



WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

61



PERTH, FRIDAY, 12 JANUARY 2007 No. 5

SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.45 PM

© STATE OF WESTERN AUSTRALIA

PHYSIOTHERAPISTS ACT 2005

PHYSIOTHERAPISTS REGULATIONS 2006

Western Australia

Physiotherapists Regulations 2006

CONTENTS

1. Citation
2. Commencement
3. Physiotherapy: methods of treatment
4. Criminal record screening
5. Prescribed qualifications for registration under section 27(2)(f)
6. Examinations
7. Prescribed period for registration and renewal of registration under section 34
8. Day on which fee falls due under section 35(1)
9. Prescribed information under section 37(g)
10. Amendment of particulars
11. Complaints to the complaints assessment committee
12. Appointment of a conciliator
13. Advertising
14. Fees
15. Fees for registration under the *Mutual Recognition (Western Australia) Act 2001*
16. Reduction, waiver or refund of fees

Schedule 1 — Fees

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

Schedule 3 — Fee for examination

Physiotherapists Act 2005

Physiotherapists Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Physiotherapists Regulations 2006*.

2. Commencement

These regulations come into operation on the day on which the *Physiotherapists Act 2005* comes into operation.

3. Physiotherapy: methods of treatment

For the purpose of the definition of “physiotherapy” in the Act section 3, the following methods of treatment are prescribed —

- (a) use of a short wave diathermy machine;
- (b) use of an ultra violet light machine;
- (c) use of an infrared ray lamp;
- (d) use of an ultra sonic machine;
- (e) use of electrical stimulation by means of an interferential, faradic or galvanic machine;
- (f) spinal manipulation involving the rapid application of a force (whether by manual or mechanical means) to any part of a person’s body that affects a joint or segment of the vertebral column.

Physiotherapists Regulations 2006**r. 4****4. Criminal record screening**

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

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

- (1) For the purposes of the Act section 27(2)(f), the —
- (a) Certificate of Physiotherapy issued by the Board; and
 - (b) the Final Certificate issued by the Australian Examining Council for Overseas Physiotherapists or the Australian Physiotherapy Council,
- are qualifications prescribed as a qualification for registration as a physiotherapist.
- (2) For the purposes of the Act section 27(2)(f), 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 a physiotherapist.

Table

Column 1 Qualification	Column 2 Institution
Western Australia	
Diploma of the Physiotherapists Registration Board of Western Australia	Physiotherapists Registration Board of Western Australia
Associateship or Degree of Physiotherapy	Curtin University of Technology or the Western Australian Institute of Technology
Bachelor of Science (Physiotherapy)	Curtin University of Technology
Master of Physiotherapy (graduate entry)	Curtin University of Technology

Physiotherapists Regulations 2006**r. 5**

Column 1 Qualification	Column 2 Institution
Bachelor of Physiotherapy (conferred during 2006)	The University of Notre Dame Australia
Australian Capital Territory	
Master of Physiotherapy (graduate entry) (conferred during 2006)	University of Canberra
New South Wales	
Diploma in Physiotherapy (conferred before 1974)	New South Wales College of Paramedical Studies
Diploma in Physiotherapy (conferred during or after 1974)	New South Wales College of Paramedical Studies
Diploma in Physiotherapy	Cumberland College of Health Sciences, New South Wales
Graduate Diploma in Physiotherapy	Cumberland College of Health Sciences, New South Wales
Bachelor of Applied Science (Physiotherapy)	Cumberland College of Health Sciences, New South Wales
Bachelor of Physiotherapy	Charles Sturt University
Master of Physiotherapy (conferred after 17 December 2003)	University of Sydney
Bachelor of Applied Science (Physiotherapy)	University of Sydney
Bachelor of Physiotherapy (conferred during 2006)	University of Newcastle
Queensland	
Diploma or Degree of Physiotherapy	University of Queensland
Bachelor of Physiotherapy	University of Queensland
Bachelor of Physiotherapy combined with Bachelor of Exercise Science (conferred after 30 November 2003)	Griffith University

Physiotherapists Regulations 2006**r. 5**

Column 1 Qualification	Column 2 Institution
Master of Physiotherapy (graduate entry)	Griffith University
Master of Physiotherapy Studies (conferred after 30 November 2003)	University of Queensland
South Australia	
Diploma of Physiotherapy	University of Adelaide
Diploma or Degree of Physiotherapy	South Australian Institute of Technology
Bachelor of Physiotherapy	University of South Australia
Master of Physiotherapy	University of South Australia
Victoria	
Bachelor of Physiotherapy	La Trobe University
Bachelor of Physiotherapy	University of Melbourne
Diploma in Physiotherapy	Lincoln Institute
New Zealand	
Diploma in Physiotherapy (conferred between 1946 and 1977) and, for those on whom the diploma was conferred between 1950 and 1977, passed the New Zealand State Examination in Physiotherapy conducted by the New Zealand Physiotherapy Board	New Zealand School of Physiotherapy
Diploma in Physiotherapy (Otago) (conferred between 1978 and 1992) and, for those on whom the diploma was conferred between 1978 and 1989, passed the New Zealand State Examination in Physiotherapy conducted by the New Zealand Physiotherapy Board	Otago Polytechnic

