



# APA Committee Regulations

Includes Australian College of Physiotherapists (ACP) College Council, ACP Standing Committees, National Groups, State Chapters and Branches.

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## PART A – INTERPRETATION

### Regulation 1: Interpretation

#### Power to Make Regulations

1.1 These Committee Regulations are made pursuant to clause 43.1 of the Constitution.

Except for Regulation 1.3 if any Committee Regulation is inconsistent with a clause of the Constitution, the Constitution will apply to the extent of the inconsistency.

#### Definitions

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

**ACP** means the Australian College of Physiotherapists.

**ACP Australian College of Physiotherapists Council (ACP College Council)** means the group of members who provide strategic oversight on education programs and professional development that contribute to the lifelong learning needs of the career pathways of physiotherapists with Standing Committees of, Fellowship Pathways, Complaints, Grievances and Appeals, Assessment and Credentialing, and Standards and Quality Programs.

**ACP Appeals Complaints and Grievances Standing Committee (ACGSC) Panel** means the group convened as per regulation 10.1(a) to investigate and determine any appeals, complaints or grievances received as part of the Australian College of Physiotherapists.

**ACP Assessment and Credentialing Standing Committee (ACSC)** means the committee of members who provide advice on the attainment of competence for credentialed programs.

**ACP Education Standards and Quality Standing Committee (ESQSC)** means the committee of members who provide advice on the Standards, Physiotherapy Competence Framework and quality assurance of the programs.

**ACP Fellowship Pathways Standing Committee (FPSC)** means the committee of members who provide advice on the development, implementation, policies and procedures, maintenance, currency and delivery of Milestone three (3) and Four (4) programs.

**ACP Member** means a financial Titled member or financial Fellow of the ACP.

**APA Board** means the APA Board of Directors, referred to as ‘the Board’ in these regulations.

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

**Association's Code of Conduct** means the code of conduct published by the Association from time to time.

**Advisory Panel** is a group convened to address ongoing matters formed by a Standing Committee or entity as approved by the CEO. Advisory Panels are not subject to Part K of these regulations.

**Board of Censors (BoC)** is the Advisory Panel responsible for the oversight, monitoring and progression of Registrars through the Specialisation Training Program (STP).

**Board of Examiners (BoE)** is the Advisory Panel responsible for the oversight, monitoring, ratification and development of the Specialisation Final Examination.

**Branch** means a group of members in a geographic area as defined in Section 43 of the APA Constitution.

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

**Branch Council Committee Member** means a person elected or appointed to a Branch Council Committee.

**Career Pathway** means the framework of quality assured coursework, mentoring and research with clearly defined optional assessment points as described in the Competence Framework and the Education Framework documentation.

**Chair** means any chair of any committee, elected or appointed in accordance with the Association's Office Bearer Regulations. The Chair of the ACP College Council and each Branch Council is known as 'President'.

**Chief Executive Officer (CEO)** means the Chief Executive Officer of the Australian Physiotherapy Association or their delegate.

**Committee** means a group of Members elected or appointed in accordance with the Office Bearer Regulations to govern the respective objective of Members under clause 43 of the Constitution or the Association's regulations and includes:

- Australian College of Physiotherapists College Council
- ACP College Standing Committees
- National Group Committees
- State Chapter Committees
- Branch Councils
- Other Committees and entities established by the Board.

**Committee Meeting** means a meeting of any committee pursuant to the Meeting Regulations.

**Committee Member** means a person who is elected or appointed to a Standing Committee, Working Party, College or Branch Council, National Group Committee, State Chapter Committee or entity in accordance with the Association's Nominations and Elections Policy.

**Committee Regulations** mean the Association's regulations for the committees of the Australian College of Physiotherapists, its Working Parties, Panels and Education Standards and Quality.

**Constitution** means the Association's Constitution.

**Delegate** means any person elected or appointed as a Delegate of the respective committee to a relevant World Physio Subgroup pursuant to these Regulations.

**Deputy Chair** means the deputy chair of any committee elected or appointed in accordance with the Office Bearer Regulations. A Deputy Chair of the ACP College Council and each Branch Council is known as 'Deputy President'. Note: the terminology 'Vice President' may also be used interchangeable with 'Deputy President.'

**Entity** means a group of members as approved by the APA Board.

**Ex-officio** a member of a body who holds the role as a result of their status or another position that they hold.

**Fellow of the College** means a person who has fulfilled the requirements for Fellowship of the Australian College of Physiotherapists.

