technology</b></li> <li>4. <i>Bachelor of Medical Radiation Science in Radiation Therapy</i>, from <b>University of Newcastle</b></li> <li>5. <i>Bachelor of Applied Science (Medical Radiation Sciences) Radiation Therapy</i>, from <b>University of Sydney</b></li> <li>6. <i>Bachelor of Applied Science (Medical Radiation Technology) Radiation Therapy</i>, from <b>University of Sydney</b></li> <li>7. <i>Bachelor of Medical Radiation University of South Australia, Bachelor of Applied Science in Medical Radiations</i>, from <b>Royal Melbourne Institute of Technology</b></li> <li>8. <i>Master of Medical Radiations (Radiation Therapy)</i>, from <b>Monash University</b></li> <li>9. <i>Bachelor of Health Science (Medical Radiation Therapy)</i>, from <b>University of Otago, New Zealand</b></li> <li>10. <i>Bachelor of Health Science (Conversion Program)</i>, conferred or awarded before 2004 from <b>Wellington Institute of Technology, New Zealand</b></li> </ol>

Registration Board	Qualifications recognised for registration
<p><b><i>Medical Radiation Science Professionals Registration Board of Tasmania</i></b></p>	<p>A person may apply to the Tasmanian Board to be registered as a <u>Diagnostic Radiographer</u> if the person has:</p> <ol style="list-style-type: none"> <li>1. a qualification in Diagnostic Radiography that is accredited by, or approved by, the Australian Institute of Radiography (AIR).</li> <li>2. passed a qualifying examination in Radiation Therapy held by the AIR.</li> </ol> <p>A person may apply to the Tasmanian Board to be registered as a <u>Nuclear Medicine Technologist</u> if the person has:</p> <ol style="list-style-type: none"> <li>1. a qualification in Nuclear Medicine Technology that is accredited by, or approved by, the Australia and New Zealand Society of Nuclear Medicine (ANZSNM)</li> <li>2. passed a qualifying examination in Nuclear Medicine held by the ANZSNM.</li> </ol> <p>A person may apply to the Tasmanian Board to be registered as a <u>Radiation therapist</u> if the person has:</p> <ol style="list-style-type: none"> <li>1. a qualification in Radiation Therapy that is accredited by, or approved by, the Australian Institute of Radiography (AIR).</li> <li>2. passed a qualifying examination in Radiation Therapy held by the AIR.</li> </ol> <p>Applicants who have been practicing in Tasmania or who have been registered and practicing in another State during the last five years are eligible to apply.</p> <p>Applicants who have not been registered for 5 – 10 years must complete a Return to Professional Practice Program details of which can be obtained from the relevant professional body (AIR or ANZSNM). A conditional registration may be obtained to allow candidates to successfully complete a Return to Professional Practice Program.</p> <p>Applicants who have been out of the profession for more than 10 years will need to retrain.</p>
<p><b><i>Medical Radiation Practitioners Board of Victoria</i></b></p>	<p>A person is eligible for registration as a medical radiation practitioner in accordance with the <i>Health Professions Registration Act 2005</i> if he/she holds the required qualifications approved by the Victorian Board.</p> <p>The qualifications required for registration are summarised below.</p>

Registration Board	Qualifications recognised for registration
<p><b>Medical Radiation Practitioners Board of Victoria (cont)</b></p>	<p><u>Radiographers /Radiation Therapists</u></p> <p>Approved qualifications in radiography and radiation therapy require an undergraduate degree or graduate entry Masters degree in either Medical Imaging or Radiation Therapy awarded by an institution listed below and the requisite amount of clinical experience involving all major applications of radiography and radiation therapy undertaken under the direction and supervision of a registered radiographer:</p> <ol style="list-style-type: none"> <li>1. <i>Bachelor of Medical Imaging</i> from <b>Central Queensland University</b></li> <li>2. <i>Bachelor of Medical Radiation Science (Medical Imaging)</i> from <b>Charles Sturt University</b></li> <li>3. <i>Bachelor of Science (Medical Imaging Science)</i> from <b>Curtin University of Technology</b></li> <li>4. <i>Master of Medical Imaging Science</i> from <b>Curtin University of Technology</b></li> <li>5. <i>Bachelor of Radiography and Medical Imaging</i> from <b>Monash University</b></li> <li>6. <i>Master of Radiation Therapy</i> from <b>Monash University</b> [<u>This program is now known as MMedRad (Radiation Therapy)</u>]</li> <li>7. <i>Bachelor of Applied Science- Medical Radiation Technology (Medical Imaging Technology)</i> from <b>Queensland University of Technology</b></li> <li>8. <i>Bachelor of Applied Science Medical Radiation Technology (Radiotherapy Technology)</i> from <b>Queensland University of Technology</b></li> <li>9. <i>Bachelor of Applied Science (Medical Radiations) – Medical Imaging</i> from <b>RMIT University</b></li> <li>10. <i>Bachelor of Applied Science (Medical Radiations) – Radiation Therapy</i> from <b>RMIT University</b></li> <li>11. <i>Bachelor of Medical Radiation Science (Diagnostic Radiography)</i> from <b>University of Newcastle</b></li> <li>12. <i>Bachelor of Medical Radiation Science (Radiation Therapy)</i> from <b>University of Newcastle</b></li> <li>13. <i>Bachelor of Medical Radiation (Diagnostic Radiography)</i> from <b>University of South Australia</b></li> <li>14. <i>Bachelor of Medical Radiation (Medical Imaging)</i> from <b>University of South Australia</b></li> <li>15. <i>Bachelor of Applied Science (Medical Radiation Science) - Diagnostic Radiography</i> from <b>University of Sydney</b></li> <li>16. <i>Bachelor of Applied Science (Medical Radiation Science) - Radiation Therapy</i> from <b>University of Sydney</b></li> <li>17. <i>Master of Diagnostic Radiography</i> from <b>University of Sydney</b></li> <li>18. <i>Master of Radiation Therapy</i> from <b>University of Sydney</b></li> </ol>

