

## Instrument of Delegation

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Delegation of National Board functions under the Health Practitioner Regulation National Law as in force in each State and Territory and Trans-Tasman Mutual Recognition Act 1997 to Committees of the Board and the Australian Health Practitioner Regulation Agency

### Preliminary

- 1.1 The Occupational Therapy Board of Australia (the '**Board**'), pursuant to s 37 of the National Law, resolved to delegate its functions as specified in this instrument of delegation ('**instrument**') on 22 August 2017.
- 1.2 This instrument is a complete record of the Board's resolution with respect to the delegation of its functions. The Board resolved to revoke all prior delegations on 22 August 2017.
- 1.3 The Board resolved to authorise the Chair of the Board to sign this instrument as evidence of the Board's decision to delegate its functions in compliance with Clause 29(3) to Schedule 7 of the National Law.

### Definitions

- 2.1 **National Law** means:
  - 2.1.1 the Health Practitioner Regulation National Law (Queensland) in Queensland
  - 2.1.2 the Health Practitioner Regulation National Law (ACT) in the Australian Capital Territory
  - 2.1.3 the Health Practitioner Regulation National Law (Victoria) in Victoria
  - 2.1.4 the Health Practitioner Regulation National Law (South Australia) in South Australia

- 2.1.5 the Health Practitioner Regulation National Law (NT) in the Northern Territory
- 2.1.6 the Health Practitioner Regulation National Law (Tasmania) in Tasmania
- 2.1.7 the Health Practitioner Regulation National Law (NSW) in New South Wales
- 2.1.8 the Health Practitioner Regulation National Law (Western Australia) in Western Australia.
- 2.2 **ACT** means the *Health Practitioner Regulation National Law (ACT)*
- 2.3 **NSW Act** means the *Health Practitioner Regulation National Law (NSW)*
- 2.4 **Qld Act** means the *Health Practitioner Regulation National Law (Qld)*
- 2.5 **SA Act** means the *Health Practitioner Regulation National Law (South Australia)*
- 2.6 **WA Act** means the *Health Practitioner Regulation National Law (Western Australia) Act 2010*
- 2.7 **Tas Act** means the *Health Practitioner Regulation National Law (Tasmania) Act 2010*
- 2.8 **Trans-Tasman Mutual Recognition Act** means the *Trans-Tasman Mutual Recognition Act 1997 (Cth)*.
- 2.9 To avoid doubt, any section cited in this instrument refers to the section in the National Law in force in each jurisdiction unless:
  - 2.9.1 the section is contained within Part 8 of the Health Practitioner Regulation National Law (NSW); or
  - 2.9.2 it is otherwise indicated by this instrument that the National Law specific to a particular participating jurisdiction applies; or
  - 2.9.3 it is otherwise indicated by this instrument that the section is in the Trans-Tasman Mutual Recognition Act.
- 2.10 **AHPRA** means the Australian Health Practitioner Regulation Agency, established by section 23 of the National Law.
- 2.11 **National Board (Board)** means the Occupational Therapy Board of Australia, established by the section 31 of the National Law.
- 2.12 **Participating jurisdiction** has the same meaning as in section 5 of the National Law.
- 2.13 **Registration and Notifications Committee** means the committee established by the Board pursuant to Clause 11 of Schedule 4 to the National Law constituted according to its terms of reference.
- 2.14 **Immediate Action Committee** means the committee established by the Board pursuant to Clause 11 of Schedule 4 to the National Law constituted according to its terms of reference.

