WESTERN AUSTRALIAN GOVERNMENT
Gazette
ISSN 1448-949X PRINT POST APPROVED PP665002/00041

PERTH, TUESDAY, 31 JULY 2007 No. 154 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.00 PM

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OCCUPATIONAL THERAPISTS ACT 2005

OCCUPATIONAL THERAPISTS REGULATIONS 2007

Western Australia

Occupational Therapists Regulations 2007

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Occupational Therapists Act 2005

Occupational Therapists Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Occupational Therapists Regulations 2007*.

2. Commencement

These regulations come into operation as follows:

(a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;

(b) the rest of the regulations — on the day on which the *Occupational Therapists Act 2005* section 3 comes into operation.

3. Criminal record screening

The Board may require a person who applies to the Board for registration under section 27 or 29 of the Act to give the Board authority to obtain details of any record of criminal convictions of that person.

4. Prescribed qualifications for registration under section 27(2)(f)

(1) For the purposes of section 27(2)(f) of the Act, the qualifications specified in column 1 of the Table to this subregulation opposite the institution specified in column 2 of

that Table are prescribed as a qualification for registration as an occupational therapist.

Table

Column 1 Prescribed qualification	Column 2 Institution
Western Australia	
Diploma of the Royal Perth Hospital School of Occupational Therapy (1960-69)	Royal Perth Hospital School of Occupational Therapy
Associateship Occupational Therapy (1969-73)	Western Australian Institute of Technology
Bachelor of Applied Science Occupational Therapy (1974-87)	Western Australian Institute of Technology
Bachelor of Applied Science Occupational Therapy (1988-92)	Curtin University of Technology
Bachelor of Science Occupational Therapy (1993 -)	Curtin University of Technology
Master of Occupational Therapy (2004 -)	Curtin University of Technology
New South Wales	
Diploma Occupational Therapy (1948-1975)	The University of New South Wales
Diploma Applied Science Occupational Therapy (1978)	Cumberland College
Bachelor of Applied Science Occupational Therapy (1973-1989)	Cumberland College
Bachelor of Applied Science Occupational Therapy (1990 -)	The University of Sydney
Bachelor of Health Science Occupational Therapy (1999 -)	Charles Sturt University

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Column 1 **Prescribed qualification**	**Column 2** **Institution**
Bachelor of Health Science Occupational Therapy (1999 -)	The University of Newcastle
Bachelor of Applied Science Occupational Therapy (1998 -)	University of Western Sydney
Master of Occupational Therapy (1998 -)	The University of Sydney
Queensland	
Bachelor of Occupational Therapy (1968 -)	The University of Queensland
Bachelor of Occupational Therapy (2002 -)	James Cook University
Master of Occupational Therapy Studies (2002 -)	The University of Queensland
South Australia	
Bachelor of Applied Science Occupational Therapy (1979-1997)	South Australian Institute of Technology
Bachelor of Applied Science Occupational Therapy (1998 -)	University of South Australia
Master of Occupational Therapy Graduate Entry (2005 -)	University of South Australia
Victoria	
Diploma of Occupational Therapy (1955-1976)	Occupational Therapy School of Victoria
Diploma of Occupational Therapy (1976-1987)	Lincoln Institute of Health Sciences
Bachelor of Applied Science Occupational Therapy (1988-1992)	La Trobe University
Bachelor of Occupational Therapy (1993 -)	La Trobe University
Master of Occupational Therapy (2005 -)	La Trobe University

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Column 1 Prescribed qualification	Column 2 Institution
Bachelor of Occupational Therapy (2005 -)	Deakin University
New Zealand	
Bachelor of Health Science (Occupational Therapy) (1994 -)	Auckland University of Technology
Bachelor of Occupational Therapy (1995 -)	Otago Polytechnic
Diploma of Occupational Therapy (1991-1996)	Otago Polytechnic
Diploma of Occupational Therapy (1991-1996)	Auckland Institute of Technology
Bachelor of Health Science (Occupational Therapy) (1997-2000)	Auckland Institute of Technology
Bachelor of Health Science (Occupational Therapy) (2000 -)	Auckland Institute of Technology
Diploma of Occupational Therapy (1971-1991)	Central Institute of Technology
State Examination Certificate in Occupational Therapy (1946-1970)	New Zealand School of Occupational Therapy
Other	
Certificate that applicant has passed all stages of the examination in Occupational Therapy (1989-1999)	National Office of Overseas Skills Recognition
Certificate that applicant has met occupational therapy practice audit requirements (2000 -)	Council of Occupational Therapists Registration Boards (Australia and New Zealand) Inc.

(2) For the purposes of section 27(2)(f) of the Act, an occupational therapy qualification accredited by the Council on Overseas Professional Qualifications before 1 January 1990 is prescribed as a qualification for registration as an occupational therapist.

(3) For the purposes of section 27(2)(f) of the Act, any qualification relating to a person taken to be registered under Schedule 2 clause 6(1) of the Act entered in the Register under the *Occupational Therapists Registration Act 1980* section 13(2)(c) immediately before the day on which the Act comes into operation is prescribed as a qualification for registration of that person.