Registration Board	Qualifications recognised for registration
<p><b>Medical Radiation Practitioners Board of Victoria (cont)</b></p>	<p><u>Nuclear Medicine Technologists</u>            Approved qualifications in nuclear medicine technology require an undergraduate degree or graduate entry Masters degree in Nuclear Medicine Technology/Science awarded by an institution listed below and the requisite amount of clinical experience involving all major applications of nuclear medicine technology undertaken under the direction and supervision of a registered nuclear medicine technologist:</p> <ol style="list-style-type: none"> <li>1. <i>Bachelor of Applied Science (Medical Radiations)</i> from <b>RMIT University</b></li> <li>2. <i>Bachelor of Applied Science (MRS) Nuclear Medicine</i> from <b>University of Sydney</b></li> <li>3. <i>Bachelor of Medical Radiation Science (Nuclear Medicine)</i> from <b>University of Newcastle</b></li> <li>4. <i>Bachelor of Medical Radiation (Nuclear Medicine)</i> from <b>Charles Sturt University</b></li> <li>5. <i>Bachelor of Medical Radiation (Nuclear Medicine)</i> from <b>University of South Australia</b></li> </ol> <p>If your qualification is not listed above, you must provide details of your qualifications to the Board.</p>
<p><b>Medical Radiation Technologists Board of Western Australia</b></p>	<p>An applicant hold a qualification <u>prescribed as a qualification</u> under the <i>Medical Radiation Technologists Regulations 2007</i> for registration as a medical radiation technologist relevant to the area in respect of which registration is required <b>OR</b> a qualification in that in the opinion of the WA Board is equivalent to such a qualification.</p> <p><u>Qualifications prescribed as a qualification for registration</u></p> <ol style="list-style-type: none"> <li>1. <i>Bachelor of Science (Medical Imaging Science)</i> from <b>Curtin University of Technology, WA</b></li> <li>2. <i>Bachelor of Applied Science (Medical Radiations) Nuclear Medicine</i> from <b>RMIT, Vic</b></li> <li>3. <i>Master of Medical Imaging Science</i> from <b>Curtin University of Technology, WA</b></li> <li>4. <i>Bachelor of Applied Science (Medical Radiations) – Radiation Therapy</i> from <b>RMIT, Vic</b></li> </ol> <p><u>FULL LIST of accredited courses which the WA Board recognises for registration purposes:</u></p> <ol style="list-style-type: none"> <li>1. <i>Bachelor of Medical Radiation Science (Medical Imaging)</i> from <b>Charles Sturt University, NSW</b></li> <li>2. <i>Bachelor of Medical Radiation Science (Nuclear Medicine)</i> from <b>Charles Sturt University, NSW</b></li> <li>3. <i>Bachelor of Science (Medical Imaging Science)</i> from <b>Curtin University of Technology, WA</b></li> <li>4. <i>Master of Medical Imaging Science</i> from <b>Curtin University of Technology, WA</b></li> <li>5. <i>Bachelor of Radiography &amp; Medical Imaging</i> from <b>Monash University, Vic</b></li> </ol>