- 2.15 **Appellable decision** has the same meaning as in section 199 of the National Law meaning:
- 2.15.1 a decision to refuse to register the person;
  - 2.15.2 a decision to refuse to endorse the person's registration;
  - 2.15.3 a decision to refuse to renew the person's registration;
  - 2.15.4 a decision to refuse to renew the endorsement of the person's registration;
  - 2.15.5 a decision to impose or change a condition on a person's registration or the endorsement of the person's registration, other than –
    - (i) a condition relating to the person's qualification for general registration in the health profession; and
    - (ii) a condition imposed by section 112(3)(a);
  - 2.15.6 a decision to refuse to change or remove a condition imposed on the person's registration or the endorsement of the person's registration;
  - 2.15.7 a decision to refuse to change or revoke an undertaking given by the person to the Board;
  - 2.15.8 a decision to suspend the person's registration.
- 2.16 **Relevant Event** means any health, performance or conduct notification action taken against the registrant in relation to an adverse disclosure on renewal of registration, new information returned on a criminal history check, a confirmed breach of restrictions, or where the practitioner has been the subject of action under Part 8 of the National Law or its equivalent in a co-regulatory jurisdiction. This includes receipt of any new notification irrespective of whether action was taken.

### Delegation of Board functions

- 3.1 Principles of delegation:
- 3.1.1 The purpose of this instrument is to allow the Board to discharge its functions as set out in s 35 of the National Law and the Trans-Tasman Mutual Recognition Act.
  - 3.1.2 To the extent that the Board's functions are capable of being delegated, the Board delegates its functions to AHPRA and the committees of the Board as set out below.
  - 3.1.3 A delegate may in the performance of a delegated function do anything that is incidental to the delegated function.

- 3.1.4 A delegation does not derogate from the power of the Board to act itself in the matter, so long as the delegate has not yet exercised the function or power.
- 3.1.5 A delegate may only exercise a function, or make a decision, subject to the limitations imposed on the delegated function. If the decision to be made is not within the limitation which applies to the delegated function, or the delegate is not sure what the decision should be, the delegate must not make the decision. The delegate may, however, make recommendations to the National Board or another delegate.
- 3.2 Powers and functions that have not been delegated by the Board are in Column C to Schedule 1.
- 3.3 The Board delegates to the Immediate Action Committee the following functions of the Board:
  - 3.3.1 The functions listed in Column D to Schedule 1, subject to the limitations (if any) in Column G to Schedule 1.
- 3.4 The Board delegates to the Registration and Notifications Committee the following functions of the Board:
  - 3.4.1 The functions listed in Column E to Schedule 1, subject to the limitations (if any) in Column G to Schedule 1.
  - 3.4.2 All functions delegated to the Immediate Action Committee
  - 3.4.3 All functions delegated to AHPRA.
- 3.5 The Board delegates to AHPRA the following functions of the Board:
  - 3.5.1 The provision of notice(s), whether or not expressly provided for in this instrument and whether from the Board or a committee of the Board, to any entity or person; and,
  - 3.5.2 The publishing of information on the website, whether or not expressly provided for in this instrument
  - 3.5.3 The functions listed in Column F to Schedule 1, subject to the limitations (if any) in Column G to Schedule 1.
  - 3.5.4 The functions listed in Column B to Schedule 2, subject to the limitations (if any) in Column D to Schedule 2.
  - 3.5.5 AHPRA may not exercise any function that is an appellable decision unless specified otherwise.

## Signature

As signed

**Julie Brayshaw**

Chair, Occupational Therapy Board of Australia

**Date:** 22 August 2017

## Schedule 1 – National Law delegations

### Accreditation functions

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
<b>Part 6 Accreditation</b>						
Div 3	Accreditation functions	47(1) 47(2) 47(6) 49(1) 49(2) 51(2)				

### Registration functions

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
<b>Part 7 Registration</b>						
Div 1	General registration	56		54		.
Div 2	Specialist registration	61		59		
Div 3	Provisional registration	64				
Div 4	Limited registration	72				
Div 5	Non-practising registration	76				
Div 6	Application for registration			78(1) 79	77(2) 78(1)	AHPRA to seek the approval of the Chair

