

Physiotherapists Act 1950

Physiotherapists Amendment Regulations 2004

Made by the Governor in Executive Council.

1. Citation

These are the *Physiotherapists Amendment Regulations 2004*.

2. Commencement

These regulations come into operation on the day on which Part 2 Division 102 of the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* comes into operation or on the day of their publication in the *Gazette*, whichever is the later.

3. The regulations amended

The amendments in these regulations are to the *Physiotherapists Regulations 1951**.

[* *Reprint 1 as at 16 May 2003.*

For amendments to 22 November 2004 see Western Australian Legislation Information Tables for 2003, Table 4, p. 278, and Gazette 19 October 2004.]

4. Regulation 20 amended

Regulation 20 is amended as follows:

- (a) by deleting “The name of any physiotherapist registered in the Register of Physiotherapists shall be struck off the Register if the Board is satisfied after inquiry, which the Board may initiate of its own motion, that —” and inserting instead —

“

If the Board is satisfied after inquiry, which the Board may initiate of its own motion, that any physiotherapists registered in the Register —

”;

- (b) in paragraphs (a), (b) and (c) by deleting “he” in each place where it occurs;

- (c) after paragraph (c) by deleting the full stop and inserting —

“

,

the Board may make an allegation to the State Administrative Tribunal and the Tribunal may, on the hearing and determination of an allegation, order that the name of the person be struck off the Register.

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5. Regulation 21 replaced by regulations 21 and 22

Regulation 21 is repealed and the following regulations are inserted instead —

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21. Impropriety or misconduct

If the Board is satisfied that any physiotherapists registered in the Register is guilty of improper practices or misconduct (but not “misconduct in a professional respect”) the Board may make an allegation to the State Administrative Tribunal and the Tribunal may, on the hearing and determination of an allegation —

- (a) reprimand the person; or
- (b) order that the person’s licence be suspended for a period not exceeding 6 months specified in the order.

22. Allegation to the State Administrative Tribunal

If the Board makes an allegation to the State Administrative Tribunal and the person the subject of the allegation has furnished an answer under rule 27 of the *Physiotherapists Registration Board Rules 1952*, the Registrar is to cause a copy of the answer to be given —

- (a) to the executive officer of the State Administrative Tribunal with the referral; and
- (b) to the person (if any) who made the complaint against the physiotherapist within 7 days of the day on which the complaint or allegation was referred to the State Administrative Tribunal.

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By Command of the Governor,

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