



AUSTRALIAN
PHYSIOTHERAPY
ASSOCIATION

OFFICE BEARERS REGULATIONS

2017

Contents

PART A - INTERPRETATIONS

Regulation 1—Power to make regulations	3
Regulation 2—Definitions	3

PART B - CHAIRPERSON

Regulation 3—Election of Chairperson	5
Regulation 4—Responsibilities of Chairperson	5
Regulation 5—Term of office of Chairperson	5
Regulation 6—Resignation of Chairperson	5
Regulation 7—Removal of Chairperson	5
Regulation 8—Cessation of Chairperson	5
Regulation 9—Casual Vacancy of Chairperson	6

PART C - DEPUTY CHAIRPERSON

Regulation 10—Election of Deputy Chairperson	6
Regulation 11—Responsibility of Deputy Chairperson	6
Regulation 12—Term of office of Deputy Chairperson	6
Regulation 13—Resignation of Deputy Chairperson	6
Regulation 14—Removal of Deputy Chairperson	7
Regulation 15—Cessation of Deputy Chairperson	7
Regulation 16—Casual vacancy of Deputy Chairperson	7
Regulation 17—NAC representative	7

Office bearer regulations

PART A - INTERPRETATION

Regulation 1—Power to make regulations

- 1.1 These Office Bearer Regulations are made pursuant to clause 43 of the Constitution.
- 1.2 Except for Office Bearer Regulation 2, if any Office Bearer Regulation is inconsistent with a clause of the Constitution, the Constitution will apply to the extent of the inconsistency.

Regulation 2—Definitions

- 2.1 The following words have these meanings in this document unless the contrary intention appears:

Association: the Australian Physiotherapy Association ACN 004 265 150.

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

Branch Regional Group: any members within a region that has been approved by the Board and established by a Branch Council as a regional group pursuant to the Branch Regulations.

Branch Regulations: the Association's regulations for the Branches.

Branch Regional Group Committee: a Committee responsible to the respective Branch Council for the operational management of their BRG.

Chairperson: any person elected or appointed as chair of any committee in accordance with these Office Bearer Regulations and includes:

- (a) Branch Council President;
- (b) National Group National Committee Chairperson;
- (c) State Chapter Committee Chairperson;
- (d) Branch Regional Group Committee Chairperson or;
- (e) any Chairperson of other committee(s) established by the Board.

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; or
- (e) other committee established by the Board.

Committee member: a person elected or appointed to a position on any committee in accordance with these Office Bearer Regulations.

Committee meeting: a meeting of any Committee pursuant to the Meeting Regulations.

Constitution: the Association's constitution.

Deputy Chairperson: a person elected or appointed as deputy chair of the respective committee in accordance with these Office Bearer Regulations and includes:

- (a) Branch Council Deputy President;
- (b) National Group National Committee Deputy Chairperson;
- (c) State Chapter Committee Deputy Chairperson;
- (d) Branch Regional Group Committee Deputy Chairperson or;
- (e) any Deputy Chairperson of other committee(s) established by the Board.

Meeting Regulations: the Association's regulations for meetings.

NAC: the Association's National Advisory Council.

NAC Regulations: the Association's regulations for the NAC.

NAC Representative: a person appointed as a NAC representative in accordance with the NAC Regulations.

National Group: any group of members in an area of physiotherapy practice established by the Board.

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

National Group Regulations: the Association's regulations for the National Groups.

Nominations and Elections Policy: the Association's policy specifying the process of nominations and elections.

Office Bearer Regulations: these regulations including any schedules.

State Chapter: any chapter of a National Group established by a National Group National Committee pursuant to the National Group Regulations.

State Chapter Committee: a Committee responsible to the respective National Group National Committee for the strategic oversight of their respective State Chapter.

Voting member: a person entitled to vote at meetings of the respective Committee pursuant to the Meeting Regulations.

- 2.2 All words used in these Office Bearer Regulations will have the same meaning and interpretation as those corresponding words used in the Constitution unless indicated otherwise.

PART B – CHAIRPERSON

Regulation 3—Election of Chairperson

- 3.1 Each committee must elect one of its voting members to be its Chairperson in accordance with the Nominations and Elections Policy.

Regulation 4—Responsibilities of Chairperson

- 4.1 Each Chairperson must:
- (a) oversee the conduct of the ordinary business of the respective committee; and
 - (b) promote and uphold the role and responsibilities of the respective committee; and
 - (c) be the NAC representative for committees with NAC representation.

Regulation 5—Term of Office of Chairperson

- 5.1 Except in relation to a Chairperson elected to fill a casual vacancy, each Chairperson's term:
- (a) commences on 1 January of the year after the date they are elected; and
 - (b) ceases two (2) years after the date their term commenced unless they cease to be the Chairperson of the respective Committee earlier in accordance with these Office Bearer Regulations.
- 5.2 A person may only be elected as Chairperson of the respective committee for a maximum of two (2) terms.
- 5.3 A person, after serving two (2) terms as Chairperson, is not eligible to be elected or appointed as Chairperson of the respective Committee for at least two (2) years after the date their term as Chairperson ends, subject to their term eligibility of being a voting member on the respective committee.

