

Western Australia

Chiropractors Registration Board Rules 1966

As at 12 Dec 2005

Version 01-a0-04

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Chiropractors Registration Board Rules 1966

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Chiropractors Registration Board Rules 1966

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Chiropractors Registration Board Rules 1966

1. Citation

These rules may be cited as the *Chiropractors Registration Board Rules 1966*¹.

2. Interpretation

In these rules unless the contrary intention appears —

“**member**” means a member of the Board;

“**meeting**” means a meeting of the Board;

“**the Act**” means the *Chiropractors Act 1964*.

3. Notice of meeting

- (1) The registrar shall, where the time appointed for the holding of a meeting so permits, cause notice in writing of the holding of any meeting of the Board to be posted to each member at least 7 days before the time so appointed.
- (2) Any notice posted by the registrar in pursuance of subrule (1) shall briefly indicate the business of the proposed meeting.

4. Order of business

- (1) Unless the Board otherwise resolves, the order of business at any meeting shall be —
 - Reading of the minutes of the previous meeting.
 - Confirmation of the minutes of the previous meeting.

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Applications for registration under the Act.
Correspondence.
Presentation and consideration of financial statement.
Accounts for payment.
Registrar's report.
General business.

- (2) A motion proposed at any meeting shall not be debated or decided upon unless it has been seconded.
- (3) A motion to rescind any resolution, act, matter or thing done or authorised at a previous meeting shall not be rescinded at a meeting unless notice of that motion has been given to the registrar and notice that the motion is intended to be moved is contained in the notice of the meeting posted to members in pursuance of rule 3.
- (4) Where after the expiration of 15 minutes from the time appointed for the commencement of any meeting a quorum is not, and has not during that period, been present, the meeting and the business set down for that meeting shall stand adjourned to the next meeting.

4A. Remuneration of members

For the purposes of section 14 of the Act the following rates of remuneration are prescribed —

- (a) for the chairman of the Board, \$659 per day or \$435 per half day (being 4 hours or less); and
- (b) for each other member of the Board, \$215 per day or \$142 per half day (being 4 hours or less).

*[Rule 4A inserted in Gazette 24 November 1998 p.6314;
amended in Gazette 29 November 2002 p. 5659.]*

5. Registrar, term of office, duties

- (1) A registrar appointed by the Board shall hold office during the pleasure of the Board.
- (2) The registrar shall, in addition to performing the duties imposed on him by the Act and these rules —
 - (a) be in attendance at his office during usual business hours;
 - (b) be responsible for the safe custody of all documents and property belonging to the Board;
 - (c) present at every meeting a statement of the financial transactions of the Board since the presentation of the previous statement;
 - (d) present a balance sheet of the affairs of the Board up to and including 30 June in each year within 3 months of the end of each financial year;
 - (e) receive and deposit with the Bank nominated by the Board at such intervals as the Board shall direct, all moneys received by him on behalf of the Board; and
 - (f) discharge such other duties as the Board may from time to time direct.

6. Entries in register

- (1) The registrar shall enter in the register in respect of each person whose name is ordered to be entered in the register —
 - (a) his name;
 - (b) the date and place of birth and the sex of that person;
 - (c) his residential and professional address;
 - (d) where the person is registered in pursuance of section 20(1) of the Act, a notation to that effect together with the qualifications that entitle him to be so registered;

- (e) where the person is registered in pursuance of section 20(2) of the Act, the date and place at which he first commenced to practise the calling of a chiropractor and the date and place at which he first commenced to so practise in the State; and
 - (f) the date on which he is registered as a chiropractor under the Act.
- (2) Where —
- (a) a chiropractor dies;
 - (aa) fails to pay the annual licence fee referred to in rule 10(2); or
 - (b) the State Administrative Tribunal orders the removal of his name from the register,

the registrar shall make an appropriate entry in the register indicating the date of and the reason for the removal of the name from the register.