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
				80(1)(a)(i) 80(1)(a)(ii) 80(1)(b) 80(1)(c) 80(1)(d) 80(1)(e) 80(2) 81(1) 82(1)(a) 82(1)(b) 82(1)(c) 83	79 80(1)(a)(i) 80(1)(a)(ii) 80(1)(b)  80(2) 81(1) 82(1)(a) 82(1)(c) 83 84 85	<p>of the Board (or a nominee of the Chair) when approving a form.</p> <p>AHPRA may only register an applicant if the applicant is: eligible, qualified, suitable and meets all requirements for registration in the applicable registration standards.</p> <p>Eligible means the applicant meets all the requirements in s 52 or 57 or 62 or 65 or 73.</p> <p>Qualified means the applicant meets the requirements in s 53(a), (c), (d) or has a qualification recognised by the Board as being equivalent to an approved qualification for the purpose of s 53(b), or a qualification recognised by the Board for the purposes of s 303(1)(a) or (b).</p>

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
						<p>Suitable means the applicant is not an unsuitable person within the meaning of s 55 or 60 or 63 or 70 or 74.</p> <p>AHPRA may only impose conditions on registration under s 83 if the applicant agrees to the proposed conditions; and,</p> <ol style="list-style-type: none"> <li>1. the conditions relate to supervision and refer to Board's approved supervision guidelines; or,</li> <li>2. the conditions relate to compliance with the English language registration standard</li> </ol> <p>AHPRA may not grant limited registration apart from:</p> <ol style="list-style-type: none"> <li>1. limited registration for the purposes of undertaking a Stage 3 Supervised Practice administered by the OTC.</li> </ol> <p>AHPRA is delegated the power to refuse an application for registration only in the</p>



A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
						following circumstances: <ul style="list-style-type: none"> <li>- the applicant has been given notice of a proposal to refuse registration under s.81; and</li> <li>- the applicant has not made any submissions in response to that notice, or has indicated that he or she agrees with the proposed refusal decision.</li> </ul>
Div 7/1	Student registration	87 88(4) 89(4)			88(1) 89(1)(a) 89(1)(b) 89(4)	An application must be in the form approved by the National Board
Div 7/2	Other persons				91(4)	An application must be in the form approved by the National Board
Div 7/3	General provisions re students				92(2)	An application must be in the form approved by the National Board
Div 8/1	Endorsement of registration – scheduled medicines	94				
Div 8/2	Endorsement for nurse practitioner	N/A	N/A	N/A	N/A	
Div 8/3	Endorsement for midwifery	N/A	N/A	N/A	N/A	

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
Div 8/4	Endorsement for acupuncture			97(1)		
Div 8/5	Endorsement for area of practice			98(1)		
Div 8/6	Application for endorsement			100(1) 101 102 103	99(2) 100(1)(a) 100(1)(b) 100(1)(c) 102(1)	<p>AHPRA to seek the approval of the Chair of the Board (or a nominee of the Chair) when approving a form.</p> <p>AHPRA is delegated the power to refuse an application for endorsement only in the following circumstances:</p> <ul style="list-style-type: none"> <li>- the applicant has been given notice of a proposal to refuse endorsement under s.101; and</li> <li>- the applicant has not made any submissions in response to that notice, or has indicated that he or she agrees with the proposed refusal decision.</li> </ul>
Div 9	Renewal of registration			110 (functions corresponding to	107(4)(a)	AHPRA to seek the approval of the Chair

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
				80(1)(a)(i) 80(1)(a)(ii) 80(1)(b) 80(1)(c) 80(1)(d) 80(1)(e) 80(2) 111(1) 112	110 (functions corresponding to 80(1)(a)(i) 80(1)(a)(ii) 80(1)(b) 80(1)(c) 80(2) 112(1) 112(3)	<p>of the Board (or a nominee of the Chair) when approving a form.</p> <p>AHPRA may only renew a practitioner's registration if s 111 does not apply, but does this not prevent AHPRA from imposing a new condition on registration.</p> <p>AHPRA is delegated the power to refuse an application for renewal of registration, or to impose a new condition on registration, only in the following circumstances:</p> <ul style="list-style-type: none"> <li>- the applicant has been given notice of a proposal to refuse renewal of registration, or to impose a new condition on registration, under s.111; and</li> <li>- the applicant has not made any submissions in</li> </ul>