**Meeting Regulations** means the Association's regulations for meetings.

**Milestone three (3) and four (4)** as defined in the competence framework.

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

**NAC Regulations** mean the Association's regulations for the NAC.

**NAC Representative** means a person elected or appointed as a NAC Representative in accordance with the NAC Regulations.

**National Chair** means the Chair of the APA Board.

**National Group Member** means any person approved as a member of the respective National Group pursuant to these Regulations.

**National Group Committee** means a Committee who advises on scheduling, content and implementation of professional development events relating to their respective National Group.

**National President** means the President of the APA.

**National Professional Standards Panel** means the Association's National Professional Standards Panel.

**Objects** means the Objects of the Association set out in the Constitution.

**Office Bearer** means any director, Chair, and deputy Chair elected in accordance with Part K of these regulations.

**Office Bearer Regulations** mean the Association's Regulations for Office Bearers.

**Recent Graduate** means a physiotherapist less than 5 years post registration.

**State Chapter** means any chapter of a National Group established by a National Group Committee pursuant to these Regulations.

**Voting Member** means a person entitled to vote at meetings of the respective committee pursuant to the Meeting Regulations.

**World Physiotherapy is the Operating name of the World Confederation of Physical Therapy (WCPT)**

**World Physiotherapy (WCPT) Subgroup** means any subgroup approved and confirmed by the WCPT from time to time.

**Working Party** means a group formed by a committee or entity for a defined period to achieve a specific goal as approved by the CEO. Formation of a Working Party is not subject to Part K of these regulations.

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

## PART B – OFFICE BEARERS AND COMMITTEE MEMBERS

### Regulation 2: Chair, Deputy Chair and Committee Members

- 2.1 Each Committee must elect one of its Voting Members to be its Chair in accordance with Part K of these regulations, except for the case of ACP Standing Committees, whereby the ACP College Council will appoint one of its members to the position of Chair for each Standing Committee. This is in alignment with Committee Regulation 2.26
- 2.2 Each Chair must:
- (a) Oversee the conduct of all business of the respective Committee; and promote and uphold the role and responsibilities of the respective Committee.
  - (b) Fulfil the role of the NAC representative for committees with NAC representation.
- 2.3 Except in relation to a Chair elected to fill a casual vacancy, each Chair'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 Chair of the respective Committee earlier in accordance with these Committee Regulations.
- 2.4 A person may only be elected or appointed as Chair of the respective Committee for a maximum of two (2) consecutive terms.
- 2.5 A person, after serving consecutive two (2) terms as Chair is not eligible to be elected or appointed as Chair of the respective Committee for at least two (2) years after the date their term, including any ex-officio term, ends.

### Resignation of Chair

- 2.6 A Chair 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.
- 2.7 Any person who resigns under Committee Regulation 2.6 ceases to be Chair, of the respective Committee from the resignation date specified in their resignation notice.

### **Removal of Chair**

- 2.8 Each Committee may, by resolution of 75% of the voting members, remove their Chair, at any time subject to the approval of the CEO.
- 2.9 The Board may, in its sole discretion, remove any Chair, at any time.

### **Cessation of Chair**

- 2.10 A person immediately ceases to be Chair, 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 Chair 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.

### **Casual vacancy of Chair**

- 2.11 If there is a casual vacancy in the position of Chair, the respective Committee must fill the vacancy from within the committee. If no suitable candidate is available the vacancy will be filled in accordance with Part K of these regulations.
- 2.12 Any person elected as Chair will hold office until the expiry of the term of the position they filled.
- 2.13 For the purposes of this regulation, any person elected to fill a casual vacancy is deemed to have served a full term, unless the vacancy is less than one (1) year.

### **Deputy Chair**

- 2.14 Each Committee that includes a Deputy Chair(s) must elect one (or two) of its Voting Members to be its Deputy Chair(s) in accordance with the Part K of these regulations.
- 2.15 The Deputy Chair must assist and deputise in the absence of the respective Chair.
- 2.16 Except in relation to a Deputy Chair elected to fill a casual vacancy, each Deputy Chair'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 Deputy Chair of the respective Committee earlier in accordance with these Committee Regulations.

2.17 A person may only be elected or appointed as a Deputy Chair of the respective Committee for a maximum of two (2) consecutive terms. If the Deputy Chair is not then elected to the role of Chair they are not eligible to be elected or appointed to the respective Committee for at least two (2) years.