- (3) The Board may direct the registrar to make such entries in the register as are necessary for the purpose of making the register a true and accurate record of the names and other details of persons registered under the Act.
- (4) No entry in or alteration to the register shall be made except by the registrar acting in pursuance of these rules or a direction in writing of the Board.
- (5) Any person may inspect the register between the hours of 10.00 a.m. and 3.00 p.m. on any day other than a Saturday, Sunday or a public holiday.
- (6) A person may, on payment of the fee prescribed in Appendix A, obtain a copy of the register.

[Rule 6 amended in Gazette 7 January 2000 p.26; 30 Dec 2004 p. 7020.]

7. Prescribed qualifications

For the purposes of section 20(1) of the Act, the prescribed qualifications are —

- (a) the successful completion of the full course of chiropractic at, and the holding of a degree from the Royal Melbourne Institute of Technology; or
- (b) the successful completion of the full course of chiropractic at, and the holding of a final degree, final diploma or final certificate of, a School or College of Chiropractic of which the curriculum is not less extensive and the standard of instruction not less high and the standard for the passing of examinations for the diploma, degree or certificate is not less high than that of the college referred to in paragraph (a).

*[Rule 7 amended in Gazette 6 June 1980 p.1669;
7 January 2000 p.26.]*

8. Registration

- (1) A person applying for registration as a chiropractor in pursuance of section 20(1) of the Act shall —
 - (a) apply in the form of Form 1 in Appendix B;
 - (b) pay the fee prescribed in Appendix A; and
 - (c) produce evidence that —
 - (i) he has attained the age of 21 years;
 - (ii) he is of good character;
 - (iii) he holds any of the qualifications prescribed in rule 7(a) and (b); and
 - (iv) he has a standard of education equal to the matriculation level that is required by the University of Western Australia, if so required by the Board.
- (2) A person applying for registration as a chiropractor in pursuance of section 20(2) of the Act shall —

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- (a) apply in the form of Form 2 in Appendix B;
 - (b) pay the fee prescribed in Appendix A; and
 - (c) produce evidence that he has fulfilled the requirements of subparagraphs (i) and (ii) of that subsection.
- (3) For the purposes of considering an application for registration as a chiropractors the Board may require the applicant —
- (a) to attend a meeting and there produce such further evidence as the Board may require of any matter referred to in section 20(1) or (2) of the Act, as the case may be, and answer any relevant question asked by any member; and
 - (b) to make a declaration in writing as to the validity or correctness of any form, other document or statement prepared, lodged or made in support of his application.

[Rule 8 erratum in Gazette 26 July 1966 p.2082; amended in Gazette 16 November 1973 p.4221.]

9. Application to be considered by Board

- (1) An application for registration as a chiropractor shall be considered by a meeting of the Board and, if at that meeting, or at any subsequent meeting at which the application is considered, a majority of members present are of opinion that the applicant is, by virtue of the provisions of section 20(1) or (2) of the Act, entitled to be registered, it shall by resolution order that the applicant's name be entered in the register.
- (1a) For the purposes of the consideration of an application for registration under clause 9(1) a meeting of the Board may be held —
- (a) by telephone, audio visual or other electronic means; or
 - (b) by the circulation of papers and the passing of a resolution in writing approved by a majority of the members of the Board,

and any person who takes part in a meeting so held or approves a resolution so circulated is, for the purposes of that subclause, deemed to have been present at the meeting.

- (2) Where the Board is of opinion that an applicant is not entitled to be registered it shall, before proceeding to resolve to that effect, advise the applicant in writing that —
 - (a) he is, in the opinion of the Board, not entitled to be registered as a chiropractor; and
 - (b) he may, within 7 days of receiving the Board's advice, advise the Board by notice in writing that he wishes to appear before the Board to show cause why he ought to be registered.
- (3) Where an applicant furnishes the Board with a notice referred to in subrule (2)(b), the Board shall —
 - (a) advise him of the time and place at which he may appear before the Board;
 - (b) permit the applicant to attend before it and be heard on the question of his entitlement to be registered as a chiropractor; and
 - (c) upon hearing the applicant, resolve that his name be entered in the register, or that his application be refused, as the case may be.
- (4) Where an applicant fails to furnish the Board with the notice referred to in subrule (2)(b) or fails to attend before it at the time and place referred to in subrule (3)(a), the Board may resolve that the application be refused.
- (5) Where the Board resolves that an application be refused, it shall incorporate in the resolution the reasons for the refusal and shall cause the registrar to advise the applicant in writing of the terms of the resolution.
- (6) A chiropractor may, upon payment of the fee prescribed in Appendix A, obtain from the registrar a certificate of registration in the form of Form 3 in Appendix B.

