



australian  
pharmacy  
council

## B-05 Conflict of Interest

Policy

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# Conflict of Interest Policy

## 1. Purpose

The Australian Pharmacy Council (APC) is committed to maintaining high ethical standards, honesty and transparency in all its operations. Given the nature of the APC's work and stakeholders, it operates in an environment where conflicts of interest are likely to arise.

The APC recognises the complexities involved in managing conflicts of interest and seeks to ensure that its procedures are clear, executable and accessible. Effectively managing conflicts of interest is essential to maintaining the integrity and credibility of the decisions made by the APC in carrying out its functions.

## 2. Scope

This policy applies, but is not limited to APC Board Directors, Committee/Panel Members, Subject Matter Experts (SMEs), Assessors, Staff and Consultants.

## 3. Overview

The Constitution of the Australian Pharmacy Council Ltd (the Constitution) requires compliance with the general law regarding the disclosure of conflicts of interest and adhere to section 191 of the Corporations Act 2001 concerning the disclosure of material personal interests.

## 4. Policy Statement

- a) All APC Board Directors, Committee/Panel Members, SMEs, Staff and Consultants are responsible for declaring conflicts of interest in writing.
- b) Conflicts must be disclosed in advance of relevant agenda items at meetings of the APC Board or its Committees/Panels, during evaluation processes or when contributing to APC work.
- c) The APC will maintain a register of interests. These registers will be updated in accordance with the procedures outlined in this document.
- d) The APC is responsible for ensuring that any conflicts of interest disclosed in meetings are formally recorded in the minutes of the respective meeting. The Company Secretary provides assurance to the Board that conflicts of interest have been disclosed, recorded and managed appropriately.
- e) If a conflict of interest is deemed material, action **must** be taken where relevant including, but not limited to:
  - i. the conflicted party and the nature and extent of the interest are identified and
  - ii. the conflicted party **refrains from discussion** and **does not vote**, or
  - iii. the conflicted party **leaves the room** during the discussion and decision, or
  - iv. the members present agree that the conflict does **not disqualify** the party from participating or voting.
- f) The Company Secretary has a governance role in relation to conflict of interest management, providing oversight, assurance and advice to the Board and its Committees, and ensuring the policy is consistently applied across the organisation.

## 5. Breaches of this policy

An intentional breach of this policy constitutes a breach of the Code of Conduct. The APC Board will be informed of breaches and will determine an appropriate course of action. Breaches of this policy may also constitute contravention of a civil penalty provision of the *Corporations Act 2001* and may incur a pecuniary penalty.

## 6. Privacy

The APC is bound by the *Privacy Act 1988*, and the *Privacy Amendment Act 2012*, which prescribes the treatment of personal information that is collected and retained by the APC. This is reflected in the [APC Privacy Policy](#)

## Glossary of Terms

Term	Meaning
<b>Actual conflict</b>	A conflict that exists in fact.
<b>APC Staff</b>	Employee of APC.
<b>Assessors</b>	Includes Accreditation Assessment Teams (AATs) and others engaged by APC to undertake assessment activities.
<b>Committee</b>	Includes all committees appointed by the APC Board. Members of these committees are those appointed by the APC Board following a selection process, and nominees of professional organisations. The function of the nominees is to provide subject matter expertise where appropriate and provide a profession-wide perspective on matters under consideration. Members and nominees may serve on more than one Committee/Panel and may also be APC Board Directors.
<b>Conflict of interest</b>	A conflict that may arise when an individual has duties, roles or relationships that may improperly influence the performance of the duties of their role with the APC. Conflicts may be actual, perceived or potential.
<b>Panels</b>	Panels, in this context, covers Working Groups, Advisory Groups, Expert Advisory Groups, Assessors and Reference Groups.

## List of Abbreviations

Abbreviation	Term
<b>APC</b>	Australian Pharmacy Council

Abbreviation	Term
<b>SME</b>	Subject Matter Expert



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