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
						<p>response to that notice, or has indicated that he or she agrees with the proposed refusal decision or imposition of the new condition.</p> <p>In making a decision regarding renewal, AHPRA must have regard to any Board guidance or policy regarding the application of the Continuing Professional Development (CPD) Registration Standard.</p> <p>AHPRA may only renew limited registration for the purposes of undertaking a Stage 3 Supervised Practice administered by the OTC.</p>
Div 10	Title and practice protections					
Div 11/1	Certificate of registration				124	
Div 11/2	Review of conditions and undertakings		125(4) 125(5) 126(1)	125(4) 125(5) 126(1)	125(3) 125(4) 125(5)	AHPRA to seek the approval of the Chair of the Board (or a

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
			126(5) 127	126(5) 127	125(6) 126(2) 126(6) 127	<p>nominee of the Chair) when approving a form.</p> <p>Limited to those situations where the IAC had first decided to take the immediate action, and where the IAC is amending the conditions already imposed or undertakings entered into by the practitioner upon immediate action</p> <p>Delegation of s. 125(4) and (5) to AHPRA limited to matters where conditions were imposed in response to a breach of s. 133 (Advertising offences).</p> <p>AHPRA can only grant applications under s. 125(5) where the practitioner has:</p> <ul style="list-style-type: none"> <li>• complied with conditions on their registration regarding the breach of s.</li> </ul>

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
						<p>133 (re advertising); and</p> <ul style="list-style-type: none"> <li>• provided material to AHPRA to demonstrate that they clearly understand the advertising requirements in the National Law.</li> </ul> <p>If advertising is assessed as continuing to be non-compliant, a decision to refuse to remove the conditions remains with the Registration and Notification Committee, and is not delegated to AHPRA.</p> <p>AHPRA may only remove conditions once they have been complied with.</p> <p>s.125(7) sets out the contents of a notice to refuse to grant an application.</p>

A	B	C	D	E	F	G
Part and Division	Description of Division	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
Div 11/3	Obligations of registered health practitioners and students			129(2)	129(2) 132(1)	
Div 11/5	Boards powers to check identity and criminal history				134 135(1)	
Div 116	General				137	

### Notification functions

A	B	C	D	E	F	G
Part and Division	Description	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
<b>Part 8 Notifications</b>						
Div 1	Persons formerly registered under this Law					
Div 2	Mandatory Notifications					
Div3	Voluntary notifications					
Div4	Making a Notification					
Div 5	Preliminary assessment		149(1)(a), (b) and (c) (excl Qld Act)  150(1)(a) and (b) (Qld Act)	149(1)(a), (b) and (c) (excl Qld Act) 149(3) (excl Qld Act) 150 (excl Qld Act) 151 152 (excl Qld Act)	149(1)(a),(b),(c) (excl Qld Act) 149(3) (excl Qld Act) 150(excl Qld Act) 151(1)(e) (excl Qld Act) 152(excl Qld Act)	AHPRA may not decide that a notification/referred matter does not relate to a ground for a notification

A	B	C	D	E	F	G
Part and Division	Description	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
				150(1)(a) and (b) (Qld Act) 150(3) (Qld Act)	150(1)(a) and (b) (Qld Act) 150(3) (Qld Act)	Delegation of s. 151(1)(e) to AHPRA limited to situations where the Board's delegate and the health complaints entity ('HCE') have agreed that the HCE will deal with the subject matter of the notification, under s. 150(3).
Div 6	Other matters		153 154(2)	153 154(2)		
Div 7	Immediate action		156 157(3) 158(1)(b) 159(2)(b) & (c)	156 157(3) 158(1)(b) 159(2)(b) & (c)	157(1) 158(1)(a)	
Div 8	Investigations		160 161(4)	160 161(4)	160(1) 160(2) 161(1),(2),(3) & (4)  81(1) (SA Act)	Delegation of s 160(1) to AHPRA limited to situations where: - s 150(4) applies to require an investigation; or - where a notification is made to AHPRA or the Board without patient consent to obtain records relevant to the notification.
Div 8	Investigators				163 164(1)	
Div 8	Procedure after investigation			167 167(1) (ACT)	166(3) (ACT) 167(1) (ACT) 167(3) (ACT)	