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[Rule 9 amended in Gazette 7 January 2000 p.26.]

10. Licence to practise

- (1) A chiropractor may, upon application to the Board in the form of Form 4 in Appendix B and upon payment of the fee prescribed in Appendix A, be issued with a licence to practise chiropractic in the form of Form 5.
- (2) A licence to practise chiropractic shall expire on 30 June next following the day of issue and may be renewed upon payment of the fee prescribed in Appendix A.

10A. Advertising

A chiropractor who advertises, or causes to be advertised, any material relating to the chiropractor's practice of chiropractic that —

- (a) is false, misleading or deceptive;
- (b) creates an unjustified expectation of beneficial treatment; or
- (c) promotes the unnecessary or inappropriate use of the chiropractor's services,

commits an offence.

[Rule 10A inserted in Gazette 21 May 2002 p. 2591.]

[10B. Repealed in Gazette 21 May 2002 p. 2591.]

10C. Title of chiropractor

- (1) A chiropractor shall not describe himself by —
 - (a) the title "Doctor" or use any abbreviation of that title unless it is used in conjunction with the word "chiropractor" or "chiropractic"; or
 - (b) in any other way describe himself or hold himself out to be other than a chiropractor, except with the consent of the Board.

[(2)-(4) repealed]

- (5) A chiropractor shall not give a certificate that is false, misleading or improper.
- (6) Modesty of patients must be respected at all times. Where it is necessary for female patients to undress, facilities must be provided for this to be done in private. Gowns opening down the back must be used for female patients if it is necessary for any clothing to be removed.

[Rule 10C inserted in Gazette 12 November 1968 p.3333; amended in Gazette 7 January 2000 p.26; 21 May 2002 p.2591.]

11. Complaints

- (1) A complaint, or allegation of misconduct, against a chiropractor may be made by any person or by the Board upon its own motion.
- (2) A person making a complaint or allegation against a chiropractor shall furnish the Board with a statement in writing setting out the grounds of complaint and the matters alleged.
- (3) The Board shall consider any complaint or allegation made by a person pursuant to this rule and shall, where it is of opinion that the complaint or allegation is of so serious a nature as to require an answer, cause to be sent to the chiropractor by prepaid registered post —
 - (a) a notice of the making of the complaint or allegation;
 - (b) a copy of the statement furnished pursuant to subrule (2); and
 - (c) a notice signed by the registrar advising the chiropractor that he may within 14 days furnish to the Board an answer in writing to the complaint or allegation.
- (4) Where the complaint or allegation is made by the Board upon its own motion, the Board shall cause to be sent to the chiropractor by prepaid registered post —

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- (a) a notice of the making of the complaint or allegation;
- (b) a statement of the grounds of complaint and the matters alleged; and
- (c) a notice signed by the registrar advising the chiropractor that he may within 14 days furnish to the Board an answer in writing to the complaint or allegation.

12. Making an allegation to the State Administrative Tribunal

- (1) The Board may, after considering the answer (if any) of a chiropractor furnished under rule 11, make an allegation about the complaint or allegation to the State Administrative Tribunal.
- (2) If an allegation relating to a chiropractor is made to the State Administrative Tribunal and the chiropractor has furnished an answer under rule 11, 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 allegation; and
 - (b) to the person (if any) who made the complaint or allegation against the chiropractor within 7 days of the day on which the allegation is made to the State Administrative Tribunal.

[Rule 12 inserted in Gazette 30 Dec 2004 p. 7020-1.]

