Pharmacy Board of Australia

Instrument of Delegation – Annexure A, Document Control Table

Corporate Legal, National Legal Practice
1 April 2025

Document control

Document Owner	Corporate Counsel			
Document Number	PharmBAinstD-07			
Date First Approved	27 November 2020			
Date First Commenced	1 January 2021			
Date Last Amended	1 April 2025			
Date for Review	Two (2) years from document implementation and thereafter every two years.			
Document Sponsor	Pharmacy Board of Australia			
Document Contact	Corporate Counsel			
Amendment History	**Part and Division**	**Description**	**Change**	**Date Change Made**
	Preamble: Preliminary: Clause 1.1	The current clause reads: *The Pharmacy Board of Australia (the Board), pursuant to section 37 of the Health Practitioner Regulation National Law Act 2009 (the National Law), resolved to delegate its functions as specified in this Instrument of Delegation (Instrument) on 27 November 2020.*	Amend the date the Board resolved to delegate functions to 17 December 2021 (i.e. the date of the Board meeting).	30 November 2021
	Preamble: Preliminary: Clause 1.2	The current clause reads: *This Instrument is a complete record of the Board's resolutions with respect to the delegation of its functions. The Board resolved to revoke all prior delegations and authorisations with effect on 1 January 2021.*	Amend the effective date to revoke all prior delegations to the implementation date of the MPRNC, namely on 1 February 2022.	30 November 2021
	Preamble: Preliminary: Clause 1.4	The current clause reads: *This Instrument does not take effect until the date of the signature of the Chair of the Board unless specified otherwise. The effective date of this Instrument is 1 January 2021.*	Amend the effective date of the delegations to the implementation date of the MPRNC, namely on 1 February 2022.	30 November 2021

	Preamble, Definition, Clause 2.13		Addition of the definition of Registration and Notifications Committee: *Registration and Notifications Committee means a committee established by the Board pursuant to clause 11 of Schedule 4 to the National Law to exercise functions set out in section 35 of the National Law under delegation pursuant to section 37 of the National Law, constituted according to the Registration and Notifications Committee's terms of reference.*	30 November 2021
	Preamble: Delegation of Board Functions: Clause 3.5		Addition of the delegation to the Registration and Notifications Committee: *The Board delegates to the Registration and Notifications Committee the following functions of the Board:* *1. The functions listed in Columns B, C, D and E of Schedule 2 of this Instrument, subject to the conditions (if any) in Column F of Schedule 2 of this Instrument.* *2. The functions listed in Columns B, C, D and E of Schedule 3 of this Instrument, subject to the conditions (if any) in Column F of Schedule 3 of this Instrument.* 3. *Where a condition applies to either the Notifications Committee, the Registration and Examinations Committee, the Immediate Action Committee or Ahpra, as detailed in Column F of Schedules 2 or 3 of this Instrument, this condition does not apply to the Registration and Notifications Committee unless specifically stated in Column F of Schedules 2 or 3 of this Instrument.*	30 November 2021
	Preamble: Preliminary: Clause 1.1	The Pharmacy Board of Australia (the Board), pursuant to section 37 of the Health Practitioner Regulation National Law Act 2009 (the National Law), resolved to delegate its functions as specified in this Instrument of Delegation (Instrument) on 17 December 2021.	Amend the date to the date of the Board's meeting.	12 October 2022
	Preamble: Preliminary: Clause 1.2	This Instrument is a complete record of the Board's resolutions with respect to the delegation of its functions. The Board resolved to revoke all prior delegations and authorisations with effect on 1 February 2022.	Amend the date to the date of Chair's signature.	12 October 2022
	Preamble: Preliminary: Clause 1.4	This Instrument does not take effect until the date of the signature of the Chair of the Board unless specified otherwise. The effective date of this Instrument is 1 February 2022.	Amend the date to the date of Chair's signature.	12 October 2022
	Schedule 2 Decision delegated by a National Board: section 82(1)(c)	Condition 3(b) in Column F read: *the applicant has indicated that he or she agrees with the proposed imposition of the condition(s).*	Amend Condition 3(b) in Column F to read: *the applicant has indicated that he or she agrees with the proposed decision.*	12 October 2022
	Schedule 2 Decision delegated by a National Board: section 91(4)(b)(i)	Reference to section in Column E read: 91(4)(a)(i)	Amend reference to section in Column E to read: 91(4)(b)(i)	12 October 2022

	Schedule 2 Decisions delegated by the National Board: S 152(3)	N/A	Addition of section in Column E. Addition of the following description in Column A: *Despite s 152(1), a notice of receipt of notification is not required to given to the registered health practitioner or student if the Board reasonably believes doing so would prejudice an investigation of the notification; or place at risk a person's health or safety or place a person at risk of intimidation or harassment.*	12 October 2022
	Schedule 2 Decisions delegated by the National Board: S 159A(2)	N/A	Addition of section in Column E. Addition of the following description in Column A: *Following a decision to take immediate action under s 156, the Board may inform the notifier of the decision and the reasons for the decision.*	12 October 2022
	Schedule 2 Decisions delegated by the National Board: S 167A(2)	N/A	Addition of section in Column E. Addition of the following description in Column A: *Following a decision after the investigation under s 167, the Board may inform the notifier of the decision and reasons for the decision.*	12 October 2022
	Schedule 2 Decisions delegated by the National Board: S 177A(2)	N/A	Addition of section in Column E. Addition of the following description in Column A: *Following a decision after the assessor's report under s 177, the Board may inform the notifier of the decision and the reasons for the decision.*	12 October 2022
	Schedule 2 Decisions delegated by the National Board: S 169	No conditions	Add condition: PharmNCA cannot exercise the powers under section 169.	12 October 2022
	Schedule 2 Decisions delegated by the National Board: S 170	No conditions	Add condition: PharmNCA cannot exercise the powers under section 170.	12 October 2022
	Preamble: Preliminary: Clause 1.1	The Pharmacy Board of Australia (the Board), pursuant to section 37 of the Health Practitioner Regulation National Law Act 2009 (the National Law), resolved to delegate its functions as specified in this Instrument of Delegation (Instrument) on 30 September 2022.	Amend the date to the date of the Board's meeting.	9 November 2022
	Preamble: Preliminary: Clause 1.2	This Instrument is a complete record of the Board's resolutions with respect to the delegation of its functions. The Board resolved to revoke all prior delegations and authorisations with effect on 12 October 2022.	Amend the date to the date of Chair's signature.	9 November 2022
	Preamble: Preliminary: Clause 1.4	This Instrument does not take effect until the date of the signature of the Chair of the Board unless specified otherwise. The effective date of this Instrument is 12 October 2022.	Amend the date to the date of Chair's signature.	9 November 2022
	Schedule 2 Decisions delegated by the National Board: S 176(3)	Delegation currently sits with Ahpra.	Remove the delegation of s 176(3) from Ahpra (Column E) and change it to the Notifications Committee (Column B). Addition of the following condition: *PharmNCA cannot exercise the powers under section 176(3).* *The person discussing an assessment report with the registrant will be either:* *1. the Chair, or* *2. a committee member nominated by the Chair.*	9 November 2022
	Preamble: Preliminary: Clause 1.1	The Pharmacy Board of Australia (the Board), pursuant to section 37 of the Health Practitioner Regulation National Law Act 2009 (the National Law), resolved to delegate its	Amend the date to the date of the Board's meeting.	10 May 2023

