



**DIETITIANS ASSOCIATION OF AUSTRALIA
BY-LAW**

**CONSULTANCY SERVICES PROVIDED
BY DIRECTORS OF THE BOARD, AND MEMBERS OF THE AUSTRALIAN DIETETIC COUNCIL
OR DIETETIC CREDENTIALING COUNCIL**

(By-law Made Pursuant to Clauses 25 and 36 of the [Constitution](#))

Revised June 2012

1. Purpose

By-law made pursuant to Clauses 25 and 36 of the Constitution provides for Directors of the Dietitians Association of Australia (DAA) or dietetic members of the Australian Dietetic Council (ADC) or Dietetic Credentialing Council (DCC) to undertake and be paid for a DAA consultancy service as established in this by-law.

2. Preparation of Brief, Selection Criteria and Remuneration for a Consultancy

2.1 Directors, ADC or DCC members wishing to express interest, or be part of a group wishing to express interest in any consultancy created by DAA shall not be involved in the preparation of the brief, selection criteria or determination of the remuneration for a consultancy.

3. Expressions of Interest

3.1 Expressions of Interest for a consultancy shall be advertised:

- (a) to members through the DAA Newsletter, and /or website , and / or national e-mail; and
- (b) to members with expertise in the area of the consultancy.

3.2 Directors of the Board or dietetic members of the ADC or DCC are entitled to express interest in any DAA consultancy.

3.3 Directors, ADC or DCC members must notify the Chief Executive Officer and other Board, ADC or DCC members of a potential interest in a consultancy as soon as the interest is known.

4. Selection Panel

4.1 The Chief Executive Officer shall determine the selection panel for a consultancy in consultation with the President, ADC or DCC Chairperson and / or senior staff as appropriate.

4.2 The selection panel shall comprise:

- (a) three or five DAA members;
- (b) of the three or five DAA members, one may be a Director of the Board; and
- (c) may contain non-DAA members with specific expertise or as part of a joint project

4.3 Members of the selection panel shall have experience in the area of the consultancy or broad experience within DAA.

4.4 The recommendation of the selection panel shall be based on merit.

4.5 The selection panel shall make a recommendation on the selection process through the relevant Committee if appropriate.

- 4.6 Any Director, ADC or DCC member who has notified a potential interest in a consultancy shall not be a member of the selection panel.
- 5. Recommendation by Selection Panel to Appoint a Director, ADC or DCC member to undertake a Consultancy**
- 5.1 If a selection panel recommends that a Director, ADC or DCC member be appointed to undertake a consultancy, the Director, ADC or DCC member expressing interest in the consultancy shall:
- (a) not be present at or vote on the matter at any Board or ADC meeting when the consultancy is being considered; and
 - (b) be required to declare a material personal interest in the allocation of the consultancy.
- 6. Appointment of a Director, ADC or DCC member to undertake a DAA Consultancy**
- 6.1 If a Director, ADC or DCC member is appointed to undertake a consultancy, the Director, ADC or DCC member shall not:
- (a) be present during any discussion by the Board, ADC or DCC on any aspect of the consultancy, other than to report or answer questions at the invitation of the Board, ADC or DCC;
 - (b) vote on any aspect of the consultancy.
- 6.2 The Board shall appoint a Director, ADC or DCC member to undertake a consultancy only by resolution of the Board.
- 7. Payment of a Consultancy Fee to a Director, ADC or DCC member**
- 7.1 A Director, ADC or DCC member appointed to undertake a consultancy shall be paid a consultancy fee as described in the consultancy brief and the consultancy agreement (contract).
- 8. Consultancy Agreement (Contract)**
- 8.1 A Director, ADC or DCC member undertaking a consultancy shall be required to sign and adhere to a DAA consultancy agreement.
- 8.2 A Director, ADC or DCC member, in addition to signing a consultancy agreement, is to acknowledge in writing that they have complied with the provisions of this by-law in relation to that consultancy.