[13. Repealed in Gazette 30 Dec 2004 p. 7021.]

14. Penalties

- (1) If the State Administrative Tribunal is satisfied that a chiropractor is guilty of misconduct to the prejudice of other persons registered under the Act, it may —
 - (a) reprimand the chiropractor;
 - (b) order that his licence to practise chiropractic be suspended for such period as it thinks fit;
 - (c) order that his name be removed from the register; or

- (d) order the chiropractor to pay a penalty not exceeding \$5 000.

[(2) repealed]

*[Rule 14 amended in Gazette 7 January 2000 p.27;
30 Dec 2004 p. 7021.]*

15. False statement

Any person who —

- (a) in the course of applying for registration as a chiropractor;
- (b) in a complaint or allegation of misconduct against a chiropractor made to the Board;
- (c) in an answer to such a complaint furnished to the Board,

[(d) deleted]

knowingly makes a false statement commits an offence.

[Rule 15 amended in Gazette 30 Dec 2004 p. 7021.]

16. Common seal, custody and care

The common seal of the Board shall —

- (a) be kept in the custody of the registrar at the office of the Board;
- (b) be affixed only to documents that are signed by the Chairman of the Board or his deputy and the registrar;
- (c) be affixed only to documents to which the Board has authorised the seal to be affixed; and
- (d) be affixed only by the registrar in the presence of the Chairman or his deputy.

17. Board may waive or reduce fees

The Board may waive or reduce any fee payable under rule 8 or 10.

[Regulation 17 inserted in Gazette 29 November 2002 p. 5659.]

**Schedule
Appendix A**

Fees

	\$
For a copy of the register	20.00
For application to be registered as a chiropractor	100.00
For the issue of a certificate of registration as a chiropractor	30.00
For the issue of a licence to practise chiropractic if the licence is issued during the period from July to December	375.00
For the issue of a licence to practise chiropractic if the licence is issued during the period from January to June .	187.50
For the issue of a licence to practice chiropractic where the chiropractor does not practice solely in the State	100.00
For the renewal of a licence to practise chiropractic.....	375.00

*[Appendix A inserted in Gazette 7 January 2000 p.27; amended in
Gazette 18 August 2000 p.4767.]*

Appendix B

Appendix B

Form 1

Chiropractors Registration Board

APPLICATION FOR REGISTRATION

I,,

(sex)

of, apply to be registered as

(residential address)

a chiropractor under section 20(1) of the *Chiropractors Act 1964*, and in support of my application I declare: —

- (1) that the qualifications by which I claim to be registered are:

.....

..... and I expressly declare that I am the person to whom the qualifications were granted, the qualifications are those submitted with this application, and I am the person referred to therein;

- (2) that I have never at any time been convicted of any felony, crime or misdemeanour, nor have I at any time in any country been found guilty of misconduct in a professional respect;

- (3) that I am not disqualified from practising as a chiropractor in the country or State in which the qualifications were obtained;

- (4) that I have attained the age of 21 years.

If my application is granted, I propose to practise at

Dated this day of, 20

.....

(Signature of Applicant).

Note: This application must be accompanied by —

- (i) proof that the applicant has attained the age of 21 years;
- (ii) a signed statement of the academic standard attained by the applicant and of any special qualifications held by him, supported by copies of degrees, certificates or diplomas;
- (iii) 2 character references by persons both of whom have known the applicant for not less than 2 years.

PENALTY for making a false statement in the above form or in any statement submitted therewith —

A fine not exceeding \$100.

Appendix B

Form 2

Chiropractors Registration Board

APPLICATION FOR REGISTRATION

I,, (sex)
of, and of
(residential address)
....., apply to be
(professional address)
registered as a chiropractor under section 20(2) of the *Chiropractors Act 1964*, and in support of my application I declare: —

- (1) that I have for 5 years at least practised the calling of a chiropractor (the last 2 years of which were in Western Australia) and have during that period described myself as
- (2) that the attached statement signed by me is a true and full record of every time during which, and every place at which, I have practised as a chiropractor;
- (3) that I have not been convicted of any felony, crime or misdemeanour, nor have I at any time in any country been found guilty of misconduct in a professional respect.