		functions as specified in this Instrument of Delegation (Instrument) on 28 October 2022.		
	Preamble: Preliminary: Clause 1.2	This Instrument is a complete record of the Board's resolutions with respect to the delegation of its functions. The Board resolved to revoke all prior delegations and authorisations with effect on 9 November 2022.	Amend the date to the date of Chair's signature.	10 May 2023
	Preamble: Preliminary: Clause 1.4	This Instrument does not take effect until the date of the signature of the Chair of the Board unless specified otherwise. The effective date of this Instrument is 9 November 2022.	Amend the date to the date of Chair's signature.	10 May 2023
	Schedule 1: Functions only exercised by the National Board:159Q(1)	-	Addition of Division in Column A: Div 7B Addition of new section 159Q(1) Addition of new section description as follows: *Board may make a public statement if, in the Board's reasonable belief, the person:* *i. has contravened a relevant provision, or* *ii. is the subject of an assessment, investigation or other proceedings under Part 8*	10 May 2023
	Schedule 1: Functions only exercised by the National Board: 159R(2)	-	Addition of new section 159R(2) Addition of new section description as follows: *Board must decide, following consideration of the show cause submission, either to:* *i. not to make the public statement; or* *ii. to make the public statement as proposed; or* *iii. to make the public statement in a different way or with different content.*	10 May 2023
	Schedule 1: Functions only exercised by the National Board: 159S(1)	-	Addition of new section 159S(1) Addition of new section description as follows: *Board may revise the public statement made under s 159R(2) if the Board reasonably believes it is necessary in the circumstances.*	10 May 2023
	Schedule 1: Functions only exercised by the National Board: 159T(1)	-	Addition of new section 159T(1) Addition of new section description as follows: *Board must revoke the public statement if the Board is satisfied the grounds on which the public statement was made is:* *i. no longer exist in relation to the person; or* *ii. did not exist at the time the statement was made.*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: S 83A	-	Addition of new section 83A. Addition of new section description as follows: *If the Board decides to register a person in the health profession, the Board may accept any undertaking from the person if the Board considers it necessary or desirable in the circumstances.* Addition of section to column E (i.e. Ahpra). Addition of condition in Column E as follows: *Ahpra may only accept an undertaking from a person if:* *1. the applicant was provided with notice of the Board's proposal to impose condition(s) on registration under s 81;* *2. the undertaking is consistent with the wording proposed by the Board in the conditions; and*	10 May 2023

			3. *no additional information has come into possession that may be relevant in making the decision.*	
	Schedule 2 Decisions delegated by the National Board: Division 6A	-	Addition of new division 6A	10 May 2023
	Schedule 2 Decisions delegated by the National Board: S 85A	-	Addition of new section 85A Addition of new section description as follows: *Board may propose to withdraw the registration of a registered health practitioner if the Board:* *i. reasonably believes the practitioner's registration was improperly obtained because the practitioner, or* *ii. someone else gave the Board information or a document that was false or misleading in a material particular.* Addition of section to column C (i.e. REC).	10 May 2023
	Schedule 2 Decisions delegated by the National Board: S 85C(a)	-	Addition of new section 85C(a) Addition of new section description as follows: *Board may decide that the registration was not improperly obtained on the ground the registered health practitioner or someone else gave the Board information or a document that was false or misleading in a material particular; and take no further action.* Addition of section to column C (i.e. REC).	10 May 2023
	Schedule 2 Decisions delegated by the National Board: S 85C(b)	-	Addition of new section 85C(b) Addition of new section description as follows: *Board may decide that the registration was improperly obtained because the practitioner or someone else gave the Board information or a document that was false or misleading in a material particular and do one or more of the following—* *i. withdraw the practitioner's registration;* *ii. refer the matter to a responsible tribunal;* *iii. take other appropriate action under Part 8.* Addition of section to column C (i.e. REC). Addition of condition to Column F: *In taking other appropriate action under Part 8 the Registration and Examinations Committee is only able to commence an investigation under s 160(1) and then must refer the matter to the Notifications Committee.*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: s 112(3)	Current description read: *Board decides to renew a registration, including any endorsement on registration, the registration or the endorsement subject to any conditions the registration was subject to immediately before the renewal and any condition the Board considers necessary or desirable.* Current conditions read: ***PROPOSING TO IMPOSE CONDITIONS*** ***SCENARIO 1*** *Ahpra may only propose to impose conditions on a renewal of registration or endorsement where:* 1. conditions relate to a breach of s 133 (advertising offences); and	Amend description to read: *Board decides to renew a registration, including any endorsement on registration, the registration or the endorsement subject to:* *1. any conditions the registration was subject to immediately before the renewal,* *2. any condition the Board considers necessary or desirable in the circumstances,* *3. any undertaking given by the applicant to the Board that was in effect immediately before the renewal, and*	10 May 2023

		2. the proposed condition is standard worded conditions in accordance with the National Restrictions Library. ***SCENARIO 2*** *Ahpra may only propose to impose conditions on a renewal of registration or endorsement where:* *1. conditions relate to the completion of additional Continuing Professional Development requirements; and* *2. the proposed condition is standard worded conditions in accordance with the National Restriction Library.* ***IMPOSING CONDITIONS*** ***SCENARIO 1*** *Ahpra may only impose conditions on an application for renewal of registration or endorsement on registration where:* *1. the Board has proposed to impose conditions following an application on a renewal of registration or endorsement on registration;* *2. the applicant has been given reasonable notice of the proposal to impose conditions following an application on a renewal of registration or endorsement on registration; and* *3. either (a) or (b) applies:* *a. the applicant submitted that they accept the proposed decision; or* *b. the applicant has not made a submission in response to the proposed decision.* ***SCENARIO 2*** *Ahpra may only impose conditions on a renewal of registration or endorsement where:* *1. conditions relate to the completion of additional Continuing Professional Development requirements; and* *2. the proposed condition is standard worded conditions in accordance with the National Restriction Library.*	*4. any undertaking given by the applicant to the Board that the Board considers necessary or desirable in the circumstances.* Amend conditions to read: ***PROPOSING TO IMPOSE CONDITIONS*** ***SCENARIO 1*** *Ahpra may only propose to impose conditions on a renewal of registration or endorsement where:* *1. conditions relate to a breach of s 133 (advertising offences); and* *2. the proposed condition adopts standard wording in accordance with the National Restrictions Library.* ***SCENARIO 2*** *Ahpra may only propose to impose conditions on a renewal of registration or endorsement where:* *1. conditions relate to the completion of additional Continuing Professional Development requirements; and* *2. the proposed condition is standard worded conditions in accordance with the National Restriction Library.* ***IMPOSING RESTRICTIONS*** ***SCENARIO 1*** *Ahpra may only impose conditions on an application for renewal of registration or endorsement on registration where:* *1. the Board has proposed to impose conditions following an application on a renewal of registration or endorsement on registration;* *2. the applicant has been given reasonable notice of the proposal to impose conditions following an application on a renewal of registration or endorsement on registration; and* *3. either (a) or (b) applies:* *a. the applicant submitted that they accept the proposed decision; or* *b. the applicant has not made a submission in response to the proposed decision.* ***SCENARIO 2*** *Ahpra may only impose conditions on a renewal of registration or endorsement where:* *1. conditions relate to the completion of additional Continuing Professional Development requirements; and* *2. the proposed condition is standard worded conditions in accordance with the National Restriction Library.* ***SCENARIO 3*** *Ahpra may accept an undertaking on an application for renewal of registration or endorsement on registration where:* *1. the Board proposed to impose conditions following an application on a renewal of registration or endorsement on registration;*	