5. Prescribed period for registration and renewal of registration under section 34

(1) For the purposes of section 34(a) of the Act, the prescribed period for which registration has effect is a period equal to the period commencing on the day on which registration is granted and ending on the next succeeding 30 June.

(2) For the purposes of section 34(b) of the Act, the prescribed period for which registration may be renewed is a period equal to the period commencing on the day on which the registration is renewed and ending on the next succeeding 30 June.

6. Day on which fee falls due under section 35(1)

For the purposes of section 35(1) of the Act, the day in each year on which the prescribed fee for the renewal of registration falls due is 30 June.

7. Prescribed information under section 37(g)

For the purposes of section 37(g) of the Act, the following information is prescribed —

(a) any offence under the Act for which the occupational therapist has been convicted;

(b) the date on which the occupational therapist was first registered as an occupational therapist;

(c) any business name under which the occupational therapist practises occupational therapy.

8. Amendment of particulars

An occupational therapist may at any time apply to the Board for the amendment of the particulars recorded in the register relating to that occupational therapist, and if the Board is satisfied that the amendment may properly be made, the Board, on payment of the prescribed fee, is to cause those particulars to be amended.

9. Change of name or business name

(1) An occupational therapist must give the registrar written advice of any change to his or her name or business name that is recorded in the register.

Penalty: a fine of $1 000.

(2) The advice referred to in subregulation (1) must be given no later than 30 days after the change of name or business name.

10. Complaints to the complaints assessment committee

(1) A complaint to the complaints assessment committee is to be in writing.

(2) A person who complains to the complaints assessment committee must give to the committee —

(a) his or her name; and

(b) such other information relating to the person's identity as the Board or registrar may require.

11. Appointment of a conciliator

(1) After consulting a person with knowledge of and experience in the conciliation of complaints, the complaints assessment committee may appoint a person with knowledge of and experience in the conciliation of complaints to be a conciliator to preside over a conference under section 77(2) of the Act.

(2) The Board may pay a conciliator appointed under this regulation a fee for, and such reasonable expenses as may be incurred by the conciliator in, presiding over conferences under section 77(2) of the Act.

12. Advertising

An occupational therapist who advertises, or causes to be advertised, any material relating to the occupational therapist's practice of occupational therapy that —

(a) is false, misleading or deceptive; or

(b) creates an unjustified expectation of beneficial treatment; or

(c) promotes the unnecessary or inappropriate use of the occupational therapist's services,

commits an offence.

Penalty: a fine of $1 000.

13. Fees

The fees in Schedule 1 are the prescribed fees payable in respect of the matters specified in that Schedule and the persons liable for payment of the fees are the persons specified in that Schedule.

14. Fees for registration under the *Mutual Recognition (Western Australia) Act 2001*

The fees in Schedule 2 are prescribed as the fees payable in respect of the registration of a person entitled under the *Mutual Recognition Act 1992* of the Commonwealth, as adopted by the *Mutual Recognition (Western Australia) Act 2001*, to be registered in this State as an occupational therapist.

15. Reduction, waiver or refund of fees

The Board may authorise the reduction, waiver or refund of any fee provided for in these regulations if the Board considers it appropriate to do so.

Schedule 1 — Fees

[r. 13]

	Type of fee	Provision of Act	Fee $
1.	Fee payable by a person who applies for a copy of the minutes of the Board available for inspection under section 20(4) of the Act.	s. 20(5)	$5 plus $1 per page up to a maximum fee of $10
2.	Registration fee payable by a person if registration is effected in the months of July, August, September, October, November or December.	s. 27(1)(b)	60
3.	Registration fee payable by a person if registration is effected in the months of January, February, March, April, May or June.	s. 27(1)(b)	30
4.	Fee payable by a person who applies for registration under section 27 or 29 of the Act for the conduct of criminal record screening.	s. 27, 29 and 97(2)(h)	50
5.	Registration fee payable by a person for provisional registration.	s. 28(1)(c)	60
6.	Registration fee payable by a person for conditional registration.	s. 29(1)(c)	60
7.	Fee payable by the applicant to accompany an application for registration.	s. 32(1)(c)	60
8.	Fee payable by an occupational therapist for renewal of registration of the occupational therapist.	s. 35(1)	60

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Schedule 1 Fees

	Type of fee	Provision of Act	Fee $
9.	Additional amount to be paid to the Board by an applicant to have name restored to the register.	s. 35(2)	35
10.	Fee payable by a person who applies for a certified copy of the register or an entry in the register for the copy.	s. 38(4)	20
11.	Fee payable by an applicant for amendment of particulars entered in the register.	r. 8 and s. 97(2)(h)	10

Schedule 2 — Fees relating to registration arising under the *Mutual Recognition (Western Australia) Act 2001*

[r. 14]

	Type of fee	Fee $
1.	Fee payable on lodgment of a written notice seeking registration in accordance with mutual recognition principle.	60
2.	Registration fee for grant of registration in accordance with mutual recognition principle if registration is effected in the months of January, February, March, April, May or June.	30
3.	Registration fee for grant of registration in accordance with mutual recognition principle if registration is effected in the months of July, August, September, October, November or December.	60

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.