Dated this day of, 20

.....
(Signature of Applicant).

Note: This Application must be accompanied by —

- (i) A signed statement of the matters referred to in paragraph (2) above.
- (ii) A signed statement of the academic standard attained by the applicant and of any special qualifications held by him, supported by copies of degrees, certificates or diplomas.

PENALTY for making a false statement in the above form or in any statement submitted therewith —

A fine not exceeding \$100.

Form 3

Chiropractors Registration Board

CERTIFICATE OF REGISTRATION

THIS is to certify that of
..... has been registered as a
chiropractor under the provisions of the *Chiropractors Act 1964*.

Dated this day of, 20

.....
Registrar.

Form 4

Chiropractors Registration Board

APPLICATION FOR LICENCE

I,, of being a
person registered as a chiropractor, under the *Chiropractors Act 1964* apply for the
issue to me of a licence to practise chiropractic for the period ending 30 June 20
.....

Date

.....
(Signature of Applicant).

Appendix B

Form 5

Chiropractors Registration Board

LICENCE

..... of
is hereby licensed by the Chiropractors Registration Board to practise chiropractic for
the period ending 30 June 20

.....
Registrar.

[Form 6 deleted in Gazette 30 Dec 2004 p. 7021.]

[Appendix B amended in Gazette 30 Dec 2004 p. 7021.]

Chiropractors Registration Board Rules 1966

Notes

- ¹ This is a compilation of the *Chiropractors Registration Board Rules 1966* and includes the amendments made by the other written laws referred to in the following table ^{1a}.

Compilation table

Citation	Gazettal	Commencement
<i>Chiropractors Registration Board Rules 1966</i>	9 May 1966 p. 1166-73 (Erratum 26 Jul 1966 p. 2082)	9 May 1966
	12 Nov 1968 p. 3332-3	12 Nov 1968
	16 Nov 1973 p. 4220-1	16 Nov 1973
<i>Metric Conversion Act Notice under section 6</i>	21 Jun 1974 p. 2045	21 Jun 1974
	3 Oct 1975 p. 3772-3	3 Oct 1975
	19 Oct 1979 p. 3266	19 Oct 1979
	6 Jun 1980 p. 1669	6 Jun 1980
<i>Chiropractors Registration Board Amendment Rules 1982</i>	25 Jun 1982 p. 2097	1 Jul 1982 (see rule 2)
<i>Chiropractors Registration Board Amendment Rules 1993</i>	20 Aug 1993 p. 4494	20 Aug 1993
<i>Chiropractors Registration Board Amendment Rules 1998</i>	24 Nov 1998 p. 6314-15	24 Nov 1998
<i>Chiropractors Registration Board Amendment Rules 1999</i>	7 Jan 2000 p. 25-7	7 Jan 2000
<i>Chiropractors Registration Board Amendment Rules 2000</i>	18 Aug 2000 p. 4766-7	18 Aug 2000
<i>Chiropractors Registration Board Amendment Rules 2002</i>	21 May 2002 p. 2590-1	21 May 2002

Chiropractors Registration Board Rules 1966

Citation	Gazettal	Commencement
<i>Chiropractors Registration Board Amendment Rules (No. 2) 2002</i>	29 Nov 2002 p. 5659-60	29 Nov 2002
<i>Chiropractors Registration Board Amendment Rules 2004</i>	30 Dec 2004 p. 7020-1	1 Jan 2005 (see r. 2 and <i>Gazette</i> 31 Dec 2004 p. 7130)

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Short title	Number and Year	Assent	Commencement
<i>Chiropractors Act 2005</i> s. 107 ²	31 of 2005	12 Dec 2005	To be proclaimed (see s. 2)

² On the date as at which this compilation was prepared, the *Chiropractors Act 2005* s. 107 had not come into operation. It reads as follows:

“

107. Chiropractors Registration Board Rules 1966 repealed

The *Chiropractors Registration Board Rules 1966* are repealed.

”