### **Resignation of Deputy Chair**

2.18 A Deputy Chair 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.

2.19 Any person who resigns under Committee Regulation 2.18 ceases to be Deputy Chair of the respective Committee from the resignation date specified in their resignation notice.

### **Removal of Deputy Chair**

2.20 Each Committee may, by resolution of 75% of the voting members, remove its Deputy Chair at any time subject to the approval of the CEO.

2.21 The Board may, in its sole discretion, remove any Deputy Chair at any time.

### **Cessation of Deputy Chair**

2.22 A person immediately ceases to be Deputy Chair 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 Chair 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.

### **Casual vacancy of Deputy Chair**

- 2.23 If there is a casual vacancy in the position of Deputy Chair the respective Committee must fill the vacancy from within the committee. However, if no candidate is available the vacancy will be filled in accordance with Part B and Part K of these regulations.
- 2.24 Any person elected as, Deputy Chair will hold office until the expiry of the term of the position they filled.
- 2.25 For the purposes of this regulation, any person elected to fill a casual vacancy is deemed to have served a full term, unless the vacancy is less than one (1) year.

### **Australian College of Physiotherapists Standing Committee Chair**

- 2.26 ACP College Council will appoint one of its members to the position of Chair for each Standing Committee.
- 2.27 Standing Committee Chair Appointments may be reviewed annually by ACP College Council.
- 2.28 The term of each Standing Committee Chair will not extend beyond their ACP College Council term.

### **Committee Members**

- 2.29 Any Member is eligible for election in accordance with Part K of these regulations.
- 2.30 Except in relation to the appointment of a person to fill a casual vacancy, each Committee Member's term:
- (a) Commences on 1 January of the year after the date they are elected; and
  - (b) Ceases three (3) years after the date their term commenced unless they cease to hold the position earlier in accordance with these Committee Regulations.
  - (c) A person may only be elected to the respective Committee for two (2) consecutive terms.
  - (d) A person, after serving two (2) consecutive terms as a Committee Member, is not eligible to be elected or appointed as a member of the respective Committee for at least two (2) years after the date their two (2) consecutive terms, including any ex-officio term, ends.

### **Resignation of Committee Member**

- 2.31 A Committee Member 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.
- 2.32 Any person who resigns under Committee Regulation 2.31 ceases to be a Committee Member of the respective Committee from the resignation date specified in their resignation notice.

### **Removal of Committee Member**

- 2.33 Each Committee may, by resolution of 75% of the voting members, remove its Committee Member at any time subject to the approval of the CEO.
- 2.34 The Board may, in its sole discretion, remove any Committee Member at any time.

### **Cessation of Committee Member**

- 2.35 A person immediately ceases to be a Committee Member of the respective Committee if they:
- (a) Cease to be a Voting Member of the respective Committee for any reason
  - (b) Die or their estate is liable to be dealt with in any way under the laws relating to mental health
  - (c) Are absent, without reasonable excuse or the consent of the respective Committee Members, from three (3) consecutive meetings of the respective Committee
  - (d) Are found guilty of an offence of professional misconduct; or
  - (e) Are removed from office.

### **Casual vacancy of Committee Member**

- 2.36 If there is a casual vacancy in the position of a Committee Member, the respective Committee must advise the membership of a vacant position and call for nominations in accordance with Part K of these regulations.
- 2.37 Any person elected as a Committee Member will hold office until the expiry of the term of the position they filled.
- 2.38 For the purposes of this regulation, any person elected to fill a casual vacancy is deemed to have served a full term, unless the vacancy is less than one (1) year.

### **Ex-officio Committee positions**

- 2.39 The National President and the National Chair is an ex-officio member of all Committees.
- 2.40 Any Committee may, subject to the approval of the Board, appoint any other ex-officio positions to the respective Committee for a term determined by the Committee but not exceeding two (2) years. Ex-officio positions have no voting rights.
- 2.41 The APA endorsed world physiotherapy subgroup delegate is an ex officio to the respective APA national group committee and terms are in accordance with 2.30 of the APA committee regulations.