A	B	C	D	E	F	G
Part and Division	Description	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
Div 9	Health and performance assessments		169 170	169 170 171 172 176(1)(b) 176(3) 177 (note: in Qld Act, s.177 applies subject to Div 12, Subdiv 1 of Part 8)	171(1) 175(2) (ACT) 177(1) (ACT) 177(2) (ACT) 177(4) (ACT)	AHPRA does not have the power to appoint performance assessors under s.171(1).
					172(1) 176(1)(a) 176(3)	AHPRA may only provide a copy of the report once the relevant committee has determined whether s176(1)(b) applies.
Div 10	Action by National Board			178 179	178(4) (ACT) 178(2)(c) 179(1) 179(2)(a) 180(1)	<p>AHPRA is limited to deciding to propose action to impose conditions that relate to an apparent breach of s. 133 (advertising offences).</p> <p>AHPRA is limited to proposing standard conditions in relation to apparent breaches of s. 133 (advertising offences).</p> <p>AHPRA may only decide to take no further action under s. 179(2)(a) in relation to apparent breaches of</p>

A	B	C	D	E	F	G
Part and Division	Description	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
						s. 133 (advertising offences).
Div 11	Panels	183		181 182 192	181(1) 182(1) 184(3) (ACT) 192(2)  192(2) 192(3A) (ACT)	AHPRA may only select persons to be on the panel and may not establish the panel.  AHPRA limited to maintaining the list of approved persons. AHPRA does not have power to approve people.  AHPRA to give notice at the direction of panel members  AHPRA to give notice to reflect the Panel's decision
Div 12	Referring matter to tribunal			193 (excl Qld Act)  193 (Qld Act) 193A(1),(2) and (4) (Qld Act) 193B(1), (2) and (3) (Qld Act)	193(2)(b) (excl Qld Act)	
Div 13	Appeals					
Div 14	Miscellaneous				205 206 206A(2) (Qld Act) 206B(3) (Qld Act)	
Div 14B (NSW Act)	Health, performance and conduct (miscellaneous)				176B (NSW Act)	

A	B	C	D	E	F	G
Part and Division	Description	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
<b>Part 10</b>						
Div 2	Disclosure of information and confidentiality			220	217 220	
Div 3	Registers (registered health practitioners)		226 (2) & (3)	226 (2) & (3)	222 223 225 226 227	<p>AHPRA is only delegated the power to decide to remove information that a registered health practitioner has been reprimanded from the National Register or Specialists Register under s. 226(3) where:</p> <ul style="list-style-type: none"> <li>- the reprimand has been published for 5 years or longer; and</li> <li>- there has not been a 'Relevant Event' in the preceding 5 years regarding the practitioner.</li> </ul> <p>AHPRA is only delegated the power to refuse a request to remove a reprimand under s. 226(3) where the Board or a duly authorised Committee (as the case may be)</p>

A	B	C	D	E	F	G
Part and Division	Description	Not delegated by National Board	Immediate Action Committee	Registration and Notifications Committee	AHPRA	Limitations on delegation
						has issued a written notice to the registered health practitioner proposing to refuse to remove the reprimand and the practitioner does not provide a response in the time required by the notice or indicates they intend to make no submission in relation to the notice.
Div 4	Registers (students)				229 230	
Div 5	Other records				231 232	
Div 6	Unique identifier				233	
<b>Part 11</b>						
Div 2	Inspectors				239 81(2) (SA Act) 240	
<b>Part 12</b>						
Div 13	Complaints, notifications, disciplinary proceedings			289, 291, 17(WA Act) 18 (Tas Act)	289, 291, 17(WA Act) 18 (Tas Act)	AHPRA may only give notice under this division.
<b>Part 13</b>						
N/A	Transitional (Qld)				310(1) and (2) (Qld Act)	

