



AUSTRALIAN  
PHYSIOTHERAPY  
ASSOCIATION

# NATIONAL ADVISORY COUNCIL REGULATIONS

2017

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# National Advisory Council regulations

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## PART A - INTERPRETATIONS

### Regulation 1—Power to make regulations

- 1.1 These NAC regulations are made pursuant to clause 41 of the Constitution.
- 1.2 Except for NAC regulation 2, if any NAC regulation is inconsistent with a clause of the Constitution, the Constitution applies to the extent of the inconsistency.

### Regulation 2—Definitions

- 2.1 The following words have these meanings in these NAC regulations unless the contrary intention appears:

**APA Student Network:** the group of members who are not physiotherapists but are enrolled in an entry level physiotherapy program in Australia.

**Association:** the Australian Physiotherapy Association ACN 004 265 150.

**Australian College of Physiotherapists:** the group of members who are also members of the Australian College of Physiotherapists.

**Branch Council:** the committee responsible to the Board for the strategic oversight of matters relating to a respective Branch.

**College Council:** the committee responsible to the Board for the strategic oversight of matters relating to the Australian College of Physiotherapists.

**Committee:** a group of members elected or appointed to govern the respective group of members under the Constitution or the Association's regulations and includes any:

- (a) Branch Council;
- (b) National group National Committee;
- (c) State Chapter Committee;
- (d) Branch Regional Group Committee;
- (e) Australian College of Physiotherapists; or
- (f) other committee established by the Board.

**Constitution:** the Association's constitution.

**Elections Policy:** the Association's regulations specifying the process of elections.

**Fellow:** a physiotherapist who has fulfilled the requirements for, and been awarded, fellowship of the Australian College of Physiotherapists.

**NAC:** the Association's National Advisory Council.

**NAC Chairperson:** a person appointed as a NAC chairperson in accordance with the Office Bearer Regulations.

**NAC meeting:** a meeting of the NAC.

**NAC meeting agenda:** the agenda for a NAC meeting.

**NAC meeting summary notes:** the document prepared pursuant to NAC regulation 6.19.

**NAC Regulations:** these regulations including any schedules.

**NAC representative:** a person appointed to be a NAC representative pursuant to NAC Regulation.

**NAC representative's group:** the group of members that elected or appointed the respective NAC representative and alternate NAC representative.

**NAC working parties:** a group of people recommended by the NAC, and approved by the Board, to complete intensive work on a specific topic for a defined period.

**National President:** the President of the Association.

**National Group National Committee:** a committee responsible to the Board for the strategic oversight of matters relating to their respective National Group.

**Objects:** the objects of the Association set out in the Constitution.

**Office Bearer Regulations:** the Association's regulations for its office bearers.

**Physiotherapy assistant group:** the group of members who have completed a Board-approved accredited training program or qualification.

**Rural Members Council:** the group of members who live outside urban areas.

**Voting NAC representatives:** the people entitled to vote at NAC Meetings.

- 2.2 All words used in these NAC regulations have the same meaning and interpretation as the corresponding words used in the Constitution unless indicated otherwise.

## PART B - NATIONAL ADVISORY COUNCIL

### Regulation 3—National Advisory Council

#### NAC role

- 3.1 The primary role of the NAC is to be an advisory and communication body to the Board on all matters relating to the physiotherapy profession and the Association.

#### NAC responsibilities

- 3.2 The NAC must:
- (a) undertake a periodic review of any current policies applying to the Association's membership and recommend any proposed amendments or new policies to the Board;
  - (b) discuss and make recommendations to the Board on any policy issues related to the Association's public position;
  - (c) raise with the Board any issues of concern to any NAC Representative's Group or the members;

- (d) provide advice to the Board on any issue referred to it by the Board; and
- (e) undertake a periodic self-review of its effectiveness and processes.

### NAC composition

3.3 The NAC will consist of the chairperson or President from each of the following groups:

- (a) Branches;
- (b) National Groups;
- (c) the Australian College of Physiotherapists;
- (d) the Rural Members Council;
- (e) the Aboriginal and Torres Strait Islander Health Committee;
- (f) the National Professional Standards Panel;
- (g) the Journal of Physiotherapy; and
- (h) the APA Student Network; and

3.4 The Directors are not members of the NAC but:

- (a) may attend any NAC Meeting; and
- (b) may take part in any deliberations of the NAC.

## Regulation 4—NAC representatives

### Powers of the NAC

4.1 The NAC has the power to:

- (a) develop guidelines, advice and recommendations as requested by the Board on all matters relating to the physiotherapy profession and the Association;
- (b) recommend to the Board the establishment of any NAC working parties;
- (c) participate in the election of Directors pursuant to the Constitution; and
- (d) govern the operations of the NAC in accordance with the Constitution and NAC regulations.

### Responsibilities of NAC representatives

4.2 Each NAC representative must:

- (a) attend meetings of the committee of the NAC representative's group, for example Branch Council, College Council or NG-NC.
- (b) ensure that matters proposed by the committee of the NAC representative's group are submitted to the CEO in accordance with NAC Regulation 6.6;
- (c) consult with the committee of the NAC representative's group on matters listed in the NAC agenda;
- (d) actively and accurately represent the views of the NAC representative's group to the NAC;
- (e) when voting on motions put to the NAC, follow any direction of the committee of the NAC representative's group;
- (f) report promptly to the committee of the NAC representative's group on the outcome of discussions and resolutions of each NAC meeting;
- (g) comply with any directions of the NAC chairperson to participate in any NAC working parties; and
- (h) if they know they will be absent from the position for any period, immediately give notice of the period of absence to the:
  - (i) NAC Chairperson;
  - (ii) CEO; and
  - (iii) Committee of the NAC representative's group.