			2. *the applicant has been given reasonable notice of the proposal to impose conditions following an application on a renewal of registration or endorsement on registration;* 3. *the undertaking is consistent with the wording proposed by the Board in the conditions; and* 4. *no additional information has come into possession that may be relevant in making the decision.* ***SCENARIO 4*** *Ahpra may accept an undertaking on an application for renewal of registration or endorsement on registration where:* 1. *the Board proposed to renew the registration or endorsement on registration with the undertaking that was in effect immediately before the renewal,* 2. *the applicant has been given reasonable notice of the proposal to renew the registration or endorsement on registration subject to the undertaking that was in effect immediately before the renewal,* 3. *the applicant has accepted the Board's proposal, and* 4. *no additional information has come into possession that may be relevant in making the decision.*	
	Schedule 2 Decisions delegated by the National Board: s 125(5)	Current description read: *Board must decide to grant or refuse to grant the application to change or remove conditions or undertaking on a registered health practitioner's or student's registration.*	Amend description to read: *Board must decide to grant or refuse to grant the application to change or remove conditions or undertaking on a registered health practitioner's registration or endorsement or student's registration.*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: s 126(5)	Current description read: *Board must decide whether to change the condition(s) on a registered health practitioner's or student's registration on its own initiative.*	Amend description to read: *Board must decide whether to change the condition(s) on a registered health practitioner's registration or endorsement or student's registration on its own initiative.*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: s 127(2)	Current description read: *Board may decide to remove the condition or revoke the undertaking if it reasonably believes the condition(s) imposed or undertaking given is no longer necessary.*	Amend description to read: *Board may decide to remove the condition or revoke the undertaking on a practitioner's registration or endorsements or a student's registration if it reasonably believes the condition(s) imposed or undertaking given is no longer necessary.*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: s 149A	-	Addition of new section 149A Addition of new section description as follows: *Board may require the person to give specified information or produce specified documents to the Board within a specified reasonable time and in a specified reasonable way.* Addition of section to column E (i.e. Ahpra).	10 May 2023
	Schedule 2 Decisions delegated by the National Board: s 149B(1)	-	Addition of new section 149B(1) Addition of new section description as follows: *If a document is produced to the Board, the Board may inspect it, make a copy of it, or keep it while necessary for the preliminary assessment.* Addition of section to column E (i.e. Ahpra).	10 May 2023
	Schedule 2 Decisions delegated by the	-	Addition of new section 150A(1) (excl Qld Act) 150C(1) (Qld Act) Addition of new section description as follows:	10 May 2023

	National Board: 150A(1) (excl Qld Act) 150C(1) (Qld Act)		*Board may decide to refer the subject matter, or part of the subject matter, to be dealt with by another entity.* Addition of section to column B (i.e. NC).	
	Schedule 2 Decisions delegated by the National Board:150A(4) (excl Qld Act) 150C(4) (Qld Act)	-	Addition of new section 150A(4) (excl Qld Act) 150C(4) (Qld Act) Addition of new section description as follows: *In respect of decisions made under s 150A(1) (excl Qld Act) or s 150C(4) (Qld Act), the Board may ask the other entity to give the Board information about how the subject matter of the referred matter or the part of the referred matter was resolved.* Addition of section to column B (i.e. NC).	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 151(1)	Current description read: *Board decides to take no further action in relation to a notification:* *a. frivolous, vexatious, misconceived or lacking in substance* *b. amount of time elapsed,* *c. the person is no longer registered,* *d. subject matter already been dealt with* *e. being dealt with by another entity or been referred by Board to another entity, or* *f. registered health practitioner has taken appropriate steps to remedy the subject matter of notification.* Current conditions read: *Delegation of s 151(1)(e) to Ahpra only applies where the Board's delegate and the HCE have agreed that the HCE will deal with the subject matter of the notification, under s 150(3).*	Amend description to read: *Board decides to take no further action in relation to a notification:* *a. if it is frivolous, vexatious, misconceived or lacking in substance* *b. given the amount of time elapsed,* *c. if the person is no longer registered,* *d. the subject matter already been dealt with* *e. the subject matter of the notification,* *i. is being dealt with by another entity or been referred by Board to another entity, or* *ii. has been referred by the Board under ss 150 or 150A to another entity to be dealt with,* *f. the registered health practitioner has taken appropriate steps to remedy the subject matter of notification.* Amend delegation to Ahpra to s 151(1)(e)(i). Amend conditions to read: *Delegation of s 151(1)(e)(i) to Ahpra only applies where the Board's delegate and the HCE have agreed that the HCE will deal with the subject matter of the notification, under s 150(3).*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 151(1A)	-	Addition of new section 151(1A) Addition of new section description as follows: *Board may decide to take no further action in relation to part of a referred matter if the subject matter or the part of the referred matter has been referred by the Board under ss 150 or 150A (s 150C (Qld Act)) to another entity to be dealt with by that entity.* Addition of section to column E (i.e. Ahpra). Addition of conditions to read: *Delegation of s 151(1A) to Ahpra only applies where the Board's delegate and the HCE have agreed that the HCE will deal with the subject matter of the notification, under s 150(3).*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: Division 7B	-	Addition of new division 7B	10 May 2023

	Schedule 2 Decisions delegated by the National Board: 179(2)	Current description read: *Board must decide to take no action or to take relevant action and/or refer the matter to another entity in relation to a registered health practitioner or student.*	Amend description to read: *Board must decide in relation to a registered health practitioner or student to:* *i. take no action,* *ii. take the proposed relevant action or other relevant action,* *iii. take other action under Part 8, or* *iv. refer the matter to another entity.*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 193(1) (excl Qld Act)	Current description read: *Board must refer a matter about a registered health practitioner or student to a responsible tribunal if it reasonably believes that the practitioner/student has behaved in a way that constitutes professional misconduct, their registration was improperly obtained or if it is referred from a panel.*	Amend the description to read: *Board must refer a matter about a registered health practitioner or student to a responsible tribunal if it reasonably believes based on a notification or for any other reason, that the practitioner/student has behaved in a way that constitutes professional misconduct, or if it is referred from a panel.*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 193(1) (Qld Act)	Current description read: *Board must notify the Health Ombudsman if the Board forms a reasonable belief that the behaviour is professional misconduct or another ground for suspension or cancellation or a panel notified the Board of the panel's belief.*	Amend the description to read: *Board must notify the Health Ombudsman if the Board forms a reasonable belief based on a complaint or for any other reasons that the behaviour is professional misconduct or there is another ground for suspension or cancellation or a panel notified the Board of the panel's belief.*	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 193A(1) (excl Qld Act) 193C(1) (Qld Act)	-	Addition of new section 193A(1) (excl Qld Act) 193C(1) (Qld Act) Addition of new section description as follows: *Board may decide not to refer a matter about a registered health practitioner mentioned in s 193(1)(a) (excl Qld Act) to a responsible tribunal if the Board decides there is no public interest in the matter being heard by a responsible tribunal.* Addition of section to column B (i.e. NC) Addition of condition at column F as follows: PharmNCA cannot exercise the powers under sections 193A(1) (excl Qld Act) and 193C(1) (Qld Act).	10 May 2023
	Schedule 2 Decisions delegated by the National Board: Division 14	-	Addition of new division 14	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 206(2)	-	Addition of new section 206(2) Addition of new section description as follows: *Following either the receipt of or awareness of the practitioner's practice information, Board may give written notice of the decision to:* *i. the named registered health practitioners with whom the practitioner currently shares premises and the cost of the premises; and* *ii. the named registered health practitioners with whom the practitioner previously shared premises and the cost of the premises if the Board reasonably believes the practitioner's health, conduct or performance while the practitioner shared the premises with the registered health practitioners posed a:* *a. risk of harm to a person or a class of persons; or*	10 May 2023

			b. *risk to public health or safety.* Addition of section to column E (i.e. Ahpra)	
	Schedule 2 Decisions delegated by the National Board: 206(3)(b)	-	Addition of new section 206(3)(b) Addition of new section description as follows: *Following application of s 206(1), a written notice of the decision may be provided to an entity which the registered health practitioner had a previous practice arrangement with and the Board believes that the practitioner's health, conduct or performance whilst they were at that entity posed a risk of harm to a person or a class of persons or a risk to public health or safety*. Addition of section to column E (i.e. Ahpra)	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 220A(2) and (5)	-	Addition of new section 220A(2) and (5) Addition of new section description as follows: *Following either the receipt of, or awareness of the practitioner's practice information as defined in s 132(4)(a), the Board may give written notice of the risk and any relevant information about the practitioner to the named registered health practitioners with whom the practitioner currently shares premises and the cost of the premises if it is in the public interest to do so.* Addition of section to column D (i.e. IAC)	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 220A(3) and (5)	-	Addition of new section 220A(3) and (5) Addition of new section description as follows: *Following either the receipt of, or awareness of the practitioner's practice information as defined in s 132(4)(b), the Board must give written notice of the risk and any relevant information about the practitioner to a named entity that has a current practice arrangement with the practitioner if it is in the public interest to do so.* Addition of section to column D (i.e. IAC)	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 220B(2)	-	Addition of new section 220B(2) Addition of new section description as follows: *If the Board holds a reasonable belief pursuant to s 220B(1)(a), the Board may give written notice of the risk, and any relevant information about the unregistered person, to the registered health practitioners or entities mentioned in s 220B(1)(b).* Addition of section to column E (i.e. Ahpra)	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 226(1)	Current description read: *Board may decide not to include or remove information from the public register in relation to a registered health practitioner.* Each subsection was broken down and delegated to the various committees.	Addition of new s 226(1) Addition of new section description as follows: *Board may decide that a condition imposed on a practitioner's registration, or an undertaking accepted from the practitioner because the practitioner has an impairment is not recorded on the public register if it is necessary to protect the practitioner's privacy and there is no overriding public interest for the condition or undertaking to be recorded.* Addition of section to columns D and E (i.e. IAC and Ahpra)	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 226(2)	Current description read: *Board may decide not to include or remove information from the public register in relation to a registered health practitioner.*	Addition of new s 226(2) Addition of new section description as follows: *Following a request from the practitioner, the Board may decide that information relating to a practitioner should*	10 May 2023

