

HE304

PODIATRISTS REGISTRATION ACT 1984

PODIATRISTS REGISTRATION AMENDMENT RULES 1995

Made by the Podiatrists Registration Board and approved by His Excellency the Governor in Executive Council.

Citation

1. These rules may be cited as the *Podiatrists Registration Amendment Rules 1995*.

Principal rules

2. In these rules the *Podiatrists Registration Rules 1985** are referred to as the principal rules.

[* *Published in Gazette of 22 February 1985 at pp. 664-70.*
For amendments to 14 August 1995 see 1994 Index to Legislation of Western Australia, Table 4, pp. 213-4.]

Rule 19 amended**3. Rule 19 of the principal rules is amended —**

- (a) by deleting paragraph (b) and substituting the following paragraph —

“

- (b) home or business address (as selected by the podiatrist) and, where applicable, the telephone and facsimile machine numbers for that address;

”;

- (b) by deleting “and” at the end of paragraph (i);
- (c) by deleting the full stop at the end of paragraph (j) and substituting a semi-colon; and
- (d) after paragraph (j) by inserting the following paragraphs —

“

- (k) where under section 40 (3) of the Act a name under which the podiatrist practises has been approved, the name or names;
- (l) hours of business;
- (m) languages spoken; and
- (n) each area of special knowledge and each special skill in relation to podiatry that has been recognised by the Board.

”.

Rule 20 repealed and a rule substituted**4. Rule 20 of the principal rules is repealed and the following rule is substituted —**

“

Podiatrist to notify Registrar of change in particulars

20. A podiatrist shall notify the Registrar of any change to particulars entered in the Register in respect of the podiatrist within 14 days of the change.

”.

Rule 22 repealed**5. Rule 22 of the principal rules is repealed.****Part V repealed and a Part substituted****6. Part V of the principal rules is repealed and the following Part is substituted —**

“

PART V — ADVERTISING, DISPLAY AND PUBLICITY**Business cards and stationery**

32. (1) Subject to subrule (2), a podiatrist shall not, in relation to podiatry, use or notify on a business card or printed stationery prepared by or for the podiatrist a title, words, letters, addition, or description, either in full, or in abbreviation or in combination, other than that or those shown in the Register in relation to the registration of the podiatrist.

(2) Subrule (1) does not apply where a podiatrist has the written approval of the Board to do something that would otherwise be a breach of that subrule.

Restrictions on advertising etc.

33. A podiatrist shall not, in relation to podiatry, use an advertisement, notice, sign, name-plate, business card or printed stationery that —

- (a) is false in a material particular;
- (b) is misleading or deceptive or is likely to mislead or deceive;
- (c) is vulgar, sensational or otherwise likely to adversely affect the reputation or standing of the podiatry profession by reason of its content, form or manner of presentation;
- (d) claims or implies that the podiatrist is superior to another podiatrist or podiatrists;
- (e) claims or implies that equipment or a technique used by the podiatrist is superior to the equipment or technique used by another podiatrist or podiatrists;
- (f) states or implies that the podiatrist offers or may offer a discount on the cost of goods or services provided by the podiatrist; or
- (g) comprises, includes or refers to a testimonial in any form.

Restrictions on publicising practice of podiatry

34. A podiatrist may participate and be identified by name and profession in a talk, public appearance, broadcast or publication in relation to podiatry unless —

- (a) the subject matter is not a matter of public interest;
- (b) where the subject matter concerns a matter in respect of which the podiatrist has been professionally engaged —
 - (i) the podiatrist does not have the client's express consent, or it is contrary to the interests of the client, to so participate;
 - (ii) the podiatrist gives an unobjective account of the matter; or
 - (iii) the podiatrist gives undue publicity or emphasis to the podiatrist's part in the matter;
- (c) the presentation is vulgar, sensational or otherwise likely to adversely affect the reputation or standing of the podiatry profession by reason of the content or form of the presentation or the manner of the podiatrist's participation;
- (d) the podiatrist claims or implies that the podiatrist is superior to another podiatrist or podiatrists;
- (e) the podiatrist claims or implies that equipment or a technique used by the podiatrist is superior to the equipment or technique used by another podiatrist or podiatrists; or
- (f) the podiatrist claims or implies that the podiatrist is representing the Board or is presenting the views of the Board, without having the express authority of the Board to do so.

Special knowledge and skills

35. Nothing in rule 33 (d) or (e) or rule 34 (d) or (e) prevents a podiatrist from informing persons that the podiatrist has an area of special knowledge or a special skill in relation to podiatry if that special knowledge or special skill is entered in the Register in respect of the podiatrist.

Board may direct action as to advertising etc.

36. Where the Board is of the opinion that a podiatrist has not complied with section 40 (5) of the Act or rule 32, 33 or 34, it may by written notice served on the podiatrist, direct that —

- (a) an advertisement, notice, business card or printed stationery be discontinued or altered in terms as directed by the Board;
- (b) a sign or name-plate be removed or altered in terms as directed by the Board; or
- (c) the podiatrist make a retraction in terms and in the manner as directed by the Board.

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MAX PRAGER, Chairman.
W. CLARK, Registrar.

Seal of the Board

Approved by His Excellency the Governor in Executive Council this 19th day of December 1995.

J. PRITCHARD, Clerk of the Council.