### **Regulation 3: Chair, Deputy Chair and Committee member nominations and voting Pool**

- 3.1 Any member whose primary postal address is in a geographic area as defined in section 43 of the Constitution is eligible for election or appointment to their respective Branch Committee in accordance with Part K of these regulations.
- 3.2 Any Member of a National Group is eligible for election or appointment to their respective State Chapter Committee in accordance with Part K of these regulations.
- 3.3 Any member of the Australian College of Physiotherapists is eligible for election or appointment to the College Council subject to Regulation 9.1 and in accordance with Part K of these regulations.

## PART C – CHIEF EXECUTIVE OFFICER RESPONSIBILITIES

### Regulation 4: Staff

- 4.1 The CEO will engage the appropriate level of staff to ensure the management of the committees and their roles and responsibilities are fulfilled.
- 4.2 The CEO must ensure any person engaged under Committee Regulation 4.1 is accountable to the CEO and responsible for the management of the respective committee for the conduct of the ordinary business of the respective committee.
- 4.3 The CEO may appoint a staff member as an ex-officio member of any committee of the Association.
- 4.4 The CEO is responsible for managing all operations of the Association.

### Regulation 5: Member Lists

- 5.1 The CEO must ensure:
  - (a) The name, contact details, category of membership, respective branch and state chapter, and other particulars determined by the Board from time to time, for all members of the Association are maintained on the Association's national database in accordance with membership procedures and data entry requirements
  - (b) The Association keeps a register of individual member progression in the Career Pathway, certified at each level of the Career Pathway, inclusive of Titling, pathways to Fellowship and any other relevant credentialing
  - (c) Access to personal information collected and stored under Regulation 5.1(a) and Regulation 5.1(b) is restricted in accordance with the requirements of relevant privacy legislation and the Association's policies
  - (d) Information collected and stored under Regulation 5.1(a) and Regulation 5.1(b) is only circulated to any third party external to the Association if consented by the member and in accordance with the requirements of relevant privacy legislation and the Association's policies
  - (e) Any member may use the designated credential that has been conferred in accordance with the policies and procedures of the Australian College of Physiotherapists.

### **Regulation 6: Meetings**

- 6.1 All meetings of Committees and entities will be conducted in accordance with the Meeting Regulations. All appointments will be made in accordance with Part K of these regulations.

### **Regulation 7: Establishment of Working Parties and Advisory Panels**

- 7.1 The CEO will approve the establishment of all Working Parties and Advisory Panels, subject to clause 43 of the Constitution.

## **PART D – AUSTRALIAN COLLEGE OF PHYSIOTHERAPISTS COLLEGE COUNCIL**

### **Regulation 8: Australian College of Physiotherapists College Council Role and Responsibilities**

- 8.1 The Australian College of Physiotherapists (ACP) College Council (CC) reports to the Association's Board of Directors.
- 8.2 The primary role of the Australian College of Physiotherapists College Council is to assist the Association to achieve its objectives, through the provision of leadership, communication, representation, and services to all its Members and to:
- (a) Provide strategic direction for the Australian College of Physiotherapists cognisant of all stakeholders, the changing healthcare environment and community expectations
  - (b) Provide recommendations, advice and guidance on credentials awarded at highly developed and expert levels of the Physiotherapy Competence Framework
  - (c) Provide advice on fellowship programs
  - (d) Report to the Association's Board on the outcome of reviews, appeals and provide an annual Activity Plan
  - (e) Delegate functions to monitor and review the activities of Standing Committees
  - (f) Minimise risk in the activities of the College, and contribute to the Association's risk matrices on specific activities
  - (g) Develop effective relationships between the Association, the Physiotherapy community, universities, and all sectors and stakeholders
  - (h) Ratify examination and assessment outcomes
  - (i) Approve the outcome of individual Appeal panels
  - (j) Provide advice on marketing campaigns and collateral
  - (k) Provide leadership in developing policy and advocacy strategies for the College Council
  - (l) Promote opportunities for use of technological advances in improving access to, or delivery of training programs
  - (m) Monitor and develop rigour in the activities of the College through vigilant quality improvement processes

## **Regulation 9: Composition of the Australian College of Physiotherapists College Council**

### 9.1 Composition of the ACP College Council:

- (a) The ACP College Council will consist of a minimum of six (6) and a maximum of eleven (11) voting members including a President and up to two (2) Vice Presidents elected in accordance with Part K of these regulations
- (b) The ACP Council will have up to six (6) Fellows and three (3) Titled members of the ACP and two (2) other persons that meet the eligibility criteria
- (c) The ACP President and Vice Presidents are not permitted to chair a standing committee without the approval of the CEO
- (d) The ACP President must be a Fellow of the ACP
- (e) At all times the ratio composition should be maintained where possible, as per 9.1 b.