		Each subsection was broken down and delegated to the various committees.	*not be recorded on the public register because the Board reasonably believes that the inclusion of the information would present a serious risk to the health or safety of the practitioner or a member of the practitioner's family or an associate of the practitioner.* Addition of section to columns B, C and D (i.e. NC, REC and IAC)	
	Schedule 2 Decisions delegated by the National Board: 226(2A)	Current description read: *Board may decide not to include or remove information from the public register in relation to a registered health practitioner.* Each subsection was broken down and delegated to the various committees.	Addition of new s 226(2)(A) Addition of new section description as follows: *Board may decide to record information, which previously was excluded under s 226(2), on the public register if the Board reasonably believes the circumstances on which the previous exclusion was based have changed.* Addition of section to columns B, C and D (i.e. NC, REC and IAC)	10 May 2023
	Schedule 2 Decisions delegated by the National Board: 226(3)	Current description read: *Board may decide not to include or remove information from the public register in relation to a registered health practitioner.* Each subsection was broken down and delegated to the various committees.	Addition of new s 226(3) Addition of new section description as follows: *Board may decide to remove information from the public register that the registered health practitioner has been reprimanded if it considers it is no longer necessary or appropriate for the information to be recorded on the Register.* Addition of section to column E (i.e. Ahpra)	10 May 2023
	Schedule 1 Functions only exercised by the National Board: s159C(1)	Board may issue an interim prohibition order to an unregistered person if, in the Board's reasonable belief, the person: i. has contravened a relevant provision, or ii. is the subject of an assessment, investigation or other proceedings under Part 8	Addition of new directions s159I(2): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *2. who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Schedule 1 Functions only exercised by the National Board: s159E(6)(a)	Following consideration of any submissions made by the unregistered practitioner in accordance with the notice from s 159E(3), the Board must decide, to either: i. confirm the issue of the interim prohibition order, or ii. revoke the interim prohibition order.	Addition of new directions s159E(6)(a): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *2. who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Schedule 1 Functions only exercised by the National Board: s159G(1)	Board must revoke an interim prohibition order about an unregistered person if, the Board is satisfied the grounds on which the order was issued: i. no longer exist in relation to the person, or ii. did not exist at time the order was issued to the person.	Addition of new directions s159G(1): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *2. who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Schedule 1 Functions only exercised by the National Board: s159G(2)	Board may vary an interim prohibition order about an unregistered person if, i. the Board is satisfied a different ground in s 159C(1)(a) exists; and ii. the Board continues to hold the reasonable belief as specified in s 159C(1)(b).	Addition of new directions s159G(2): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *2. who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Schedule 1 Functions only exercised by the National Board: s159H(1)	Board may extend an interim prohibition order about an unregistered person by a period of 60 days if the Board reasonably believes it is necessary.	Addition of new directions s159H(1): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *2. who is the subject of ongoing proceedings under Part 8.*	24 June 2024

	Schedule 1 Functions only exercised by the National Board: s159I(2)	Following a decision to issue or extend an interim prohibition order, the Board may inform the notifier who made the notification or the person who made the complaint of the decision and the reasons for the decision.	Addition of new directions s159I(2): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *2. who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Schedule 1 Functions only exercised by the National Board: s159J(2)	Prior to the expiration of the interim prohibition order, the Board may apply to the responsible tribunal to extend the order.	Addition of new directions s159L(2): *If a responsible tribunal has extended or substituted an interim prohibition order and the Board is satisfied the grounds on which the order was issued:* *i. no longer exist in relation to the person, or* *ii. did not exist at time the order was issued to the person;* *the Board may before either the extended or substituted order ends apply to the responsible tribunal to revoke the order.*	24 June 2024
	Schedule 1 Functions only exercised by the National Board: s159L(2)	If a responsible tribunal has extended or substituted an interim prohibition order and the Board is satisfied the grounds on which the order was issued: i. no longer exist in relation to the person, or ii. did not exist at time the order was issued to the person; the Board may before either the extended or substituted order ends apply to the responsible tribunal to revoke the order.	Addition of new directions s159L(2): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *2. who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Schedule 1 Functions only exercised by the National Board: s159M(2)	If a responsible tribunal has extended or substituted an interim prohibition order and the Board: i. is satisfied a different ground in s 159C(1)(a) exists; and ii. continues to reasonably believe the ground specified in s 159C(1)(b) exists, the Board may before the extended or substituted interim prohibition order ends apply to the responsible tribunal to vary the order.	Addition of new directions s159M(2): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *2. who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Schedule 1 Functions only exercised by the National Board: s159N(5)	The Board may decide that the interim prohibition order should not be published because: i. the person subject to the interim prohibition order has requested the information not be published, and ii. the Board reasonably believes that the publication of the information would present a serious risk to the health or safety of: ▪ the person, or a member of the person's family or an associate of the person.	Addition of new directions s159N(5): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Schedule 2 Decisions delegated by the National Board: s112B(4)(a)	Board to approve the form used by an individual in their application for registration in the health profession following period of suspension.	Addition of new conditions s112B(4)(a): *The delegation to Ahpra to approve the application form is limited to stylistic and minor changes only. Stylistic and minor changes include changes to the design of the form, dates and logo. If there is a substantive change – for instance, changes to the questions - those decisions remain with the Board.*	24 June 2024
	Schedule 2 Decisions delegated by the	Board may decide to refuse to record an alternative name on the: i. public register, and	Addition of new conditions s131A(2): *PharmNCA cannot exercise the powers under section 131A(2).*	24 June 2024

