

**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

ISSN 1448-949X

5585



PERTH, WEDNESDAY, 13 DECEMBER 2006 No. 215 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

© STATE OF WESTERN AUSTRALIA

PODIATRISTS ACT 2005

**PODIATRISTS
REGULATIONS 2006**

Western Australia

Podiatrists Regulations 2006

CONTENTS

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

Schedule 1 — Fees

Schedule 2 — Fees relating to registration arising under the

Podiatrists Regulations 2006

Contents

***Mutual Recognition (Western
Australia) Act 2001***

Schedule 3 — Fee for examination

Podiatrists Act 2005

Podiatrists Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Podiatrists Regulations 2006*.

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

Podiatrists Regulations 2006**r. 5**

the university specified in column 2 of that Table are prescribed as a qualification for registration as a podiatrist.

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.

Podiatrists Regulations 2006**r. 7****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) Master of Podiatric Surgery from the University of Western Australia.
- (2) For the purposes of the Act section 30(2)(b), the qualification prescribed as a qualification for the specialty of podiatric physician is Master of Podiatric Medicine from the University of Western Australia.

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

Podiatrists Regulations 2006**r. 10**

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.

Podiatrists Regulations 2006**r. 14****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.

Podiatrists Regulations 2006**r. 17**

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 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 podiatrist.

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.

Podiatrists Regulations 2006**Fees Schedule 1****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)	100
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)	200
4.	Registration fee payable by a person for provisional registration.	s. 28(1)(c)	200
5.	Registration fee payable by a person for conditional registration.	s. 29(1)(c)	200
6.	Registration fee payable by a person for registration as a specialist.	s. 30(1)(b)	100
7.	Subject to item 8, fee payable by the applicant to accompany an application for registration.	s. 32(1)(c)	45
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)	200
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

Podiatrists Regulations 2006

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

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

[r. 18]

Type of fee	Fee \$
1. Fee payable on lodgment of a written notice seeking registration in accordance with mutual recognition principle.	45
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.	200
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.	100

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

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.

By Command of the Governor,

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