Registration Board	Qualifications recognised for registration
<p><b>Medical Radiation Technologists Board of Western Australia (cont)</b></p>	<p>6. <i>Master of Radiation Therapy</i> from <b>Monash University, Vic</b></p> <p>7. <i>Master of Medical Radiations in Nuclear Medicine</i> from <b>Monash University, Vic</b></p> <p>8. <i>Bachelor of Applied Science – Medical Radiation Technology (Medical Imaging Technology)</i> from <b>Queensland University of Technology, Qld</b></p> <p>9. <i>Bachelor of Applied Science – Medical Radiation Technology (Radiotherapy Technology)</i> from <b>Queensland University of Technology, Qld</b></p> <p>10. <i>Bachelor of Applied Science (Medical Radiations) – Medical Imaging</i> from <b>RMIT, Vic</b></p> <p>11. <i>Bachelor of Applied Science (Medical Radiations) – Radiation Therapy</i> from <b>RMIT, Vic</b></p> <p>12. <i>Bachelor of Applied Science (Medical Radiations) - Nuclear Medicine</i> from <b>RMIT, Vic</b></p> <p>13. <i>Bachelor of Medical Radiation Science (Radiation Therapy)</i> from <b>University of Newcastle, NSW</b></p> <p>14. <i>Bachelor of Medical Radiation Science (Diagnostic Radiography)</i> from <b>University of Newcastle</b></p> <p>15. <i>Bachelor of Medical Radiation Science (Nuclear Medicine)</i> from <b>University of Newcastle, NSW</b></p> <p>16. <i>Bachelor of Medical Radiation (Medical Imaging)</i> from <b>University of South Australia, SA</b></p> <p>17. <i>Bachelor of Medical Radiation (Radiation Therapy)</i> from <b>University of South Australia, SA</b></p> <p>18. <i>Bachelor of Medical Radiation (Medical Imaging)</i> from <b>University of South Australia, SA</b></p> <p>19. <i>Bachelor of Medical Radiation (Radiation Therapy)</i> from <b>University of South Australia, SA</b></p> <p>20. <i>Bachelor of Medical Radiation Science (Nuclear Medicine)</i> from <b>University of South Australia</b></p> <p>21. <i>Bachelor of Applied Science (Medical Radiation Science) – Diagnostic Radiography</i> from <b>University of Sydney, NSW</b></p> <p>22. <i>Bachelor of Applied Science (Medical Radiation Science) – Radiation Therapy</i> from <b>University of Sydney, NSW</b></p> <p>23. <i>Master of Diagnostic Radiography</i> from <b>University of Sydney, NSW</b></p> <p>24. <i>Master of Radiation Therapy</i> from <b>University of Sydney, NSW</b></p> <p>25. <i>Bachelor of Applied Science (Medical Radiation Sciences) Nuclear Medicine</i> from <b>University of Sydney, NSW</b></p> <p>26. <i>Master of Nuclear Medicine</i> from <b>University of Sydney, NSW</b></p>

For the Occupational therapy profession –

Registration board	Qualifications and/or experience recognised for registration:
<p><b><i>Occupational Therapists Board of the Northern Territory</i></b></p>	<p>For Occupational Therapists <u>educated in Australia</u></p> <ol style="list-style-type: none"> <li>1. Certified copy of qualification from an Australian or New Zealand University or other accredited educational institution.</li> </ol> <p>For Occupational Therapist <u>educated overseas</u> (other than New Zealand)</p> <ol style="list-style-type: none"> <li>1. Certified copy of the Assessment Letter from the Council of Occupational Therapists Boards (Australia &amp; New Zealand) Inc, confirming successful completion of Stage 1 Desk Top Assessment;</li> <li>2. Certified copy of the 'Certificate of Practical Completion' or other evidence directly from COTRB confirming the successful completion of the Stage 2 Practice Audit (if completed).</li> </ol> <p><b>Section 22(b) and Section 22 (c) of the <i>Health Practitioners Act (2004)NT</i> provides that practitioners must have sufficient competence and capacity to practise.</b> The requirement for 'Recency of Practice' is 6 months full time employment as an Occupational Therapist within the last 5 years; (not applicable for New Graduates)</p>
<p><b><i>Occupational therapists Board of Queensland</i></b></p>	<p>If you hold one of the following Australian or New Zealand occupational therapy qualifications you are eligible to apply for General Registration:</p> <ol style="list-style-type: none"> <li>1. <i>Master of Clinical Occupational Therapy - University of Queensland</i></li> <li>2. <i>Bachelor of Occupational Therapy - University of Queensland</i></li> <li>3. <i>Bachelor of Occupational Therapy - James Cook University</i></li> <li>4. <i>Master of Occupational Therapy - University of Sydney</i></li> <li>5. <i>Bachelor of Health Science (Occupational Therapy) - University of Newcastle</i></li> <li>6. <i>Bachelor of Applied Science (Occupational Therapy) - University of Western Sydney</i></li> <li>7. <i>Bachelor of Occupational Therapy - La Trobe University</i></li> <li>8. <i>Bachelor of Applied Science (Occupational Therapy) - University of South Australia</i></li> <li>9. <i>Bachelor of Health Science (Occupational Therapy) - Charles Sturt University</i></li> <li>10. <i>Bachelor of Science (Occupational Therapy) - Curtin University of Technology</i></li> <li>11. <i>Bachelor of Health Science (Occupational Therapy) - Auckland University of Technology</i></li> <li>12. <i>Bachelor of Occupational Therapy - Otago Polytechnic</i></li> <li>13. <i>Bachelor of Occupational Therapy - Deakin University</i></li> </ol>