## NAC Voting

- 4.3 Each NAC representative is entitled to one (1) vote.
- 4.4 The Directors are not entitled to vote on any motions considered by the NAC.
- 4.5 Any NAC resolutions are passed if more than 50 per cent of voting NAC representatives vote in favour of the resolution.
- 4.6 The NAC Chairperson has a second or casting vote if the vote on any resolution is tied.

## Appointment of NAC representative

- 4.7 If the Chairperson or President of the group of members is unable to fulfil the duties of the NAC representative, then an alternate NAC representative may be appointed.
- 4.8 The committee of the group of members must give the NAC chairperson and CEO notice of any person appointed as an alternate NAC representative.

## Term of appointment of NAC representative

- 4.9 In accordance with the office bearer regulations, the term of office of the NAC representative is aligned with the term served as chair or president of their respective group.

## Regulation 5—NAC Chairperson

### Eligibility for NAC Chairperson

- 5.1 The NAC Chairperson must be:
  - (a) a voting NAC representative who has served on the NAC for a period of at least 12 Months immediately prior to the closing date for nomination; or
  - (b) a current member of a Branch Council who has served on that Branch Council for a period of at least 12 months immediately prior to the closing date for nomination; or
  - (c) a current member of a National Group National Committee who has service on that National Group National Committee for a period of at least 12 months; or
  - (d) an office bearer of a Branch Council or National Group National Committee who has served as an office bearer on that Branch Council or National Group National Committee for a period of at least two years in the five years immediately prior to the closing date for nominations.

## Regulation 6—NAC meetings

### Calling of NAC meetings

- 6.1 The NAC must meet at the times specified by the Board.
- 6.2 The CEO must give at least twenty one (21) days written notice to each NAC representative of any NAC meetings called under NAC regulations 6.1.
- 6.3 A notice under NAC regulation 6.2 must include:
  - (a) the date of the meeting;
  - (b) the time of the meeting;
  - (c) if the meeting is face to face, the place of the meeting; and,

- (d) if the meeting is to be held in two or more places, the form of technology that will be used to facilitate the meeting.

### Method of NAC meetings

- 6.4 A NAC meeting may be held using any form of technology that allows all NAC representatives at the meeting to hear, and be heard, or to participate in discussion (including, without limitation, telephone, computer and telephone link and transcript communication).

### Business of NAC meetings

- 6.5 The scope of business of any NAC meeting must reflect the Association's broad strategic and policy direction.

### Submission of items for inclusion in NAC meeting agenda

- 6.6 The following people may, by written notice to the NAC Chairperson or the delegated staff thirty (30) days prior to the date of the NAC meeting, request items to be included in the NAC meeting agenda:
  - (a) Any NAC representative;
  - (b) the committee of any NAC representative's group;
  - (c) any NAC working party;
  - (d) the Board;
  - (e) the National President and;
  - (f) the Chief Executive Officer.
- 6.7 A request under NAC regulation 6.6 must be accompanied by a form coversheet developed in accordance with Association including:
  - (a) a description and short discussion of the subject matter;
  - (b) any recommendation or text of a motion for consideration by the NAC;
  - (c) a list of any members and groups of members consulted in the preparation of the request;
  - (d) the name of the person or people authorised under NAC regulation 6.6 to submit the request; and
  - (e) the date of the request, and signature and contact details of the principal author.

### Determination of items for inclusion in the NAC agenda

- 6.8 Subject to NAC regulation 6.9, the NAC chairperson must, in consultation with the CEO, determine the items for inclusion on the NAC meeting agenda.
- 6.9 The NAC Chairperson may exclude from the NAC meeting agenda any matter that:
  - (a) does not fall within the scope of NAC regulation 6.5; or
  - (b) does not comply with NAC regulations 6.6 and 6.7.

### Distribution of the NAC meeting agenda

- 6.10 The CEO must send the NAC meeting agenda and all submitted documentation to each NAC representative at least fourteen (14) days prior to the respective NAC meeting.

### Quorum at NAC meeting

- 6.11 The quorum at any NAC meeting is more than fifty (50 per cent) of all voting NAC representatives.
- 6.12 No resolution may be passed at a NAC meeting unless a quorum is present.
- 6.13 Subject to NAC regulation 6.12, a NAC meeting may proceed if a quorum is not present.

- 6.14 If a NAC meeting proceeds when a quorum is not present, the NAC Chairperson may, during the NAC meeting, direct the CEO to, within seven (7) days of the conclusion of the NAC meeting, circulate any motion to each voting NAC representative for their consideration.

### Chairing of NAC meetings

- 6.15 The NAC Chairperson is chair of every NAC meeting.
- 6.16 If, at any NAC meeting:
- (a) there is no NAC Chairperson;
  - (b) the NAC Chairperson is not present within ten (10) minutes after the time scheduled for commencing the meeting; or
  - (c) being present, the NAC Chairperson is unwilling to chair the NAC meeting,
- then the voting NAC representatives must choose one of the voting NAC representatives to chair that NAC meeting.

### Resolution outside NAC meeting

- 6.17 A written resolution signed by more than 50 per cent of all voting NAC representatives is valid and effective as if it had been passed at a NAC meeting.
- 6.18 A resolution under NAC regulation 6.17 may consist of several documents of like form, each one signed by one or more voting NAC representatives.

### NAC meeting summary notes

- 6.19 The CEO must prepare and distribute NAC meeting summary notes to each NAC representative and the Board within fourteen (14) days of the conclusion of the NAC meeting.
- 6.20 The NAC representative must report promptly to the committee of the NAC representative's group of members on the outcome of discussion and resolutions of each NAC meeting.