	National Board: s131A(2)	ii. the practitioner's certificate of registration.	*Ahpra may make a decision under s 131A(2) only if the name satisfies the definition of 'prohibited name' under s 131A(4)(a) to (c).* *If the refusal to include the name on the public register and on the practitioner's certificate of registration is because it is contrary to the public interest for another reason (s 131A(4)(d)), that will be a decision of the relevant committee.*	
	Schedule 1 Functions only exercised by the National Board: s159C(1)	Board may issue an interim prohibition order to an unregistered person if, in the Board's reasonable belief, the person: i. has contravened a relevant provision, or ii. is the subject of an assessment, investigation or other proceedings under Part 8	Addition of new directions s159I(2): *The National Board will make the decision where the unregistered person is a person:* *1. whose registration is suspended, or* *who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Schedule 1 Functions only exercised by the National Board: s159E(6)(a)	Following consideration of any submissions made by the unregistered practitioner in accordance with the notice from s 159E(3), the Board must decide, to either: i. confirm the issue of the interim prohibition order, or ii. revoke the interim prohibition order.	Addition of new directions s159E(6)(a): *The National Board will make the decision where the unregistered person is a person:* *3. whose registration is suspended, or* *who is the subject of ongoing proceedings under Part 8.*	24 June 2024
	Preamble: Preliminary: Clause 1.1	The Pharmacy Board of Australia (the Board), pursuant to section 37 of the Health Practitioner Regulation National Law Act 2009 (the National Law), resolved to delegate its functions as specified in this Instrument of Delegation (Instrument) on 25 August 2023.	Amend the date to the date of the Board's meeting.	1 April 2025
	Preamble: Preliminary: Clause 1.2	This Instrument is a complete record of the Board's resolutions with respect to the delegation of its functions. The Board resolved to revoke all prior delegations and authorisations with effect on 24 June 2024.	Amend the date to 1 April 2025.	1 April 2025
	Preamble: Preliminary: Clause 1.4	This Instrument does not take effect until the date of the signature of the Chair of the Board unless specified otherwise. The effective date of this Instrument is 24 June 2024.	Amend the date to 1 April 2025.	1 April 2025
	Schedule 2 Decision delegated by a National Board: s 80(1)(c)(d)(e)	-	Removal of section 80(1)(d) from Columns B, C Addition of section 80(1)(d) to Column E. Insertion of Conditions for Ahpra in Column F: *Ahpra may request an applicant undergo an examination or assessment where:* *1. the Board has previously made a request of the same applicant to undergo an examination or assessment under s 80(1)(d); and* *2. the applicant has not completed an approved program of study since the Board made the previous request under s 80(1)(d).*	1 April 2025
	Schedule 2 Decision delegated by a National Board: s 83(1)	Current conditions for Ahpra in Column F read: *Ahpra may only impose a condition on registration in the following two scenarios only:* ***SCENARIO 1*** *Ahpra can decide to register a person subject to conditions for **limited registration** only where:* *1. the grant of registration subject to conditions is consistent with the Board's proposal to impose a condition on the limited registration;*	Amend Conditions for Ahpra in Column F to read: *Ahpra can only impose a condition on registration in the following scenarios:* ***SCENARIO 1*** *1. the imposition of conditions is consistent with the Board's proposal to impose conditions;* *2. the applicant has been given reasonable notice of the Board's proposal to impose condition(s) on registration under s 81; and* *3. either (a) or (b) applies:*	1 April 2025

		2. the applicant has been given notice of a proposal to impose a condition on the limited registration under s. 81; and *3. either (a) or (b) apply:* *a. the applicant accepts the Board's proposal to impose a condition on the limited registration; or* *b. the applicant has not made a submission in response to the Board's proposal despite being provided with a reasonable opportunity to do so.* ***SCENARIO 2*** *1. the imposition of conditions is consistent with the Board's proposal to impose conditions;* *2. the applicant has been given notice of the Board's proposal to impose condition(s) on registration under s 81; and* *3. either (a) or (b) apply:* *a. the applicant has not made any submissions in response to the notice, or* *b. the applicant has indicated that he or she agrees with the proposed imposition of the condition(s).*	*a. the applicant submitted that they accept the proposed condition; or* *b. the applicant has not made a submission in the time period set out in the notice issued under s 81(2)(b).* ***SCENARIO 2*** *In relation to a deferred graduate applicant:* *1. the applicant has applied for registration as a deferred graduate;* *2. the applicant has deferred an application for registration for more than two (2) years after completion of the relevant course required by the applicable registration standards; and* *3. the imposition of conditions on the registration of a deferred graduate is in accordance with the National Restriction Library (NRL) for supervision conditions.*	
	Schedule 2 Decision delegated by a National Board: s 110	Current condition in Column F reads: *Corresponding functions under s 80 (as listed above) apply to the Notifications Committee, Registration and Examinations Committee, the IAC and Ahpra.*	Amend condition in Column F to read: *Corresponding functions under s 80 (as listed above) apply to the relevant Board, relevant committees and Ahpra.*	1 April 2025
	Schedule 2 Decision delegated by a National Board: s 112(1)	Current conditions in Column F read: *Ahpra is not delegated the power to grant a renewal of limited registration.* *Ahpra can only decide to renew a practitioner's registration (**excluding limited registration**) in the following scenarios:* ***SCENARIO 1*** *1. section 111 does not apply (i.e. a practitioner has not received a notice to propose to refuse or propose to impose conditions on the renewal of their registration); or* ***SCENARIO 2*** *1. in relation to a breach of section 133 (advertising offences) where:* *a. there has been a proposal to refuse to renew a registration or a proposal to impose conditions on a registration has been made;* *b. the practitioner has received a notice under section 111(1); and* *c. the practitioner has amended their advertising to be compliant with the requirements of section 133 following this proposal.* *1. Ahpra may only refuse an application for renewal of registration where:* *2. the Board has proposed to refuse to renew a registration;*	Amend conditions in Column F to read: *Ahpra is not delegated the power to grant a renewal of limited registration.* *Ahpra can only decide to renew a practitioner's registration (or endorsement) (**excluding limited registration**)in the following scenarios:* ***SCENARIO 1*** *1. S 111 does not apply (i.e. a practitioner has not received a notice to propose to refuse or propose to impose conditions on the renewal of their registration or endorsement).* ***SCENARIO 2*** *1. In relation to a breach of s 133 (advertising offences) where:* *a. there has been a proposal to refuse to renew a registration or a proposal to impose conditions on a registration has been made;* *b. the practitioner has received a notice under s 111(1); and* *c. the practitioner has amended their advertising to be compliant with the requirements of s 133 following this proposal.* *Ahpra may only refuse an application for renewal of registration (or endorsement) where:* *1. the Board has proposed to refuse to renew a registration (or endorsement);* *2. the applicant has been given reasonable notice of the Board's proposal to refuse their application for renewal of registration (or endorsement); and*	1 April 2025

		3. the applicant has been given notice of the Board's proposal to refuse their application for renewal of registration; and *4. either (a) or (b) applies:* *a. the applicant submitted that they accept the proposed decision; or* *b. the applicant has not made a submission in response to the proposal.*	*3. either (a) or (b) applies:* *a. the applicant submitted that they accept the proposed decision; or* *b. the applicant has not made a submission in response to the proposal.*	
	Schedule 2 Decision delegated by a National Board: s 112(3)	Current conditions in Column F read: ***PROPOSING TO IMPOSE CONDITIONS*** ***SCENARIO 1*** *Ahpra may only propose to impose conditions on a renewal of registration where:* *1. conditions relate to a breach of s 133 (advertising offences); and* *2. the proposed condition adopts standard wording in accordance with the National Restriction Library.* ***IMPOSING RESTRICTIONS*** ***SCENARIO 1*** *1. Ahpra may only impose conditions on an application for renewal of registration where:* *2. the Board has proposed to impose conditions following an application on a renewal of registration;* *3. the applicant has been given reasonable notice of the proposal to impose conditions following an application on a renewal of registration; and* *4. either (a) or (b) applies:* *a. the applicant submitted that they accept the proposed decision; or* *b. the applicant has not made a submission in response to the proposal.* ***SCENARIO 2*** *Ahpra may accept an undertaking on an application for renewal of registration or endorsement on registration where:* *1. the Board proposed to impose conditions following an application on a renewal of registration or endorsement on registration;* *2. the applicant has been given reasonable notice of the proposal to impose conditions following an application on a renewal of registration or endorsement on registration;* *3. the undertaking is consistent with the wording proposed by the Board in the conditions; and* *4. no additional information has come into possession that may be relevant in making the decision.* ***SCENARIO 3*** *Ahpra may accept an undertaking on an application for renewal of registration or endorsement on registration where:* *1. the Board proposed to renew the registration or endorsement on registration with the undertaking that was in effect immediately before the renewal,*	Amend conditions in Column F to read: ***PROPOSING TO IMPOSE CONDITIONS*** *Ahpra may only propose to impose conditions on a renewal of registration (or endorsement) in the following scenarios:* ***SCENARIO 1*** *1. Conditions relate to:* *a. a breach of s 133 (advertising offences); or* *b. the completion of additional Continuing Professional Development requirements; or* *c. recency of practice conditions with re-entry; and* *2. the proposed condition adopts standard wording in accordance with the National Restriction Library (NRL).* ***SCENARIO 2*** *1. The Board has proposed to impose conditions on a renewal of registration (or endorsement);* *2. the applicant has been given notice of the proposal to impose the condition(s) following an application on a renewal of registration (or endorsement), and* *3. either (a) or (b) applies:* *a. the applicant submitted that they accept the proposed decision; or* *b. the applicant has not made a submission in response to the proposal.* ***IMPOSING CONDITIONS*** *Ahpra may only impose conditions on a renewal of registration (or endorsement) in the following scenarios:* ***SCENARIO 1*** *1. The Board has proposed to impose conditions following an application on a renewal of registration (or endorsement);* *2. the applicant has been given reasonable notice of the proposal to impose conditions following an application on a renewal of registration (or endorsement); and* *3. either (a) or (b) applies:* *a. the applicant submitted that they accept the proposed decision; or* *b. the applicant has not made a submission in response to the proposed decision.* ***SCENARIO 2*** *1. Conditions relate to:* *a. a breach of s 133 (advertising offences); or* *b. the completion of additional Continuing Professional Development requirements; or*	1 April 2025