### 9.2 Nominations for ACP College Council:

- (a) Nominations will be sought by the College Council based on the vacancy at time of elections.



## **PART E – AUSTRALIAN COLLEGE OF PHYSIOTHERAPISTS STANDING COMMITTEES AND ADVISORY PANELS**

### **Regulation 10: ACP Standing Committees Role and Responsibilities**

10.1 There will be four (4) Standing Committees reporting to the ACP College Council:

(a) Appeals Complaints and Grievances Standing Committee (ACGSC)

The role of the Appeals, Complaints and Grievances Standing Committee is to review alleged appeals, complaints and grievances pertaining to admissions, Titling and Specialisation Training programs.

(b) Assessment and Credentialing Standing Committee (ACSC)

The role of ACP ACSC is to provide strategic and operational oversight of all assessment and credentialing requirements for ACP Titling and Fellowship pathways, including the appointment, training and education of examiners and assessors.

(c) Fellowship Pathways Standing Committee (FPSC)

The role of the ACP FPSC is to provide strategic and operational oversight of all ACP Titling and Fellowship pathways.

(d) Education Standards and Quality Standing Committee (ESQSC).

The role of the ESQSC is to provide strategic oversight, advice and guidance on the quality and standards of ACP career pathways and associated activities to ensure quality assurance, continuous improvement and risk management.

In addition to the Standing Committees, the Australian College of Physiotherapists includes the:

(e) Board of Censors (BoC)

The Board of Censors (BoC) is the Advisory Panel responsible for the oversight, monitoring and progression of Registrars through the Specialisation Training Program (STP). The BoC reports to the Fellowship Pathways Standing Committee (FPSC) and makes recommendations with regarding removal, if a Registrar is not making

satisfactory progress, and on matters related to the STP including readiness to sit the final examination; and

(f) Board of Examiners (BoE)

The role of the Board of Examiners (BoE) is to oversee the assessment procedures and processes across the Specialisation Training Program (STP) including on-boarding, training and education of Examiners, engaged in the (STP).

Each Standing Committee, in conjunction with the Board of Censors and the Board of Examiners, abides by their individual Terms of Reference.

### Composition

10.2 Each Standing Committee Chair will be appointed by ACP College Council. Unless otherwise stated in these regulations, each Standing Committee will consist of a:

- (a) Minimum of six (6) and a maximum of eleven (11) voting members, including the Chair.

## PART F – NATIONAL GROUPS

### Regulation 11: Rights of Members of National Groups

11.1 Any Member may apply for concurrent membership of one (1) or more National Groups.

### Regulation 12: National Groups Role, Responsibilities and Composition

12.1 The National Groups report to the APA Board of Directors.

#### Role

12.2 The National Group National Committee of each National Group will:

- (a) Assist the Association to achieve its objects, through the provision of leadership, communication, representation and services to all members within the National Group's area of expertise
- (b) The role of each National Group is performed by the respective National Group National Committee and the State Chapters of the respective National Group.

#### Responsibilities

12.3 The National Group National Committee, subject to approval by the CEO, has responsibility to:

- (a) Exercise any powers the Board or College may delegate to it
- (b) Establish State Chapters of the National Group
- (c) Remove any State Chapter after consultation with the respective Branch Council and State Chapter Committee
- (d) Subject to approval by the CEO, establish Working Parties
- (e) Participate in the election of Directors pursuant to the Constitution
- (f) Support the APA professional development delivery strategy
- (g) Review professional development data
- (h) Provide advice on a national approach to the location and timing of current or new courses in the annual professional development schedule
- (i) Ensure State Chapters are providing support to meet all deliverables of the PD calendar

- (j) Provide advice on suggested physiotherapy workforce requirements, topics, content, courses, workshops or presenters for consideration by the ACP Group Career Pathway Development Working Parties
- (m) Provide other advice and assistance as required
- (n) Make recommendations for improvements and innovations.

## Composition

12.4 Each National Group National Committee will consist of a minimum of six (6) and a maximum of eleven (11) members, one (1) of whom will act as chair elected in accordance with Part B of these regulations. Membership will include:

- (a) The respective National Group National Committee Chair
- (b) No more than two (2) respective National Group National Committee Deputy Chair(s)
- (c) The respective State Chapter Chair according to these Committee Regulations
- (d) Any ex-officio positions of the respective National Group National Committee pursuant to these Committee Regulations.