Regulation 6—Resignation of Chairperson

- 6.1 Each Chairperson may resign at any time by giving written notice of their resignation and the date of their resignation to:
- (a) respective committee members; and
 - (b) any person authorised by the Chief Executive Officer to receive such a notice.
- 6.2 Any person who resigns under Office Bearer Regulation 6.1 ceases to be Chairperson of the respective Committee from the resignation date specified in their resignation notice.

Regulation 7—Removal of Chairperson

- 7.1 Each Committee may, by resolution of 75 per cent of the voting members, remove their Chairperson at any time subject to the approval of the CEO.
- 7.2 The Board may, in its sole discretion, remove any Chairperson at any time.

Regulation 8—Cessation of Chairperson

- 8.1 A person immediately ceases to be Chairperson of the respective committee if they:
- (a) cease to be a voting member of the respective committee for any reason;
 - (b) are elected or appointed as the Chairperson of any other committee;
 - (c) die or their estate is liable to be dealt with in any way under the laws relating to mental health;
 - (d) are absent, without reasonable excuse or the consent of the respective committee members,

- from three (3) consecutive meetings of the respective committee;
- (e) are found guilty of an offence of professional misconduct; or
- (f) are removed from office.

Regulation 9—Casual vacancy of Chairperson

- 9.1 If there is a casual vacancy in the position of Chairperson, the respective committee must immediately elect one of its voting members to fill the casual vacancy.
- 9.2 Any person elected as Chairperson under Office Bearer Regulation 9.1 will hold office until the expiry of the term of the position they filled.
- 9.3 For the purposes of Office Bearer Regulation 5.2, any person elected to fill a casual vacancy under Office Bearer Regulation 9.1 is deemed to have served a full term, unless the vacancy is less than one (1) year.

PART C – DEPUTY CHAIRPERSON

Regulation 10—Election of Deputy Chairperson

- 10.1 Subject to the Association's regulations, each committee that includes a Deputy Chairperson(s) must elect one (or two) of its voting members to be its Deputy Chairperson(s) in accordance with the Nominations and Elections Policy.

Regulation 11—Responsibility of Deputy Chairperson

- 11.1 Each Deputy Chairperson must assist and deputise in the absence of the respective Chairperson.

Regulation 12—Term of Office of Deputy Chairperson

- 12.1 Except in relation to any Deputy Chairperson elected to fill a casual vacancy, each Deputy Chairperson's term:
 - (a) commences on 1 January of the year after the date they are elected; and
 - (b) ceases two (2) years after the date their term commenced unless they cease to be a Deputy Chairperson earlier in accordance with these Office Bearer Regulations.
- 12.2 Subject to Office Bearer Regulation 16.3, a person may only be elected as Deputy Chairperson of the respective Committee for a maximum of two (2) terms.
- 12.3 Subject to any limit on consecutive terms as a voting member of the respective committee pursuant to the Association's Regulations, a person, after serving two (1) terms as Deputy Chairperson, may be elected or appointed as a voting member of the respective committee or as Chairperson.

Regulation 13—Resignation of Deputy Chairperson

- 13.1 Any Deputy Chairperson may resign at any time by giving written notice of their resignation and the date of their resignation to:
 - (a) respective committee members; and
 - (b) any person authorised by the Chief Executive Officer to receive such a notice.
- 13.2 Any person who resigns under Office Bearer Regulation 13.1 ceases to be Deputy Chairperson of the respective Committee from the resignation date specified in their resignation notice.

Regulation 14—Removal of Deputy Chairperson

- 14.1 Each Committee may, by resolution of 75 per cent of the voting members, remove their Deputy Chairperson at any time subject to the approval of the CEO.
- 14.2 The Board may, at its sole discretion, remove any Deputy Chairperson at any time.

Regulation 15—Cessation of Deputy Chairperson

- 15.1 A person immediately ceases to be a committee Deputy Chairperson if they:
- (a) cease to be a voting member of the respective committee for any reason;
 - (b) are elected or appointed as Chairperson of the respective committee or any other committee;
 - (c) die or their estate is liable to be dealt with in any way under the laws relating to mental health;
 - (d) are absent, without reasonable excuse or the consent of the respective committee members, from three (3) consecutive committee meetings;
 - (e) are found guilty of an offence of professional misconduct; or
 - (f) are removed from office.

Regulation 16—Casual vacancy of Deputy Chairperson

- 16.1 If there is a casual vacancy in any position of Deputy Chairperson, the respective Committee must immediately elect one of its voting members to fill the casual vacancy.
- 16.2 Any person elected as the Deputy Chairperson under Office Bearer Regulation 16.1 will hold office until the expiry of the term of the position they filled.
- 16.3 For the purposes of Office Bearer Regulation 12.2, any person elected to fill a casual vacancy under Office Bearer Regulation 16.1 is deemed to have served a full term, unless the vacancy is less than one (1) year.

Regulation 17—NAC representative

- 17.1 Subject to the NAC Regulations, each Chairperson is the NAC representative for committees with NAC representation.
- 17.2 Each NAC representative must comply with the NAC Regulations.