Physiotherapists Regulations 2006**r. 5**

Column 1 Qualification	Column 2 Institution
Diploma in Physiotherapy (conferred between 1973 and 1990) and, for those on whom the diploma was conferred between 1973 and 1989, passed the New Zealand State Examination in Physiotherapy conducted by the New Zealand Physiotherapy Board	Auckland Technical Institute
Diploma in Physiotherapy (conferred between 1990 and 1992)	Auckland Institute of Technology
Bachelor of Physiotherapy (conferred during or after 1993)	University of Otago
Bachelor of Health Science (Physiotherapy) (conferred during or after 1991)	Auckland Institute of Technology

- (3) For the purposes of the Act section 27(2)(f), a physiotherapy qualification accredited by the Accreditation Council for Canadian Physiotherapy Academic Programs between 1 April 2000 and the day on which these regulations come into operation is prescribed as a qualification for registration as a physiotherapist.
- (4) For the purpose of the Act section 27(2)(f), any qualification relating to a person taken to be registered under the Act Schedule 2 clause 6(1) entered in the Register of Physiotherapists under the *Physiotherapists Registration Board Rules 1952* rule 20 immediately before the day on which the Act comes into operation as a qualification necessary for registration is prescribed as a qualification for registration of that person.

Physiotherapists Regulations 2006**r. 6**

6. Examinations

- (1) A person the Board considers to be appropriate to conduct the examination may be appointed by the Board to conduct an examination to determine whether a person desiring to be registered under the Act should be granted a Certificate of Physiotherapy.
- (2) The examination referred to in subregulation (1) may be written or oral, or both, and may include requiring the person desiring to be registered under the Act to conduct a clinical examination of a patient.
- (3) The fee in Schedule 3 is prescribed as the fee payable by a person to sit an examination conducted under this regulation.
- (4) The Board is to give a person who passes the examination a Certificate of Physiotherapy in a form approved by the Board.

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

- (1) For the purposes of the Act section 34(a), 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) If under the Act Schedule 2 clause 6(1) a person is taken to be registered, for the purposes of the Act section 34(a) the prescribed period for which that person's registration has effect is a period equal to the period commencing on the day on which the Act comes into operation and ending on the next succeeding 30 June.
- (3) For the purposes of the Act section 34(b), 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.

Physiotherapists Regulations 2006

r. 8**8. Day on which fee falls due under section 35(1)**

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

9. Prescribed information under section 37(g)

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

- (a) any offence under the Act for which the physiotherapist has been convicted;
- (b) the date on which the physiotherapist was first registered as a physiotherapist.

10. Amendment of particulars

A physiotherapist may at any time apply to the Board for the amendment of the particulars recorded in the register relating to that physiotherapist, 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.

11. 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.

Physiotherapists Regulations 2006**r. 12**

12. 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 the Act section 77(2).
- (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 the Act section 77(2).

13. Advertising

- (1) A physiotherapist who advertises, or causes to be advertised, any material relating to the physiotherapist's practice of physiotherapy 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 physiotherapist's services,commits an offence.
- (2) A physiotherapist must ensure that an advertisement relating to the physiotherapist's practice of physiotherapy —
 - (a) does not bear the name of any firm of which the physiotherapist is a member unless the Board has authorised in writing the use of that name; or
 - (b) does not use a qualification or indicate by the use of any words or initials that the physiotherapist holds a qualification that is not recorded on the register; or

Physiotherapists Regulations 2006**r. 14**

- (c) does not use any of the following titles in relation to the physiotherapist unless the physiotherapist is authorised in writing by the Board to do so —
- (i) Cardiopulmonary Physiotherapist;
 - (ii) Electrotherapy Physiotherapist;
 - (iii) Gerontology Physiotherapist;
 - (iv) Aquatic Physiotherapist;
 - (v) Manipulative Therapist;
 - (vi) Musculoskeletal Physiotherapist;
 - (vii) Neurological Physiotherapist;
 - (viii) Orthopaedic Physiotherapist;
 - (ix) Paediatric Physiotherapist;
 - (x) Sports Physiotherapist;
 - (xi) Women's Health Physiotherapist.

Penalty: a fine of \$1 000.

14. 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.

15. 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 a physiotherapist.

16. 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.

Physiotherapists Regulations 2006**Schedule 1 Fees****Schedule 1 — Fees**

			[r. 14]
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 the Act section 20(4).	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)	75	
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)	37.50	
4. Fee payable by a person who applies for registration under the Act section 27 or 29 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)	75	
6. Registration fee payable by a person for conditional registration.	s. 29(1)(c)	75	
7. Fee payable by the applicant to accompany an application for registration.	s. 32(1)(c)	50	
8. Fee payable by a physiotherapist for renewal of registration of the physiotherapist.	s. 35(1)	75	

Physiotherapists Regulations 2006Fees **Schedule 1**

	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)	80
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)	15
11.	Fee payable by an applicant for amendment of particulars entered in the register.	r. 10 and s. 97(2)(h)	15

Physiotherapists Regulations 2006**Schedule 2** Fees relating to registration arising under the Mutual**Schedule 2 — Fees relating to registration arising under
the *Mutual Recognition (Western Australia) Act 2001***

[r. 15]

		Fee
Type of fee		\$
1.	Fee payable on lodgment of a written notice seeking registration in accordance with mutual recognition principle.	50
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.	37.50
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.	75

Physiotherapists Regulations 2006Fee for examination **Schedule 3**

Schedule 3 — Fee for examination

[r. 6(3)]

The fee to sit an examination is \$275.

By Command of the Governor,

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