Registration board	Qualifications and/or experience recognised for registration:
<p><b>Occupational therapy Board of South Australia</b></p>	<p>Section 26(1) of the <i>Occupational Therapy Practice Act</i> (SA) Act provides that a person is eligible for registration as an occupational therapist if he/she has qualifications approved or recognised by the Board.</p> <p><u>List of recognised entry-level qualifications (Australia):</u></p> <ol style="list-style-type: none"> <li>1. <i>B App Sc (OT)</i> from <b>University of South Australia</b></li> <li>2. <i>M OT (GE)</i> from <b>University of South Australia</b></li> <li>3. <i>B Sc (OT), B OT</i> from <b>Curtin University of Technology, WA</b></li> <li>4. <i>M OT</i> from <b>Curtin University of Technology, WA</b></li> <li>5. <i>B Sc (OT) / BBA</i> from <b>Curtin University of Technology, WA</b></li> <li>6. <i>B Sc (OT) / B Ed</i> from <b>Curtin University of Technology, WA</b></li> <li>7. <i>B Sc (OT) (Pass)</i> from <b>Edith Cowan University, WA</b></li> <li>8. <i>B Sc (OT) (Hons)</i> from <b>Edith Cowan University, WA</b></li> <li>9. <i>M OT Prac</i> from <b>Edith Cowan University, WA</b></li> <li>10. <i>B Occ Ther</i> from <b>La Trobe University, Vict</b></li> <li>11. <i>B Occ Ther / B B Sc</i> from <b>La Trobe University, Vict</b></li> <li>12. <i>B Occ Ther / B Erg</i> from <b>La Trobe University, Vict</b></li> <li>13. <i>M OT Prac</i> from <b>La Trobe University, Vict</b></li> <li>14. <i>B Occ Ther</i> from <b>Deakin University, Vict</b></li> <li>15. <i>B OT (Pass)</i> from <b>Monash University, Vict</b></li> <li>16. <i>B OT (Hons)</i> from <b>Monash University, Vict</b></li> <li>17. <i>B Occ Thy</i> from <b>University of Queensland</b></li> <li>18. <i>M OT Stud</i> from <b>University of Queensland</b></li> <li>19. <i>B Occ Thy</i> from <b>James Cook University</b></li> <li>20. <i>B Hlth Sc (OT)</i> from <b>Charles Sturt University, NSW</b></li> <li>21. <i>B Occ Thy</i> from <b>University of Newcastle, NSW</b></li> <li>22. <i>B App Sc (OT), M OT</i> from <b>University of Sydney</b></li> <li>23. <i>M OT (Hons)</i> from <b>University of Sydney</b></li> <li>24. <i>B App Sc (OT)</i> from <b>University of Western Sydney</b></li> </ol> <p><u>(Overseas):</u></p> <ol style="list-style-type: none"> <li>25. Certificate of Practical Completion (COPC) from Occupational Therapy Council of Australia &amp; New Zealand</li> </ol>

Registration board	Qualifications and/or experience recognised for registration:
<p><b><i>Occupational therapists Registration Board of Western Australia</i></b></p>	<p>For the purposes of Section 27(2)(f) of the WA <i>Occupational Therapists Act 2005</i>, the qualifications specified below are prescribed as a qualification for registration as an occupation therapist.</p> <p><u>From Western Australia</u></p> <ol style="list-style-type: none"> <li>0. <i>Diploma of the Royal Perth Hospital School of Occupational Therapy</i> (conferred 1960 - 1969) by the <b>Royal Perth Hospital School of Occupational Therapy</b></li> <li>1. <i>Associateship Occupational Therapy</i> (conferred 1969 - 1973) by the <b>Western Australian Institute of Technology</b></li> <li>2. <i>Bachelor of Applied Science Occupational Therapy</i> (conferred 1974 - 1987) by the <b>Western Australian Institute of Technology</b></li> <li>3. <i>Bachelor of Applied Science Occupational Therapy</i> (conferred 1988 - 1992) by <b>Curtin University of Technology</b></li> <li>4. <i>Bachelor of Science Occupational Therapy</i> (conferred 1993 onwards) by <b>Curtin University of Technology</b></li> <li>5. <i>Master of Occupational Therapy</i> (conferred 2004 onwards) by <b>Curtin University of Technology</b></li> <li>6. <i>Bachelor of Science (Occupational Therapy)</i> (conferred 2009 onwards) by <b>Edith Cowan University</b></li> <li>7. <i>Master of Occupational Therapy Practice</i> (conferred 2009 onwards) by <b>Edith Cowan University</b>.</li> </ol> <p><u>From New South Wales</u></p> <ol style="list-style-type: none"> <li>8. <i>Diploma Occupational Therapy</i> (conferred 1948 - 1975) by the <b>University of New South Wales</b></li> <li>9. <i>Diploma Applied Science Occupational Therapy</i> (conferred 1978) by <b>Cumberland College</b></li> <li>10. <i>Bachelor of Applied Science Occupational Therapy</i> (conferred 1973 - 1989) by <b>Cumberland College</b></li> <li>11. <i>Bachelor of Applied Science Occupational Therapy</i> (conferred 1990 onwards) by the <b>University of Sydney</b></li> <li>12. <i>Bachelor of Health Science Occupational Therapy</i> (conferred 1999 onwards) by <b>Charles Sturt University</b></li> <li>13. <i>Bachelor of Health Science Occupational Therapy</i> (conferred 1999 onwards) by the <b>University of Newcastle</b></li> <li>14. <i>Bachelor of Occupational Therapy</i> (conferred 2005 onwards) by <b>the University of Newcastle</b></li> <li>15. <i>Bachelor of Applied Science Occupational Therapy</i> (conferred 1998 onwards) by the <b>University of Western Sydney</b></li> <li>16. <i>Master of Occupational Therapy</i> (conferred 1998 onwards) by the <b>University of Sydney</b></li> </ol> <p><u>From Queensland</u></p> <ol style="list-style-type: none"> <li>17. <i>Bachelor of Occupational Therapy</i> (conferred 1968 onwards) by the <b>University of Queensland</b></li> <li>18. <i>Bachelor of Occupational Therapy</i> (conferred 2002 onwards) by <b>James Cook University</b></li> <li>19. <i>Master of Occupational Therapy Studies</i> (conferred 2002 onwards) by the <b>University of Queensland</b></li> </ol> <p><u>From South Australia</u></p> <ol style="list-style-type: none"> <li>20. <i>Bachelor of Applied Science Occupational Therapy</i> (conferred 1979 - 1990) by the <b>South Australian Institute of Technology</b></li> </ol>

