



VETERINARY PRACTITIONERS BOARD
AUSTRALIAN CAPITAL TERRITORY

Quorum policy

Content	ACT Veterinary Practitioners Board – Quorum Policy	Date
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1.0 Purpose

This is an internal Board policy.

This policy outlines the process for when the ACT Veterinary Practitioners Board (the Board) is unable to reach quorum in certain circumstances.

This Policy ensures that the Board can continue to make decisions as required under the **Veterinary Practice Act 2018** (the Act).

2.0 Existing legislative provisions

The Board is established and governed by the Act. The Act prescribes the functions of the Board including the membership and quorum requirements. According to Section 100, the requirements for quorum are:

1. At least four members must be present; and
2. At least 1 of the 4 members are the President or Deputy President. Where the President or Deputy President is absent, an interim Deputy President can be appointed.

2.1 Veterinary Practice Act 2018

Reference	Description
Section 100	(1) Business may be carried on at a meeting of the board only if— (a) at least 4 members are present; and (b) at least 1 of the 4 members mentioned in paragraph (a) is the president or deputy president. (2) However, a quorum may still be formed if— (a) neither the president nor deputy president is present; and (b) at least 4 members are present; and (c) the members present agree to appoint a member to preside over the meeting. Examples—par (a) • both the president and deputy president are on leave • the president cannot be present because of a conflict of interest and the deputy president is on leave.
Section 108	(1) The board may delegate a function to— (a) a board member; or (b) the registrar; or (c) a committee of the board; or (d) anyone else the board considers appropriate. Note For the making of delegations and the exercise of delegated functions, see the Legislation Act, pt 19.4. (2) The board must not delegate the board's decision-making power under any of the following: (a) section 60 (Board may dismiss certain complaints); (b) section 61 (Decision on completion of investigation); (c) section 62 (Indication that offence committed); (d) section 65 (Application to ACAT for occupational discipline).

3.0 Reaching quorum

3.1 Due to absence

Should quorum not be possible due to both the President and Deputy President being absent, the following process will be followed:

1. The Board discusses who to appoint as interim Deputy President;
2. The Board votes to appoint a member as interim Deputy President; and
3. The outcome is noted in the minutes.

That person is to assume the role of Deputy President for the duration of the meeting that both the President and Deputy President are absent.

3.2 Due to conflict

A conflict of interest, or potential conflict of interest, must be declared in line with the Conflict of Interest Policy.

Should quorum not be possible due to both the President and Deputy President having a conflict of interest, the following process will be followed:

1. The President and Deputy President will each explain their conflict;
2. The remaining Board members will discuss what mitigating strategies are required with reference to the Conflict of Interest Policy;
3. If both the President and the Deputy President are to be recused or restricted from the decision making process and quorum can still be met, the Board discusses who to appoint as interim Deputy President;
4. The Board votes to appoint a member as interim Deputy President; and
5. The outcome is noted in the minutes.

Should quorum not be possible due to multiple conflicts of interest within the Board and it is appropriate to delegate the decision under the Act, the Board may make a decision to delegate the decision.

If the Board cannot delegate the matter under the Act, for example making a decision on completion of an investigation, the following process will be followed:

1. The complaint investigation will be undertaken by the Human Rights Commission (HRC);
2. The HRC will consider what mitigation strategies should be applied with reference to the Conflict of interest policy; and
3. If a quorum cannot be reached to enable the Board to make a decision, the Chair of the Animal Welfare Advisory Committee (AWAC) will be briefed on the matter and invited to undertake an independent assessment. The AWAC Chair's assessment and recommendations will then be provided to the Board to inform its consideration and decision-making.

4.0 Related policies

ACT Veterinary Practitioners Board - Conflict of Interest Policy.