		2. the applicant has been given reasonable notice of the proposal to renew the registration or endorsement on registration subject to the undertaking that was in effect immediately before the renewal, *3. the applicant has accepted the Board's proposal, and* *4. no additional information has come into possession that may be relevant in making the decision.*	*c. recency of practice conditions with re-entry; and* *2. the proposed condition is standard worded conditions in accordance with the National Restriction Library (NRL).* *Ahpra may accept an undertaking on an application for renewal of registration (or endorsement) in the following scenarios:* ***SCENARIO 1*** *1. The Board proposed to impose conditions following an application on a renewal of registration (or endorsement);* *2. the applicant has been given reasonable notice of the proposal to impose conditions following an application on a renewal of registration (or endorsement);* *3. the undertaking is consistent with the wording proposed by the Board in the conditions; and* *4. no additional information has come into possession that may be relevant in making the decision.* ***SCENARIO 2*** *1. The Board proposed to renew the registration (or endorsement) with the undertaking that was in effect immediately before the renewal;* *2. the applicant has been given reasonable notice of the proposal to renew the registration (or endorsement) subject to the undertaking that was in effect immediately before the renewal;* *3. the applicant has accepted the Board's proposal; and* *4. no additional information has come into possession that may be relevant in making the decision.*	
	Schedule 2 Decision delegated by a National Board: s 125(4)	Current conditions in Column F read: *PharmNCA cannot exercise the powers under section 125(4).* *Corresponding functions under s 80 (as listed above) apply to the Notifications Committee, Registration and Examination Committee, IAC and Ahpra.* *The IAC can make a decision under section 125(4) application where the conditions or undertaking on a practitioner's or student's registration was imposed by the IAC and the ongoing part 8 action has not concluded.*	Amend conditions in Column F to read: *PharmNCA cannot exercise the powers under section 125(4).* *The IAC can make a decision under section 125(4) application where the conditions or undertaking on a practitioner's or student's registration was imposed by the IAC and the ongoing part 8 action has not concluded.* *Corresponding functions under s 80 (as listed above) apply to the relevant Board, relevant committees and Ahpra.*	1 April 2025
	Schedule 2 Decision delegated by a National Board: s 125(5)	Current conditions in Column F read: *PharmNCA cannot exercise the powers under section 125(5).* *The IAC can make a decision under section 125(5) application where the conditions or undertaking on a practitioner's or student's registration was imposed by the IAC and the ongoing part 8 action has not concluded.*	Amend conditions in Column F to read: *PharmNCA cannot exercise the powers under section 125(5).* *The IAC can make a decision under section 125(5) application where the conditions or undertaking on a practitioner's or student's registration was imposed by the IAC and the ongoing part 8 action has not concluded.*	1 April 2025

		Ahpra's delegation is only in relation to deciding to grant a s 125(5) application in the following scenarios: ***SCENARIO 1*** *1. conditions were imposed in response to a breach of s 133 (Advertising offences); and* *2. information has been submitted to demonstrate compliance with the conditions; or* *Where there is non-compliance with the s 133 conditions, the decision to refuse remains with the relevant Committee and is not delegated to Ahpra.* ***SCENARIO 2*** *1. a practitioner has provided evidence that they have complied with a condition on their registration, and* *2. clinical advice is not required to determine compliance with their conditions.* *Where clinical advice is sought the matter must be presented to the next available relevant Committee meeting.*	*Ahpra's delegation to decide to grant a s 125(5) application is only in the following scenarios:* ***SCENARIO 1*** *1. Conditions were imposed in response to a breach of s 133 (advertising offences); and* *2. information has been submitted to demonstrate compliance with the conditions.* *Where there is non-compliance with the s 133 conditions, the decision to grant remains with the relevant Board or committee and is not delegated to Ahpra.* ***SCENARIO 2*** *1. A practitioner has submitted evidence to the delegate that they have complied with their conditions on their registration; or* *2. The restrictions relate to health or conduct; or* *3. The restrictions relate to performance and the relevant clinical advisor has assessed the practitioner as meeting the required standard of a registered health practitioner.* ***SCENARIO 3*** *Replace a re-entry to practice supervision requirement with a condition to undertake an approved re-entry to practice education program.* *Where clinical advice is sought outside of the scenarios listed above, the matter must be presented to the next available relevant Board or committee meeting and is not delegated to Ahpra.*	
	Schedule 2 Decision delegated by a National Board: s 126(5)	Current conditions in Column F read: *PharmNCA cannot exercise the powers under section 126(5).* *The IAC can make a decision under section 126(5) where the conditions on a practitioner's or student's registration was imposed by the IAC and the ongoing part 8 action has not concluded.* *Provided that the delegate reasonably believes it is necessary to change a condition imposed on a registered health practitioner's or student's registration (s 126(1)).* *Ahpra can decide to change a condition only in the following three scenarios:* ***SCENARIO 1*** *1. The delegate has proposed to change the condition;* *2. subsections 126(2) and 126(4) have been complied with;* *3. practitioner or student:* *a. submitted that they accept the proposed change; or* *b. have not made a submission;* *4. the delegate agrees that the condition should be changed for the reasons proposed by the Board; and*	Amend conditions in Column F to read: *PharmNCA cannot exercise the powers under section 126(5).* *The IAC can make a decision under section 126(5) where the conditions on a practitioner's or student's registration was imposed by the IAC and the ongoing part 8 action has not concluded.* *The relevant delegate must hold a reasonable belief that it is necessary to change a condition imposed on a registered health practitioner's or student's registration (s 126(1)).* *Ahpra can only decide to change a condition in the following scenarios:* ***SCENARIO 1*** *1. The committee has proposed to change the condition;* *2. subsections 126(2) and 126(4) have been complied with; and* *3. practitioner or student:* *a. submitted that they accept the proposed change; or* *b. have not made a submission.*	1 April 2025

		5. no additional information has come into possession that may be relevant in making a decision. *If Ahpra changes the conditions, it must advise the relevant Committee who proposed to change the condition of the outcome.* ***SCENARIO 2*** *1. conditions were imposed in response to a breach of s 133 (Advertising offences); and* *2. information has been submitted to demonstrate compliance with the conditions; or* *Where there is non-compliance with the s 133 conditions, the decision to refuse remains with the relevant committee and is not delegated to Ahpra.* ***SCENARIO 3*** *1. a practitioner has provided evidence that they have complied with a condition on their registration, and* *2. clinical advice is not required to determine compliance with their conditions.* *Where clinical advice is sought the matter must be presented to the next available relevant committee meeting.*	*If Ahpra changes the conditions, it must advise the relevant committee who proposed to change the condition of the outcome.* ***SCENARIO 2*** *The change is to increase the number of supervised practice hours required to address a shortfall in meeting recency of practise requirements since the date the restrictions were imposed.* *Where clinical advice is sought outside of the scenarios listed above, the matter must be presented to the next available relevant Board or committee meeting and is not delegated to Ahpra.*	
	Schedule 2 Decision delegated by a National Board: s 127(2)	Current conditions in Column F read: *PharmNCA cannot exercise the powers under section 127(2).* *The IAC can make a decision under section 127(2) where the conditions or undertaking on a practitioner's or student's registration was imposed by the IAC and the ongoing part 8 action has not concluded.* *Relevant delegate reasonably believes it Is necessary to remove the condition or revoke the undertaking (s 127(1)).* *Ahpra's delegation is only in relation to deciding to remove conditions in the following scenarios:* ***SCENARIO 1*** *1. conditions were imposed in response to a breach of s 133 (Advertising offences); and* *2. information has been submitted to demonstrate compliance with the conditions; or* *Where there is non-compliance with the s 133 conditions, the decision to refuse remains with the relevant committee and is not delegated to Ahpra.* ***SCENARIO 2*** *1. a practitioner has provided evidence that they have complied with a condition on their registration, and* *2. clinical advice is not required to determine compliance with their conditions.* *Where clinical advice is sought the matter must be presented to the next available relevant committee meeting.*	Amend conditions in Column F to read: *PharmNCA cannot exercise the powers under section 127(2).* *The IAC can make a decision under section 127(2) where the conditions or undertaking on a practitioner's or student's registration was imposed by the IAC and the ongoing part 8 action has not concluded.* *The relevant delegate must hold a reasonable belief that it is necessary to remove a condition imposed or revoke the undertaking on a registered health practitioner's or student's registration (s 127(1)).* *Ahpra can make a s 127(2) decision in the following scenarios:* ***SCENARIO 1*** *1. Conditions were imposed in response to a breach of s 133 (advertising offences); and* *2. information has been submitted to demonstrate compliance with the conditions.* ***SCENARIO 2*** *1. A practitioner has submitted evidence to the delegate that they have complied with their conditions and/or undertaking on their registration; or* *2. The restrictions relate to health or conduct; or* *3. The restrictions relate to performance and the relevant clinical advisor has assessed the practitioner as meeting the required standard of a registered health practitioner.* *Where clinical advice is sought outside of the scenarios listed above, the matter must be presented to the next*	1 April 2025