Registration board	Qualifications and/or experience recognised for registration:
<p><b>Occupational therapists Registration Board of Western Australia (cont)</b></p>	<p>21. <i>Bachelor of Applied Science Occupational Therapy</i> (conferred 1991 onwards) by the <b>University of South Australia</b></p> <p>22. <i>Master of Occupational Therapy Graduate Entry</i> (conferred 2005 onwards) <b>University of South Australia</b></p> <p><u>From Victoria</u></p> <p>23. <i>Diploma of Occupational Therapy</i> (conferred 1948 - 1972) by the <b>Occupational Therapy School of Victoria</b></p> <p>24. <i>Diploma of Occupational Therapy</i> (conferred 1973 - 1975) by the <b>Lincoln Institute of Health Sciences</b></p> <p>25. <i>Bachelor of Applied Science (OT)</i> (conferred 1973 – 1984) by the <b>Lincoln Institute of Health Sciences</b></p> <p>26. <i>Bachelor of Applied Science (OT)</i> (conferred 1985 - 1993) by <b>La Trobe University</b></p> <p>27. <i>Bachelor of Occupational Therapy</i> (conferred 1994 – 2008) by <b>La Trobe University</b></p> <p>28. <i>Master of Occupational Therapy Practice</i> (conferred 2003 onwards) by <b>La Trobe University</b></p> <p>29. <i>Bachelor of Health Sciences and Master of Occupational Therapy Practice</i> (conferred 2009 onwards) by <b>La Trobe University</b></p> <p>30. <i>Bachelor of Occupational Therapy</i> (conferred 2009 onwards) by <b>Monash University</b></p> <p>31. <i>Bachelor of Occupational Therapy</i> (conferred 2005 onwards) by <b>Deakin University</b></p> <p><u>From New Zealand</u></p> <p>32. <i>Bachelor of Health Science (Occupational Therapy)</i> (conferred 1994 onwards) by <b>Auckland University of Technology</b></p> <p>33. <i>Bachelor of Occupational Therapy</i> (conferred 1995 onwards) by <b>Otago Polytechnic</b></p> <p>34. <i>Diploma of Occupational Therapy</i> (conferred 1991 - 1996) by <b>Otago Polytechnic</b></p> <p>35. <i>Diploma of Occupational Therapy</i> (conferred 1991 - 1996) by <b>Auckland Institute of Technology</b></p> <p>36. <i>Bachelor of Health Science (Occupational Therapy)</i> (conferred 1997 - 2000) by <b>Auckland Institute of Technology</b></p> <p>37. <i>Bachelor of Health Science (Occupational Therapy)</i> (conferred 2000 onwards) by <b>Auckland Institute of Technology</b></p> <p>38. <i>Diploma of Occupational Therapy</i> (conferred 1971 - 1991) by <b>Central Institute of Technology</b></p> <p>39. <i>State Examination Certificate in Occupational Therapy</i> (conferred 1946 - 1970) by <b>New Zealand School of Occupational Therapy</b></p> <p><u>(Overseas):</u></p> <p>41. Certificate of Practical Completion (COPC) from Occupational Therapy Council of Australia &amp; New Zealand</p>

## ATTACHMENT 1 National Boards – roles, responsibilities, functions

In accordance with the National Law, four National Boards are to be established twelve months in advance of national registration for the four health professions (ie established from 1 July 2011). During the transition to national registration, the National Boards will be empowered under the National Law to undertake preparation work to facilitate readiness for national registration of their professions from 1 July 2012.

### Role and responsibilities of board members

Board members are required to act within the powers and functions set out in the National Law. Under the National Law, board members are required to act impartially and in the public interest in the exercise of their functions and put the public interest before the interests of particular health practitioners or any entity that represents health practitioners.