## Regulation 13: National Group Delegate to World Physio (WP) subgroup

13.1 Any National Group National Committee may endorse one member of the respective National Group to be the APA endorsed World Physiotherapy subgroup delegate to any relevant WP Subgroup in accordance with Part K of these regulations and meet eligibility criteria as set by the CEO.

- (a) The APA endorsed world physiotherapy sub group criteria is as below:
  - be a current APA financial member for a period of no less than 12 months
  - be a current financial member of the APA national group for which you are nominating
  - have been on the respective national group committee within the last 5 years and for a period of more than 12 months
  - be endorsed by the APA national group committee to represent them
- (b) The APA endorsed world physiotherapy sub group Delegate is expected to communicate regularly with their respective National Group National Committee on key issues arising from the WP subgroup.

- (c) The APA endorsed world physiotherapy sub group delegate may nominate and fulfil a role on the respective world physiotherapy sub group executive and continue to fulfil the role of the APA endorsed world physiotherapy sub group delegate on the subgroup committee.

#### **Regulation 14: Term of office of APA endorsed World Physiotherapy subgroup Delegate to World Physio subgroup**

- 14.1 Except in relation to the appointment of a National Group Delegate to fill a casual vacancy, the National Group Delegate's term:
- (a) Commences on 1 January of the year after the date they are elected and is based on the specific terms and regulations of the relevant WP subgroup.

## PART G – STATE CHAPTER COMMITTEES

### Regulation 15: State Chapter Committees Role, Responsibilities and Composition

15.1 Each State Chapter Committee reports to the National Group National Committee.

#### Responsibilities

15.2 Each State Chapter Committee will:

- (a) Support and consult with its respective National Group National Committee
- (b) Liaise with the respective Branch Council(s) and other Committees within the respective Branch
- (c) Provide leadership, communication, representation, and services within the respective Group's area of expertise to its State Chapter Members
- (d) Exercise any powers the respective National Group National Committee may delegate to its State Chapter Committees from time to time
- (e) Support the Association's professional development delivery strategy
- (f) Review professional development data as required
- (g) Provide feedback on the location and timing of current or new courses in the annual professional development schedule
- (h) Provide and allocate course convenors and (where required) tutors to courses in their respective states in a fair and transparent manner
- (i) Assist to locate appropriate venues for courses
- (j) Provide advice on suggested physiotherapy requirements, topics, content, courses or presenters for consideration by the ACP Education Standards and Quality Standing Committee
- (k) Facilitate appropriate, high quality lectures
- (l) Facilitate the digital capture of lectures where required
- (m) Provide other advice and assistance as required
- (n) Make recommendations for innovations and improvements.

## Composition

- 15.3 A State Chapter Committee will consist of a maximum of eleven (11) voting members, one (1) of whom will act as chair elected in accordance with the APA Elections Policy. There will not be more than two (2) deputy Chairs.
- (a) Subject to these Committee Regulations, each State Chapter Committee may in its sole discretion, determine its size whenever the term of any Voting Member of the respective State Chapter Committee term ceases
  - (b) Each National Group National Committee Chair is an ex-officio member of the respective State Chapter Committee
  - (c) Each Branch Council President is an ex-officio member of any State Chapter Committees within their Branch
  - (d) Any State Chapter Committee may, subject to the approval of the National Group National Committee, appoint any other ex-officio positions to the respective State Chapter Committee.

## **PART H – FORMING NEW NATIONAL GROUPS AND WORKING PARTIES**

### **Regulation 16: Forming New Groups and Working Parties**

- 16.1 The Board, at its sole discretion, may establish a National Group or Working Party without an alternate application to another committee or Working Party.
- 16.2 The Board's decision on whether a National Group application under Committee Regulation 22.1 is approved as final and binding.
- 16.3 Any group of members may establish a Working Party subject to Part C of these regulations.



## PART I – BRANCHES

### Regulation 17: Branch Role and Responsibilities

#### Role

- 17.1 Assist the Association to achieve its Objects, through the provision of leadership, communication, representation, and services to all Members within the respective Branch.
- 17.2 The role of each Branch is performed by:
- (a) Its Branch Council
  - (b) Any Branch Regional Groups of the respective Branch
  - (c) Staff appointed under Part B of these Regulations.