			available relevant Board or committee meeting and is not delegated to Ahpra.	
	Schedule 2 Decision delegated by a National Board: s 150A(4) (excl Qld Act, 150C(4) (Qld Act)	Current description reads: *In respect of decisions made under s 150A(1) (excl Qld Act) or s 150C(4) (Qld Act), the Board may ask the other entity to give the Board information about how the subject matter of the referred matter or the part of the referred matter was resolved.* Current conditions in Column F read: *Delegation of s 151(1A) to Ahpra only applies where the Board's delegate and the HCE have agreed that the HCE will deal with the subject matter of the notification, under s 150(3).*	Amend 150C(4) to 150C(1) in the description in Column A. Addition of 150A(4) (excl Qld Act) and 150C(4) (Qld Act) to Column E. Delete conditions in Column F.	1 April 2025
	Schedule 2 Decisions delegated by the National Board: s 151(1)	Board decides to take no further action in relation to a notification: a. if it is frivolous, vexatious, misconceived or lacking in substance b. given the amount of time elapsed, c. if the person is no longer registered, d. the subject matter already been dealt with e. the subject matter of the notification, i. is being dealt with by another entity or been referred by Board to another entity, or ii. has been referred by the Board under ss 150 or 150A to another entity to be dealt with, f. the registered health practitioner has taken appropriate steps to remedy the subject matter of notification. Current conditions on Ahpra delegation read: *Delegation of s 151(1)(e)(i) to Ahpra only applies where the Board's delegate and the HCE have agreed that the HCE will deal with the subject matter of the notification, under s 150(3).*	Remove s 151(1) from Column B. Amend s 151(1)(e)(i) to s 151(1) in Column E.	1 April 2025
	Schedule 2 Decision delegated by a National Board: s 156(1)	Current conditions in Column F read: *PharmNCA cannot exercise the power under section 156(1).* *Ahpra may only make a decision if:* *1. the decision to take immediate action is consistent with the Board's proposal;* *2. s 157 has been complied with;* *3. the practitioner or student has either:* *a. accepted the proposed action; or* *b. not made submissions in response to the proposed immediate action;* *4. the delegate agrees that immediate action should be taken for the reasons proposed by the Board; and* *5. no additional information has come into possession that may be relevant in the making an interim decision.*	Amend conditions in Column F to read: *Ahpra may only make a decision if:* *1. the decision to take immediate action is consistent with the Board's proposal;* *2. s 157 has been complied with;* *3. the practitioner or student has either:* *a. accepted the proposed action; or* *b. not made submissions in response to the proposed immediate action;* *4. the delegate agrees that immediate action should be taken for the reasons proposed by the Board; and* *5. no additional information has come into possession that may be relevant in making an interim decision.* *Ahpra must advise the relevant Board or committee of the outcome of its proposal.*	1 April 2025

		Ahpra must advise the relevant Committee of the outcome of its proposal.		
	Schedule 2 Decision delegated by a National Board: s 160(1)	Current conditions in Column F read: *Ahpra to commence an investigation under s 160(1)(a) or (b) where:* *1. s 150(4) applies to require an investigation; or* *2. where further information is necessary to progress the management of a matter and it is impractical in the circumstances to await a Committee meeting.* *Ahpra may commence a compliance investigation under s 160(1)(c) where:* *1. an instrument imposing an obligation through a registration condition or undertaking does not empower Ahpra to collect information necessary to monitor compliance; and* *2. the information sought through an investigation is necessary to assure compliance with a registration condition or undertaking.* *The relevant Committee must be notified following a s 160(1) decision made by Ahpra.*	Amend conditions in Column F to read: *Ahpra to commence an investigation under s 160(1)(a) or (b) where:* *1. s 150(4) applies to require an investigation; or* *2. further information is necessary to progress the management of a matter and it is impractical in the circumstances to await a committee meeting.* *Ahpra may commence a compliance investigation under s 160(1)(c) where:* *1. an instrument imposing an obligation through a registration condition or undertaking does not empower Ahpra to collect information necessary to monitor compliance; and* *2. the information sought through an investigation is necessary to assure compliance with a registration condition or undertaking.* *The relevant Board or committee must be notified following a s 160(1) decision made by Ahpra.*	1 April 2025
	Schedule 2 Decision delegated by a National Board: s 171(1)	Current conditions in Column F read: *Ahpra may appoint an assessor from a list of approved assessors maintained by the Board and updated from time to time*.	Amend “may” to “can” in the conditions in Column F.	1 April 2025
	Schedule 2 Decision delegated by a National Board: s 176(3)	Current conditions in Column F read: *PharmNCA cannot exercise the powers under section 176(3).* *The person discussing an assessment report with the registrant will be either:* *1. the Chair, or* *2. a committee member nominated by the Chair.*	Addition of section 176(3) to Column E. Amend conditions in Column F to read: *PharmNCA cannot exercise the powers under section 176(3).* *The person discussing an assessment report with the registrant must be a registered pharmacist and either:* *1. been approved by the Chair or nominee of the Chair of the relevant Committee or State or Territory Board; and/or* *2. a Board or committee member; and/or* *3. an Ahpra clinical advisor.*	
	Schedule 2 Decision delegated by a National Board: s 178(2), 178(4) (ACT Act)	Current conditions in Column F read: *PharmNCA cannot exercise the powers under sections 178(2)(b) and (c).* *The relevant delegate holds a reasonable belief (s 178(1)(a)).* *Ahpra may only make a decision under s 178(2) if:* *1. s 179(1) has been complied with or, if s 179(1) does not apply, the practitioner / student has been afforded a reasonable opportunity to show cause as to why relevant action should not be taken;* *2. practitioner or student has:* *a. submitted that they accept the action proposed; or*	Amend conditions in Column F to read: *PharmNCA cannot exercise the powers under sections 178(2)(b) and (c).* *The relevant delegate must hold a reasonable belief (s 178(1)(a)).* *Ahpra may only make a decision under s 178(2) if:* *1. s 179(1) has been complied with or, if s 179(1) does not apply, the practitioner / student has been afforded a reasonable opportunity to show cause as to why relevant action should not be taken;* *2. practitioner or student has:* *a. submitted that they accept the action proposed; or*	1 April 2025