In addition to the obligations outlined in the National Law, Board members should adhere to the following fundamental principles that define the standards of conduct expected of a Board member:

<p><i>Act with honesty and integrity</i> – This includes:</p> <ul style="list-style-type: none"> <li>o being open and transparent in all dealings associated with the Board;</li> <li>o using power responsibly;</li> <li>o not placing yourself in a position of conflict of interest;</li> <li>o striving to earn and sustain public trust of a <i>high level</i>.</li> </ul> <p><i>Act in good faith in the best interests of the Board</i> – This includes:</p> <ul style="list-style-type: none"> <li>o demonstrating accountability for your actions;</li> <li>o accepting responsibility for decisions;</li> <li>o not engaging in activities that may bring you or the Board into disrepute.</li> </ul> <p><i>Act fairly and impartially</i> – This includes:</p> <ul style="list-style-type: none"> <li>o avoiding bias, discrimination, caprice or self-interest; demonstrating respect for others by acting in a professional and courteous manner.</li> </ul>	<p><i>Use information appropriately</i> – This includes:</p> <ul style="list-style-type: none"> <li>o ensuring information gained as a Board member is only applied to proper purposes and is kept confidential;</li> <li>o confidential information received by a Board member in the course of exercising their duties should not be disclosed unless the disclosure has been authorised by the Board; or the person from whom the information is provided; or is required by law.</li> </ul> <p><i>Use the position appropriately</i> – This includes:</p> <ul style="list-style-type: none"> <li>o not using the position as a Board member to seek an undue advantage for yourself, family members or associates, or to cause detriment to the Board;</li> <li>o declining gifts or favours that may cast doubt on your ability to apply independent judgement as a member of the <i>Board</i></li> </ul> <p><i>Exercise due care, diligence and skill</i> – This includes:</p> <ul style="list-style-type: none"> <li>o ascertaining all relevant information;</li> <li>o making reasonable enquiries;</li> <li>o understand the financial, strategic and other implications of decisions.</li> </ul> <p><i>Demonstrate leadership and stewardship.</i></p>
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### National Board functions

Under the National Law, board members are required to act impartially and in the public interest in the exercise of their functions and to put the public interest before the interests of particular health practitioners or any entity that represents health practitioners.

The functions of a National Board are set out in s.35 of the National Law and include:

- developing standards, codes and guidelines for the relevant health profession
- negotiating and agreeing (with AHPRA) the terms of a health professional agreement (which includes the national registration fee for the profession)
- providing advice to the Australian Health Workforce Ministerial Council (AHWMC) on issues relating to the national registration and accreditation scheme for the health profession

- registering practitioners and students in the relevant health profession \* (note prior to 1 July 2012, this will involve working with existing State and Territory registration authorities and other relevant stakeholders to effect the smooth transition of health practitioners into NRAS)
  - investigating notifications and complaints (with the exception of NSW) \*
  - where necessary, conducting panel hearings and refer serious matters to Tribunal hearings \*
  - assessing overseas trained practitioners who wish to practise in Australia (where relevant) \*
  - approving accreditation standards and accredited courses of study \*
- \* *As relevant to national registration for the four professions which takes effect from 1 July 2012*
- \*\* *In NSW, responsibility for complaints investigation rests with the NSW Health Care Complaints Commission and the NSW Health Profession Councils*

### **Relationship with the Australian Health Practitioner Regulation Agency (AHPRA)**

National Boards are supported by AHPRA. AHPRA has a National office based in Melbourne and offices in every State and Territory to support local boards and committees.

### **Size and composition**

The AHWMC determined the size and composition and made appointments to the initial 10 National Boards in August 2009.

The current National Boards comprise of 9 or 12 members. The 12 person boards provide for practitioner members from each of the eight jurisdictions to be members of these boards.

The 9 person boards include at least one member from each of the large participating jurisdictions as defined in s.33(11) of the National Law (NSW, Queensland, South Australia, Victoria and Western Australia); and at least one member from among the small participating jurisdictions as defined in s.33(11) of the National Law (ACT, Northern Territory or Tasmania).

It is anticipated that two of the four National Boards will need to have specific requirements to reflect an appropriate mix of practitioner member knowledge and expertise:

- Practitioner member requirements specific to the Chinese Medicine Board of Australia  
Under the National Law, there are 3 Divisions of the National Register of Chinese Medicine Practitioners that reflects the three distinct scopes of practice to be regulated by the National Board. Based on the proposal that the 9 person Chinese Medicine Board consists of 6 practitioner members —practitioner member composition will need to be spread across: Acupuncturists, Chinese herbal medicine practitioners, and (if possible) Chinese herbal dispensers.
- Practitioner member requirements specific to the Medical Radiation Practice Board of Australia  
Under the National Law, there are 3 Divisions of the National Register of Medical Radiation Practitioners that reflects the three distinct scopes of practice to be regulated by the National Board. Based on the proposal that the 9 person Medical Radiation Practice Board consists of 6 practitioner members –practitioner member composition will need to be spread across: diagnostic radiographers, nuclear medicine technologists, radiation therapists.

Submissions have been invited on the proposed size and composition of each of the four National Boards, which also closes on Friday, 8 April 2011.