#### Responsibilities

- 17.3 Subject to any directions of the Board, each Branch must, in the performance of its role:
- (a) Uphold and promote the Association's policies, procedures, and guiding principles
  - (b) Participate in the Association's strategic planning and policy development
  - (c) Implement the Association's strategic goals
  - (d) Communicate and collaborate effectively with other Committees, Entities and Working Parties within the Association
  - (f) Manage its resources effectively and efficiently
  - (g) Provide to all Members any services identified by the APA Board as core services
  - (h) Co-ordinate activities of the Association
  - (i) Support activities of any Branch Committees
  - (j) Support and assist other Branches
  - (k) Promote, coordinate and support Members' professional development
  - (l) Communicate the value and significance of physiotherapy to key target audiences

- (m) Build effective working relationships with key internal and external stakeholders
- (n) Refer appropriate matters to the National Professional Standards Panel
- (o) Identify, act and advocate on relevant issues and trends in the local health care environment
- (p) Promote professional standards and encourage Members to adhere to the Association's Code of Conduct

## PART J – BRANCH COUNCILS

### Regulation 18: Branch Council Role, Responsibilities and Composition

18.1 Branch Councils report to the APA Board of Directors.

#### Role and Responsibilities

18.2 Each Branch Council, subject to the directions of the CEO, will:

- (a) Exercise any powers the Board may delegate to the respective Branch Council
- (b) Participate in the election of Directors pursuant to the Constitution

#### Composition

18.3 Any Branch Council shall consist of a minimum of six (6) and a maximum of eleven (11) Voting Members, one (1) of whom will act as chair elected in accordance with Part B of these regulations. The membership will include:

- (a) A Branch President
- (b) Not more than two (2) Branch Vice Presidents
- (c) Any other Voting Members of the respective Branch Council elected or appointed pursuant to Part K of these regulations; and
- (d) Any ex-officio members of the respective Branch Council appointed pursuant to Part B of these regulations.

18.4 Subject to Regulation 18.3, each Branch Council may in its sole discretion, determine its size whenever the term of any respective Voting Member ceases.

18.5 Any Branch Council may, subject to the approval of the CEO appoint any other ex-officio members to the respective Branch Council for a term determined by the Branch Council but not exceeding two (2) years.

## PART K – APA ELECTIONS

### Regulation 19: Scope

19.1 Part K of these regulations applies to all staff, office bearers and committee members.

### Regulation 20: Election of Office Bearers and Committee members

20.1 The CEO must ensure that elections for office bearer and committee member positions are carried out in a fair and transparent manner:

- (a) Elections must be carried out in accordance with the constitution and regulations of the organisation
- (b) The Returning Officer is responsible for overseeing election procedures
- (c) All eligible members have the opportunity to participate fairly in elections for which they are eligible.

### Regulation 21: Accountability and Returning Officers

21.1 The following table establishes the current delegations for APA nominations and elections. This table will be reviewed and amended as required by the CEO at the commencement of the APA's annual election cycle:

Election	Returning Officer
Board Elections (including officers)	Chief Executive Officer
Board Committees	Chief Executive Officer
Branch Council	Branch Manager
National Group Committee (all)	Manager – Operations
National Professional Standards Panel	Chief Executive Officer
Journal of Physiotherapy	Journal of Physiotherapy Manager
Australian College of Physiotherapists College Council	Head ACP or delegate
Fellowship Pathways Standing Committee	Head ACP or delegate
Assessment and Credentialing Standing Committee	Head ACP or delegate
Education Standards and Quality Standing Committee	Head ACP or delegate
Appeals, Complaints and Grievances Standing Committee	Head ACP or delegate
APA endorsed world physiotherapy subgroup delegate	Branch/National Group Manager
Other	Chief Executive Officer

## Regulation 22: Entities

22.1 The election / appointment of members to the following bodies must be made in accordance with Part K of these regulations

- (a) All Branch Councils
- (b) All National Group committee
- (c) National Professional Standards Panel
- (d) Journal of Physiotherapy Editorial Board
- (e) ACP College Council
- (f) ACP College Council Standing committees
- (g) APA endorsed world physiotherapy subgroup delegate

## Regulation 23: Specified Election timeframes

23.1 All elections will be:

- (a) Conducted by 30 November for positions vacant in the following year
- (b) Conducted in accordance with regulation 24
- (c) APA endorsed world physiotherapy sub group delegate conducted in accordance with World Physiotherapy election guidelines.