## Schedule 2 – Trans-Tasman Mutual Recognition Act delegations

A	B	C	D
Part and Division	AHPRA	Description of section	Limits on delegation
Part 3 Division 2 – Occupations – Entitlement to registration	s.18(1)	Receive lodgement of written notice seeking registration.	
	s.18(6)	Discretion to allow amendment to registration application	
	s.19(2)	Grant of registration in equivalent occupation	AHPRA does not have power to grant registration to new graduate practitioners in their first year of registered practice.
	s.19(5)	Imposition of conditions on registration	Section 19(5) limits conditions that may be imposed. Section 39(1) provides that the power to impose conditions must be used to promote the Trans-Tasman mutual recognition principle. AHPRA does not have power to impose conditions on registration of new graduate practitioners in their first year of registered practice.
	s.20(3)	Postponement of registration	Circumstances in which National Board may postpone registration set out in s.21(1).  Time limit on postponement under s.21(3).
	s.20(3)	Refusal of registration	Circumstances in which National Board may refuse registration set out in s.22(1)  Subsection 22(2) regulates when a refusal to register (on ground not an equivalent occupation) takes effect. AHPRA does not have power to refuse registration of new graduate practitioners in their first year of registered practice.
	s.20(4)	Automatic registration where National Board has not granted, refused or	

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
<b>Part and Division</b>	<b>AHPRA</b>	<b>Description of section</b>	<b>Limits on delegation</b>
		postponed registration within 1 month of application lodgement	
	s.23	Issuing notice of decision to grant, refuse or postpone registration	Section 33(3) requires that notice of decision must include information about right to apply to Australian Tribunal for review.
Part 3 Division 3 – Interim arrangements	s.25(5)	Cancellation of deemed registration (on application of registered person)	
	s.26(4) and s.32(2)	Waiver of condition imposed under NZ law, or undertaking to NZ local registration authority.	AHPRA does not have power to waive conditions on registration of new graduate practitioners in their first year of registered practice.
	s.26(5)	Imposition of conditions on deemed registration	Section 26(5) limits conditions that may be imposed. Section 39(1) provides that the power to impose conditions must be used to promote the Trans-Tasman mutual recognition principle. AHPRA does not have power to impose conditions on deemed registration of new graduate practitioners in their first year of registered practice.
Part 3 Division 4 – Equivalent occupations	s.28(2)	Imposition of conditions on registration to achieve equivalence between occupations in different participating jurisdictions.	Section 19(5) limits conditions that may be imposed. Section 39(1) provides that the power to impose conditions must be used to promote the Trans-Tasman mutual recognition principle. AHPRA does not have power to impose conditions on registration of new graduate practitioners in their first year of registered practice.
	s.30(5)	Giving effect to decisions on review (by Australian Tribunal)	
	s.31(4)	Giving effect to declaration by Minister	
Part 3 Division 5 – General provisions	s.32(2)	Reinstatement of cancelled or suspended registration	AHPRA does not have power to reinstate cancelled or suspended registration, or waive conditions on registration of new graduate practitioners in their first year of registered practice.

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
<b>Part and Division</b>	<b>AHPRA</b>	<b>Description of section</b>	<b>Limits on delegation</b>
	s.37(1) (Obligation is subject to s.37(2)).	Providing information required by local registration authority of another participating jurisdiction.	
	s.39(2)	Duty to prepare and make available guidelines and information regarding operation of this part in relation to the occupations for which it is responsible.	Section 39(3) - guidelines to be made available within 6 months of commencement of s 39.
	s.40(1)	Power to impose fees for substantive or deemed registration under Part 3 of TTMR Act	
	s 40(3)	Power to impose a condition that registration under Part 3 of the TTMR Act does not take effect till fee or other payment paid.	

## Change table

<b>Part and Division</b>	<b>Description</b>	<b>Change</b>	<b>Date change made</b>
Part 7, Div 11/2	Review of conditions and undertakings	Delegate s. 126(6) to AHPRA.	22 August 2017