**Attachment 2: Extract from the *Health Practitioner Regulation National Law Act (the National Law)***

***Objectives and guiding principles of the National Law***

**Section 3** of the National Law as follows:

- (1) The object of this Law is to establish a national registration and accreditation scheme for:
  - (a) the regulation of health practitioners; and
  - (b) the registration of students undertaking:
    - (i) programs of study that provide a qualification for registration in a health profession; or
    - (ii) clinical training in a health profession.
- (2) The objectives of the national registration and accreditation scheme are:
  - (a) to provide for the protection of the public by ensuring that only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered; and
  - (b) to facilitate workforce mobility across Australia by reducing the administrative burden for health practitioners wishing to move between participating jurisdictions or to practise in more than one participating jurisdiction; and
  - (c) to facilitate the provision of high quality education and training of health practitioners; and
  - (d) to facilitate the rigorous and responsive assessment of overseas-trained health practitioners; and
  - (e) to facilitate access to services provided by health practitioners in accordance with the public interest; and
  - (f) to enable the continuous development of a flexible, responsive and sustainable Australian health workforce and to enable innovation in the education of, and service delivery by, health practitioners.
- (3) The guiding principles of the national registration and accreditation scheme are as follows:
  - (a) the scheme is to operate in a transparent, accountable, efficient, effective and fair way;
  - (b) fees required to be paid under the scheme are to be reasonable having

regard to the efficient and effective operation of the scheme;

- (c) restrictions on the practice of a health profession are to be imposed under the scheme only if it is necessary to ensure health services are provided safely and are of an appropriate quality.

***Special transitional arrangements (qualifications) for the appointment of practitioner members to the inaugural 4 national boards***

**302 Application of Law to appointment of first National Board for relevant professions**

Despite section 34(2), a person is eligible for appointment as a practitioner member of the first National Board for a relevant health profession if the person —

- (d) is registered in the profession under a law of a participating jurisdiction; or
- (e) holds a qualification that entitles the person to registration in the profession under a law of a participating jurisdiction; or
- (f) is otherwise eligible to apply for or hold registration in the profession under the law of a participating jurisdiction.

Note: ***relevant health profession*** means —

- (a) Aboriginal and Torres Strait Islander health practice; or
- (b) Chinese medicine; or
- (c) Medical radiation practice; or
- (d) Occupational therapy.

***National Board members – appointment and membership***

The following sections of the National Law set out the legislative requirements for appointment of National Board members:

**33 Membership of National Boards**

- (1) A National Board is to consist of members appointed in writing by the Ministerial Council.
- (2) Members of a National Board are to be appointed as practitioner members or community members.
- (3) Subject to this section, the Ministerial Council may decide the size and composition of a National Board.
- (4) At least half, but not more than two-thirds, of the members of a National Board must be persons appointed as practitioner members.

- (5) The practitioner members of a National Board must consist of—
- (a) at least one member from each large participating jurisdiction; and
  - (b) at least one member from a small participating jurisdiction.
- (6) At least 2 of the members of a National Board must be persons appointed as community members.
- (7) At least one of the members of a National Board must live in a regional or rural area.
- (8) A person cannot be appointed as a member of a National Board if the person is a member of the Agency Management Committee.
- (9) One of the practitioner members of the National Board is to be appointed as Chairperson of the Board by the Ministerial Council.
- (10) Schedule 4 sets out provisions relating to a National Board.
- (11) In this section—
- large participating jurisdiction** means any of the following States that is a participating jurisdiction—
- (a) New South Wales;
  - (b) Queensland;
  - (c) South Australia;
  - (d) Victoria;
  - (e) Western Australia.
- small participating jurisdiction** means any of the following States or Territories that is a participating jurisdiction—
- (a) the Australian Capital Territory;
  - (b) the Northern Territory;
  - (c) Tasmania.

### 34 Eligibility for appointment

- (1) In deciding whether to appoint a person as a member of a National Board, the Ministerial Council is to have regard to the skills and experience of the person that are relevant to the Board's functions.
- (2)\* A person is eligible to be appointed as a practitioner member only if the person is a registered health practitioner in the health profession for which the Board is established.

**\* Note: the special transitional arrangements (qualifications) of s.302 of the National Law override this criterion for the**

### **first appointments to the four National Boards only**

- (3) A person is eligible to be appointed as a community member of a National Board only if the person—
  - (a) is not a registered health practitioner in the health profession for which the Board is established; and
  - (b) has not at any time been registered as a health practitioner in the health profession under this Law or a corresponding prior Act.
- (4) A person is not eligible to be appointed as a member of a National Board if—
  - (a) in the case of appointment as a practitioner member, the person has ceased to be registered as a health practitioner in the health profession for which the Board is established, whether before or after the commencement of this Law, as a result of the person's misconduct, impairment or incompetence; or
  - (b) in any case, the person has, at any time, been found guilty of an offence (whether in a participating jurisdiction or elsewhere) that, in the opinion of the Ministerial Council, renders the person unfit to hold the office of member.

The following clauses in **Schedule 4 of the National Law** are also relevant to the appointment of National Board members:

### 2 Terms of office of members

Subject to this Schedule, a member holds office for the period (not exceeding 3 years) specified in the member's instrument of appointment, but is eligible (if otherwise qualified) for reappointment.

### 3 Remuneration

A member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Ministerial Council may from time to time determine with respect to the member.

