

Part 2 — Pharmacy Registration Board

Division 1 — The Board

4. Board established

- (1) A body called the Pharmacy Registration Board of Western Australia is established.
- (2) The Board —
 - (a) is a body corporate; and
 - (b) has perpetual succession and a common seal; and
 - (c) may sue and be sued in its corporate name.
- (3) The Board does not represent, and is not an agent of, the Crown.

5. Membership of Board

- (1) The Board consists of 4 members appointed by the Minister, of whom —
 - (a) 3 are to be pharmacists; and
 - (b) one is to be a person who has knowledge of and experience in representing the interests of consumers.
- (2) Each member of the Board is to be a natural person.

6. Presiding member and deputy presiding member

The presiding member and the deputy presiding member of the Board are to be elected by the Board from amongst its members.

7. Remuneration and allowances

A member of the Board, or of a committee, is to be paid such remuneration and allowances (if any) as the Minister, on the recommendation of the Minister to whom the administration of the *Public Sector Management Act 1994* is committed, determines from time to time.

16. Functions of deputy presiding member

- (1) The deputy presiding member is to perform the functions of the presiding member when the presiding member is unable to do so by reason of illness, absence or other cause, or when the office of presiding member is vacant.
- (2) No act or omission of the deputy presiding member acting as presiding member is to be questioned on the ground that the occasion for his or her so acting had not arisen or had ceased.

17. Deputy members

- (1) The Minister may appoint an eligible person to be a deputy of a member and may terminate such an appointment at any time.
- (2) The provisions of section 5 that apply to and in relation to the appointment of a member apply, with any necessary modification, to and in relation to the appointment of the deputy of that member.
- (3) A deputy of a member may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) Despite anything in this Act, a deputy of a member may continue to act as a member, after the occasion for so acting has ceased, for the purpose of completing any function.
- (5) A deputy of a member, while acting as a member, has all the functions of and all the protection given to a member.
- (6) No act or omission of a person acting in place of another under this section is to be questioned on the ground that the occasion for so acting had not arisen or had ceased.

18. Vacation of office by member

- (1) A member of the Board may resign from office by notice in writing given to the Minister.

- (2) A member who resigns under subsection (1) is to give a copy of the notice of resignation to the registrar.
- (3) A member of the Board may be removed from office by the Minister —
 - (a) for mental or physical disability, incompetence, neglect of duty or misconduct that impairs the performance of the member's duties; or
 - (b) if the member is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
 - (c) if the member is absent without leave of the Board from 3 consecutive meetings of the Board of which the member has had notice; or
 - (d) for any other act or omission that in the opinion of the Minister may cause prejudice or injury to the Board.
- (4) A member of the Board must be removed from office by the Minister if the member ceases to hold a position or qualification by virtue of which the member was appointed or if, in the case of a member who is a pharmacist, the registration of the member under the *Health Practitioner Regulation National Law (Western Australia)* is suspended.

19. General procedure concerning meetings

- (1) The presiding member is to preside at all meetings of the Board at which he or she is present.
- (2) If both the presiding member and deputy presiding member are absent from a meeting the members present are to appoint one of their number to preside.
- (3) A quorum for a meeting of the Board is 3 members.
- (4) The procedure for convening meetings of the Board and the conduct of business at those meetings is, subject to this Act, to be as determined by the Board.