

Western Australia

Podiatrists Act 2005

Podiatrists Regulations 2006

As at 23 Dec 2009

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Podiatrists Regulations 2006

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Podiatrists Regulations 2006

1. Citation

These regulations are the *Podiatrists Regulations 2006*¹.

2. Commencement

These regulations come into operation on the day on which the *Podiatrists 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 under section 27(2)(f) for registration

- (1) For the purposes of the Act section 27(2)(f), the qualification prescribed as a qualification for registration as a podiatrist is a Certificate of Podiatry issued by the Board.
- (2) For the purposes of the Act section 27(2)(f), the degrees specified in column 1 of the Table to this subregulation opposite the university specified in column 2 of that Table are prescribed as a qualification for registration as a podiatrist.

r. 5

Table

| Column 1 Degree | Column 2 Institution |
|-----------------------------------|--|
| Bachelor of Science (Podiatry) | Curtin University of Technology |
| Bachelor of Podiatric Medicine | The University of Western Australia |

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 Podiatry.
- (2) The examination referred to in subregulation (1) may be written or oral, or both.
- (3) The fees in Schedule 3 are prescribed as the fees 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 Podiatry in a form approved by the Board.

6. Specialties prescribed

For the purposes of the Act section 30(1), the following branches of podiatry are prescribed as a specialty —

- (a) podiatric surgeon;
- (b) podiatric physician.

7. Qualifications for specialty

- (1) For the purposes of the Act section 30(2)(b), the following qualifications are prescribed qualifications for the specialty of podiatric surgeon —

- (a) Master of Science (Podiatry) from Curtin University of Technology and member of, or eligible for membership of, the Australasian College of Podiatric Surgeons;
 - (b) Master of Podiatry from Curtin University of Technology and member of, or eligible for membership of, the Australasian College of Podiatric Surgeons;
 - (c) Doctor of Clinical Podiatry from the University of Western Australia.
- (2) For the purposes of the Act section 30(2)(b), the following qualifications are prescribed qualifications for the speciality of podiatric physician —
- (a) Master of Podiatric Medicine from the University of Western Australia;
 - (b) Doctor of Clinical Podiatry from the University of Western Australia;
 - (c) Doctor of Podiatric Medicine from the University of Western Australia.

[Regulation 7 amended in Gazette 1 May 2009 p. 1436.]

8. Titles under which a specialty may be practised

For the purposes of the Act section 30(6), the title specified in the Table column 2 to this regulation opposite the specialty specified in that Table column 1 is prescribed as the title under which that specialty may be practised.

Table

| Column 1 Specialty | Column 2 Title |
|-------------------------------|---------------------------|
| podiatric surgeon | podiatric surgeon |
| podiatric physician | podiatric physician |

9. 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 31 December.
- (2) 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 31 December.

10. 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 31 December.

11. 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 podiatrist has been convicted;
- (b) the date on which the podiatrist was first registered as a podiatrist.

12. Amendment of particulars

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

13. Change of name

- (1) A podiatrist must give the registrar written advice of any change to his or her 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.

14. 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.

15. 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).

16. Advertising

A podiatrist who advertises, or causes to be advertised, any material relating to the podiatrist's practice of podiatry 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 podiatrist's services,

commits an offence.

Penalty: a fine of \$1 000.

17. 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.

18. Fees for registration under *Mutual Recognition (Western Australia) Act 2001* or *Trans-Tasman Mutual Recognition (Western Australia) Act 2007*

The fees in Schedule 2 are prescribed as the fees payable in respect of the registration of a person entitled under —

- (a) the *Mutual Recognition Act 1992* (Commonwealth), as adopted by the *Mutual Recognition (Western Australia) Act 2001*; or
- (b) the *Trans-Tasman Mutual Recognition Act 1997* (Commonwealth), as adopted by the *Trans-Tasman Mutual Recognition (Western Australia) Act 2007*,

to be registered in this State as a podiatrist.

[Regulation 18 inserted in Gazette 22 Dec 2009 p. 5267.]

19. 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. 17]

| | 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) | 112.50 |
| 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) | 225 |
| 4. | Registration fee payable by a person for provisional registration. | s. 28(1)(c) | 225 |
| 5. | Registration fee payable by a person for conditional registration. | s. 29(1)(c) | 225 |
| 6. | Registration fee payable by a person for registration as a specialist. | s. 30(1)(b) | 112.50 |
| 7. | Subject to item 8, fee payable by the applicant to accompany an application for registration. | s. 32(1)(c) | 50 |
| 8. | Fee payable by the applicant to accompany an application for registration if the applicant's qualification is not one prescribed in regulation 4. | s. 32(1)(c) | 250 |

Podiatrists Regulations 2006
Schedule 1 Fees

| | Type of fee | Provision of Act | Fee \$ |
|-----|--|-----------------------------|-------------------|
| 9. | Fee payable by a podiatrist for renewal of registration of the podiatrist. | s. 35(1) | 225 |
| 10. | Additional amount to be paid to the Board by an applicant to have name restored to the register. | s. 35(2) | 50 |
| 11. | 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 |

[Schedule 1 amended in Gazette 1 Feb 2008 p. 263-4.]

Schedule 2 — Fees for registration under *Mutual Recognition (Western Australia) Act 2001* or *Trans-Tasman Mutual Recognition (Western Australia) Act 2007*

[r. 18]

[Heading inserted in Gazette 22 Dec 2009 p. 5268.]

| Type of fee | Fee \$ |
|--|-----------|
| 1. Fee for lodgment of written notice seeking registration in accordance with mutual recognition principle or Trans-Tasman mutual recognition principle | 50 |
| 2. Fee for grant of registration in accordance with mutual recognition principle or Trans-Tasman mutual recognition principle if registration effected in January, February, March, April, May or June | 225 |
| 3. Fee for grant of registration in accordance with mutual recognition principle or Trans-Tasman mutual recognition principle if registration effected in July, August, September, October, November or December | 112.50 |

[Schedule 2 inserted in Gazette 22 Dec 2009 p. 5268.]

Schedule 3 — Fee for examination

[r. 5(3)]

The fee to sit a written examination is \$250.

The fee to sit an oral examination is \$250.

Notes

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

Compilation table

| Citation | Gazettal | Commencement |
|---|---------------------------|--|
| <i>Podiatrists Regulations 2006</i> | 13 Dec 2006 p. 5585-98 | r. 1-2: 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>Podiatrists Amendment Regulations 2008</i> | 1 Feb 2008 p. 263-4 | r. 1 and 2: 1 Feb 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 2 Feb 2008 (see r. 2(b)) |
| <i>Podiatrists Amendment Regulations 2009</i> | 1 May 2009 p. 1435-6 | r. 1 and 2: 1 May 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 2 May 2009 (see r. 2(b)) |
| <i>Podiatrists Amendment Regulations (No. 2) 2009</i> | 22 Dec 2009 p. 5267-8 | r. 1 and 2: 22 Dec 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 23 Dec 2009 (see r. 2(b)) |