### 4 Vacancy in office of member

- (1) The office of a member becomes vacant if the member—
  - (a) completes a term of office; or

- (b) resigns the office by instrument in writing addressed to the Chairperson of the Ministerial Council; or
  - (c) is removed from office by the Chairperson of the Ministerial Council under this clause; or
  - (d) is absent, without leave first being granted by the Chairperson of the Board, from 3 or more consecutive meetings of the National Board of which reasonable notice has been given to the member personally or by post; or
  - (e) dies.
- (2) The Chairperson of the Ministerial Council may remove a member from office if—
- (a) the member has been found guilty of an offence (whether in a participating jurisdiction or elsewhere) that, in the opinion of the Chairperson of the Ministerial Council, renders the member unfit to continue to hold the office of member; or
  - (b) the member ceases to be a registered health practitioner as a result of the member's misconduct, impairment or incompetence; or
  - (c) the member ceases to be eligible for appointment to the office that the member holds on the National Board; or
  - (d) the member becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with member's creditors or makes an assignment of the member's remuneration for their benefit; or
  - (e) the National Board recommends the removal of the member, on the basis that the member has engaged in misconduct or has failed or is unable to properly exercise the member's functions as a member.

## 5 Vacancies to be advertised

- (1) Before the Ministerial Council appoints a member of a National Board, the vacancy to be filled is to be publicly advertised.
- (2) The National Agency may assist the Ministerial Council in the process of appointing members of a National Board, including in the advertising of vacancies.

- (3) It is not necessary to advertise a vacancy in the membership of a National Board before appointing a person to act in the office of a member.

**Note.** The general interpretation provisions applicable to this Law under section 6 confer power to appoint acting members of a National Board.

## 6 Extension of term of office during vacancy in membership

- (1) If the office of a member becomes vacant because the member has completed the member's term of office, the member is taken to continue to be a member during that vacancy until the date on which the vacancy is filled (whether by reappointment of the member or appointment of a successor to the member).
- (2) However, this clause ceases to apply to the member if—
  - (a) the member resigns the member's office by instrument in writing addressed to the Chairperson of the Ministerial Council; or
  - (b) the Chairperson of the Ministerial Council determines that the services of the member are no longer required.
- (3) The maximum period for which a member is taken to continue to be a member under this clause after completion of the member's term of office is 6 months.

The following clauses in **Schedule 7 of the National Law** are relevant to the appointment of all board members:

### 27 Acting appointments

- (1) If this Law authorises a person or body to appoint a person to act in an office, the person or body may, in accordance with this Law, appoint—
  - (a) a person by name; or
  - (b) a particular officer, or the holder of a particular office, by reference to the title of the office concerned;
 to act in the office.
- (2) The appointment may be expressed to have effect only in the circumstances

- specified in the instrument of appointment.
- (3) The appointer may—
- (a) determine the terms and conditions of the appointment, including remuneration and allowances; and
  - (b) terminate the appointment at any time.
- (4) The appointment, or the termination of the appointment, must be in, or evidenced by, writing signed by the appointer.
- (5) The appointee must not act for more than 1 year during a vacancy in the office.
- (6) If the appointee is acting in the office otherwise than because of a vacancy in the office and the office becomes vacant, then, subject to subclause (2), the appointee may continue to act until—
- (a) the appointer otherwise directs; or
  - (b) the vacancy is filled; or
  - (c) the end of a year from the day of the vacancy;
- whichever happens first.
- (7) The appointment ceases to have effect if the appointee resigns by writing signed and delivered to the appointer.
- (8) While the appointee is acting in the office—
- (a) the appointee has all the powers and functions of the holder of the office; and
  - (b) this Law and other laws apply to the appointee as if the appointee were the holder of the office.
- (9) Anything done by or in relation to a person purporting to act in the office is not invalid merely because—
- (a) the occasion for the appointment had not arisen; or
  - (b) the appointment had ceased to have effect; or
  - (c) the occasion for the person to act had not arisen or had ceased.
- (10) If this Law authorises the appointer to appoint a person to act during a vacancy in the office, an appointment to act in the office may be made by the appointer whether or not an appointment has previously been made to the office.
- 28 Powers of appointment imply certain incidental powers**
- (1) If this Law authorises or requires a person or body to appoint a person to an office—
- (a) the power may be exercised from time to time as occasion requires; and
  - (b) the power includes—
    - (i) power to remove or suspend, at any time, a person appointed to the office; and
    - (ii) power to appoint another person to act in the office if a person appointed to the office is removed or suspended; and
    - (iii) power to reinstate or reappoint a person removed or suspended; and
    - (iv) power to appoint a person to act in the office if it is vacant (whether or not the office has ever been filled); and
    - (v) power to appoint a person to act in the office if the person appointed to the office is absent or is unable to discharge the functions of the office (whether because of illness or otherwise).
- (2) The power to remove or suspend a person under subclause (1)(b) may be exercised even if this Law provides that the holder of the office to which the person was appointed is to hold office for a specified period.
- (3) The power to make an appointment under subclause (1)(b) may be exercised from time to time as occasion requires.
- (4) An appointment under subclause (1)(b) may be expressed to have effect only in the circumstances specified in the instrument of appointment.