		b. not made a submission in response to the proposed relevant action; *3. delegate agrees that relevant action should be taken for the reasons proposed by the Board and holds the reasonable belief (s 178(1)(a)); and* *4. no additional information has come into possession that may be relevant in making a determinative decision.* *Ahpra must advise the Committee who proposed the relevant action of the outcome of its proposal.* *Notwithstanding the limitation above, Ahpra may only propose conditions under s 178(2)(c) where:* *1. conditions relate to a breach of s 133 (advertising offences), and* *2. the proposed condition must be standard worded conditions in accordance with the National Restriction Library.*	*b. not made a submission in response to the proposed relevant action;* *3. delegate agrees that relevant action should be taken for the reasons proposed by the Board and holds the reasonable belief (s 178(1)(a)); and* *4. no additional information has come into possession that may be relevant in making a determinative decision.* *Ahpra must advise the relevant Board or committee who proposed the relevant action of the outcome of its proposal.* *Notwithstanding the limitation above, Ahpra may only propose conditions under s 178(2)(c) where:* *1. conditions relate to a breach of s 133 (advertising offences); and* *2. the proposed condition must be standard worded conditions in accordance with the National Restriction Library (NRL).*[1] *The National Director, Compliance must be advised once a decision under s 178 has been made in relation to a monitoring and compliance matter which involves advertising.*	
	Schedule 2 Decision delegated by a National Board: s 179(2)	Current conditions in Column F read: *PharmNCA can only exercise the power under s 179(2)(b) in respect of s 178(2)(a).* *The relevant delegate holds a reasonable belief (s 178(1)(a)).* *Ahpra may only decide to take no further action under s 179(2)(a):* *1. in relation to breaches of s 133 (advertising offences).* *Ahpra may only make a decision under s 179(2)(b)(i) if:* *1. s 179(1) has been complied with or, if s 179(1) does not apply, the practitioner / student has been afforded a reasonable opportunity to show cause as to why relevant action should not be taken;* *2. practitioner or student has:* *a. submitted that they accept the action proposed; or* *b. not made a submission in response to the proposed relevant action;* *3. delegate agrees that relevant action should be taken for the reasons proposed by the Board; and* *4. no additional information has come into possession that may be relevant in making a determinative decision.* *Ahpra must advise the relevant Committee of the outcome of its proposal.*	Amend conditions in Column F to read: *PharmNCA can only exercise the power under s 179(2)(b) in respect of s 178(2)(a).* *The relevant delegate must hold a reasonable belief (s 178(1)(a)).* *Ahpra may only decide to take no further action under s 179(2)(a):* *1. in relation to breaches of s 133 (advertising offences).* *Ahpra may only make a decision under s 179(2)(b)(i) if:* *1. s 179(1) has been complied with or, if s 179(1) does not apply, the practitioner / student has been afforded a reasonable opportunity to show cause as to why relevant action should not be taken;* *2. practitioner or student has:* *a. submitted that they accept the action proposed; or* *b. not made a submission in response to the proposed relevant action;* *3. delegate agrees that relevant action should be taken for the reasons proposed by the Board; and* *4. no additional information has come into possession that may be relevant in making a determinative decision.*	1 April 2025

			Ahpra must advise the relevant Board or committee of the outcome of its proposal.	
	Schedule 2 - Decisions delegated by the National Board: s 193A(1) and (2) (Qld Act)	Board must refer a matter to the Health Ombudsman if requested to do so by the health ombudsman and if a panel has notified the Board that the matter is to be referred the responsible tribunal.	Removal of section 193A(1) and (2) (Qld Act) from Column B. Addition of section 193A(1) and (2) (Qld Act) to Column D. Addition of conditions in Column F: *Ahpra can exercise the power to refer a practitioner to a responsible tribunal if:* *1. a Board or committee with power to refer has decided to refer; and* *2. consultation with the Health Ombudsman has confirmed that the practitioner can be referred.*	1 April 2025
	Schedule 2 - Decisions delegated by the National Board: s 193B(1) and (2) (Qld Act)	Board's referral to Tribunal at panel's or ombudsman's request.	Removal of section 193B(1) and (2) (Qld Act) from Column B. Addition of section 193B(1) and (2) (Qld Act) to Column D. Addition of conditions in Column F: *Ahpra can exercise the power to refer a practitioner to a responsible tribunal if:* *1. a Board or committee with power to refer has decided to refer; and* *2. consultation with the Health Ombudsman has confirmed that the practitioner can be referred.*	1 April 2025
	Schedule 2 Decision delegated by a National Board: s 226(3)	Current conditions in Column F read: *PharmNCA cannot exercise the powers under section 226.* *Ahpra is only delegated the power to decide to remove information that a registered health practitioner has been reprimanded from the register under s 226(3) where:* *1. reprimand has been published for 5 years or longer; and* *2. there has not been a 'Relevant Event' in the preceding 5 years.* *Ahpra is only delegated the power to refuse a request to remove a reprimand under s 226(3) where:* *1. the Committee has issued a written notice to the registered health practitioner proposing to refuse to remove the reprimand, and* 2. *the practitioner has not provided a response to the notice or has indicated they intend not to make submissions.*	Amend conditions in Column F to read: *PharmNCA cannot exercise the powers under section 226.* *Ahpra is only delegated the power to decide to remove information that a registered health practitioner has been reprimanded from the register under s 226(3) where:* *1. the reprimand has been published for 5 years or longer; and* *2. there has not been a 'Relevant Event' in the preceding 5 years.* *Ahpra is only delegated the power to refuse a request to remove a reprimand under s 226(3) where:* *1. the relevant Board or committee has issued a written notice to the registered health practitioner proposing to refuse to remove the reprimand; and* 2. *the practitioner has not provided a response to the notice or has indicated they intend not to make submissions.*	1 April 2025
	Schedule 3 Trans-Tasman Mutual Recognition Act delegations: s 19(2)	Current conditions in Column F read: *Ahpra may only grant registration where:* *the applicant's New Zealand occupation is equivalent to the Australian occupation for which they seek registration.* *1. If the applicant's New Zealand occupation is not equivalent to the Australian occupation for which they seek registration, Ahpra must refer the application to the Registration and Examinations Committee.*	Amend conditions in Column F to read: *Ahpra may only grant registration where:* *1. the applicant's New Zealand occupation is equivalent to the Australian occupation for which they seek registration; and* *2. the applicant's registration in New Zealand is not subject to conditions and/or previous registration in Australia was not subject to conditions.* *If the applicant's New Zealand occupation is not equivalent to the Australian occupation for which they*	1 April 2025

			seek registration, Ahpra must refer the application to the relevant Board or committee.	
	Schedule 3 Trans-Tasman Mutual Recognition Act delegations: s 19(5)	Current conditions in Column F read: *Ahpra may only impose conditions where:* *1. the conditions are equivalent to conditions that apply to the applicant's registration in New Zealand.* *If it is not practicable to impose equivalent conditions, Ahpra must refer the application for registration to the Registration and Examinations Committee.*	Delete conditions in Column F.	1 April 2025
	Schedule 3 Trans-Tasman Mutual Recognition Act delegations: s 20(3)	Current conditions in Column F read:	Amend conditions in Column F to read: *Ahpra may not postpone / refuse registration where:* *1. the occupation in which registration is sought is not an equivalent occupation.* *If the applicant's New Zealand occupation is not equivalent to the Australian occupation for which they seek registration, Ahpra must refer the application to the relevant Board or committee.*	1 April 2025
	Schedule 3 Trans-Tasman Mutual Recognition Act delegations: s 26(4)	-	Addition of 26(4) in Column E.	1 April 2025
	Schedule 3 Trans-Tasman Mutual Recognition Act delegations: s 26(5)	Current conditions in Column F read: *Ahpra may only impose conditions where:* *1. the conditions are equivalent to conditions that apply to the applicant's registration in New Zealand.* *If it is not practicable to impose equivalent conditions, AHPRA must refer the application for registration to the Registration and Examinations Committee.*	Delete conditions in Column F.	1 April 2025
	Schedule 3 Trans-Tasman Mutual Recognition Act delegations: s 32(2)	-	Addition of 32(2) in Column E.	1 April 2025
	Schedule 3 Trans-Tasman Mutual Recognition Act delegations: s 40(1)	Current conditions in Column F read: *Fees must be consistent with the health profession agreement between the Board and Ahpra under s.26 of the National Law.*	Delete conditions in Column F.	1 April 2025