

Division:	Fellowship Engagement	Ref. No.	REG-3002
Department:	Professional Standards		
Title:	Professional Conduct Committee Terms of Reference		

1. PURPOSE AND SCOPE

The purpose of RACS includes the determination and maintenance of professional standards for the practice of surgery in Australia and New Zealand.

Clause 3 of the RACS Constitution provides the Council with powers to suspend and terminate membership in particular circumstances.

In addition, clause 6 of the RACS Constitution gives the Council power to make regulations as it deems necessary or desirable for the proper conduct and management of the RACS, the regulation of its affairs and the furtherance of its objectives – including, without limitation, the discipline of, and sanctions applicable to, Fellows, trainees and others, including suspension, counselling, reprimand, termination or expulsion – and, complaints made

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3.2. Duties and Responsibilities

- 3.2.1. To consider matters within the objectives of the Professional Conduct Committee and other matters

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(c) would be more appropriately dealt with by an external Authority;

(d) is currently being dealt with by another Authority; or

(e) should be adjourned or not dealt with, pending a hearing or determination by another Authority.

6.4.3. Following the initial review, the CEO may determine to:

(a) take no action;

(b) notify the complainant that the matter should be directed to a more appropriate authority;

(c) refer the complaint to the Committee for consideration; or

(d) if it is considered that the conduct that is the subject of the matter or complaint may be of such a serious nature that it may constitute serious professional misconduct or that the conduct may fall within mandatory reporting requirements, refer the complaint to an Authority (as appropriate, based on the location of the conduct).

6.4.4. The CEO may delegate his or her functions under this policy.

7. REFERRAL TO THE COMMITTEE

The Committee shall, at least 21 days prior to the meeting of the Committee at which the matter or complaint will be considered, give the Fellow written notice of:

(a) the intention of the Committee to consider the matter;

(b) the time, date and place of the meeting;

(c) particulars of the nature of the matter or complaint under consideration and

(d) advise that the Fellow:

(i)

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