## Regulation 24: Conduct of Election

24.1 Election of office bearers and committee members will be conducted as follows:

- (a) The election of office bearers and committee members for the following year will take place no later than the 1<sup>st</sup> December in each year, in accordance with this policy. The election of office bearers and committee members will be conducted by the incumbent committee, with the exception of regulation 2.26. This will not apply to the Board of Directors.
- (b) Nominations will be called by the Returning Officer in September – October each year and be open for 21 days.
- (c) In the event the number of nominations is equal to or less than the number of positions to be filled the member/s so nominated requires majority support of the nominated entity to be elected.
- (d) In the event there are insufficient nominations to fill all vacant positions, eligible members may later be appointed to the positions as if they were casual vacancies.

- (e) In the event of there being more nominations than vacancies to be filled, a ballot will be conducted.
- (f) In the event of 24.1(e) being in effect, the Returning Officer will provide a ballot electronically to each member who is entitled to vote at least 21 days before the election date.
- (g) The closing date for the election will be clearly notified on the ballot which must be delivered by the closing date.
- (h) The election will be conducted in accordance with the preferential voting system.
- (i) The results of the election will be communicated to the candidates and the Chair of the relevant body.
- (j) After the ballot is closed the Returning Officer will notify all candidates and the Chair of the entity of the result.
- (k) Under exceptional circumstances an election result may be overturned at the discretion of the Board of Directors.

### **Regulation 25: Preferential voting system**

25.1 In the event nominations received outnumber the vacancies to be filled a secret ballot will be conducted among eligible voters present, or by ballot in accordance with the following procedures:

- (a) Candidates' names will appear on the ballot paper in the order randomly drawn by the Returning Officer
- (b) Members entitled to vote will record the numeral one (1) against the candidate of their first choice, two against their second choice, and so forth down to the candidate of their last choice who will receive the highest numeral vote and therefore the lowest value
- (c) For a vote to be valid, an eligible member must vote for all candidates in numerical sequence as described above
- (d) The result of a ballot is determined by the Returning Officer declaring elected the candidate(s) with the lowest total vote(s)
- (e) In the event of a tied total the Returning Officer will determine the result of the ballot on a count-back system i.e., the candidate with the highest number of number one votes will be declared the winner. If there is still a tie, number two votes are "counted-back". If necessary, number three, four etc. until one candidate is a clear winner.

- 25.2 In the event the vote is still tied after the procedure described above has been carried out, the Returning Officer may determine the result of the ballot by other means approved by the Board; or by calling a new election.
- 25.3 Appeals against any declaration or ruling by a Returning Officer will be directed to the Board whose decision, subject to Corporations Law, will be final.

## PART L – APA COMMITTEE VALUES AND COMMITMENT

### Regulation 26: Committee Values

- 26.1 Part L of these regulations applies to all Staff, Committee members and Office bearers.
- (a) The APA insists on honesty and integrity in all the dealings of its representatives, including Staff, Committee members and Office Bearers.
  - (b) Staff, Committee members and Office bearers shall never take any course of action that would bring into disrepute or otherwise disadvantage the APA, or any part thereof
  - (c) Staff, Committee members and Office bearers must act in good faith, in the APA's and the profession's best interests, and in accordance with the policies and procedures relating to their role
  - (d) The APA values are Accountability, Excellence, Collaboration, Courage and Respect. Staff, Committee members and Office bearers are expected not to contravene the values of the APA
  - (e) To maintain membership of the committee, a Committee Member or Office bearer must be of good standing, comply with the APA Code of Conduct, and have no conditions placed on their registration, nor current adverse findings by the regulator or a civil authority.

### Regulation 27: Grounds for Disciplinary Action

- 27.1 The APA Board may take disciplinary action against a Committee Member in accordance with these Committee Regulations if it is determined that the member has failed to comply with any or all of these Regulations.

### Regulation 28: Removal of a Chair, Deputy Chair or Committee Member

- 28.1 Each Committee may, by resolution of 75% of the voting members, remove their Chair, Deputy Chair or a Committee Member at any time subject to the approval of the CEO.
- 28.2 The Board in its sole discretion, may remove any Chair, Deputy Chair or a Committee Member at any time.



### **Regulation 29: Disputes**

- 29.1 The Chair of the committee will endeavour to proactively resolve issues related to the performance or conduct of a committee member, and if unsuccessful, the matter must be referred to the CEO.