

Western Australia

Osteopaths Act 2005

Osteopaths Regulations 2006

As at 24 Jun 2009

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Osteopaths Regulations 2006

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Osteopaths Regulations 2006

1. Citation

These regulations are the *Osteopaths Regulations 2006* ¹.

2. Commencement

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

3. 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.

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

- (1) For the purposes of the Act section 27(2)(f), the qualification prescribed as a qualification for registration as an osteopath is a Certificate of Osteopathy issued by the Board.
- (2) For the purposes of the Act section 27(2)(f), the diplomas, degrees or certificates specified in column 1 of the Table to this subregulation opposite the university, institute, or school of osteopathy specified in column 2 of that Table are prescribed as a qualification for registration as an osteopath.

r. 5

Table

| Column 1 Diploma, degree or certificate | Column 2 Institution |
|--|--|
| Bachelor of Applied Science (Osteopathy) | Royal Melbourne Institute of Technology |
| Bachelor of Osteopathic Science and Bachelor of Applied Science (Clinical Science) (double degree) | Royal Melbourne Institute of Technology |
| Bachelor of Science (Clinical Sciences) and Master of Health Science (Osteopathy) (double degree) | Victoria University of Technology |
| Bachelor of Applied Science (Osteopathy) | Phillip Institute of Technology |
| Bachelor of Applied Science (Osteopathic Studies) | University of Western Sydney |
| Master of Osteopathy | University of Western Sydney |

[Regulation 4 amended in Gazette 23 Jun 2009 p. 2462.]

5. 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 Osteopathy.
- (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 Osteopathy in a form approved by the Board.

6. Prescribed period for registration and renewal of registration under section 33

- (1) For the purposes of the Act section 33(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) For the purposes of the Act section 33(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.

7. Day on which fee falls due under section 34(1)

For the purposes of the Act section 34(1), the day in each year on which the prescribed fee for the renewal of registration falls due is 30 June.

8. Prescribed information under section 36(g)

For the purposes of the Act section 36(g), the following information is prescribed —

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

9. Amendment of particulars

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

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 conciliator to preside over a conference under the Act section 76(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 76(2).

12. Advertising

An osteopath who advertises, or causes to be advertised, any material relating to the osteopath's practice of osteopathy 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 osteopath'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 osteopath.

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 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) | 500 |
| 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) | 250 |
| 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 96(2)(h) | 50 |
| 5. Registration fee payable by a person for provisional registration. | s. 28(1)(c) | 500 |
| 6. Registration fee payable by a person for conditional registration. | s. 29(1)(c) | 500 |
| 7. Fee payable by the applicant to accompany an application for registration. | s. 31(1)(c) | 150 |
| 8. Fee payable by an osteopath for renewal of registration of the osteopath. | s. 34(1) | 500 |

| | 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. 34(2) | 100 |
| 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. 37(4) | 20 |
| 11. | Fee payable by an applicant for amendment of particulars entered in the register. | r. 9 and s. 96(2)(h) | 20 |

**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. | 150 |
| 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. | 250 |
| 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. | 500 |

Schedule 3 — Fee for examination

[r. 5(3)]

The fee to sit an examination is \$2 000.

Notes

- ¹ This is a compilation of the *Osteopaths Regulations 2006* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

| Citation | Gazettal | Commencement |
|--|--------------------------|--|
| <i>Osteopaths Regulations 2006</i> | 13 Dec 2006 p 5559-71 | r. 1 and 2: 13 Dec 2006; Regulations other than r. 1 and 2: 30 May 2007 (see r. 2 and <i>Gazette</i> 29 May 2007 p. 2486) |
| <i>Osteopaths Amendment Regulations 2009</i> | 23 Jun 2009 p. 2462 | r. 1 and 2: 23 Jun 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Jun 2009 (see r. 2(b)) |