

Western Australia

Occupational Therapists Rules 1981

As at 19 Dec 2005

Version 01-b0-04

Extract from www.slp.wa.gov.au, see that website for further information

Western Australia

Occupational Therapists Rules 1981

CONTENTS

1.	Citation	1
2.	Commencement	1
3.	Interpretation	1
4.	Common Seal	1
5.	Committees	2
6.	Applicant to satisfy Board as to his identity	2
7.	Fee to accompany application	2
8.	Particulars to be contained in Register	2
9.	Change of address	3
10.	Complaint	3
11.	Prescribed educational establishment	3
12.	Name plate	3
13.	Advertising	4
14.	Fees 6	
15.	Forms6	
	Schedule 1	8
	Schedule 2	9
	Notes	
	Compilation table	16
	Provisions that have not come into operation	16

Occupational Therapists Rules 1981

1. Citation

These rules may be cited as the *Occupational Therapists Rules 1981*¹.

2. Commencement

These rules shall come into operation on 11 December 1981.

3. Interpretation

In these rules unless the contrary intention appears —

“**rule**” means one of these rules;

“**section**” means a section of the Act;

“**subrule**” means a subrule of the rule in which that term is used;

“**the Act**” means the *Occupational Therapists Registration Act 1980*.

4. Common Seal

- (1) The Common Seal of the Board shall be in the form of a circle and shall bear the name of the Board.
- (2) The Common Seal of the Board shall not be affixed to any document except on the resolution of the Board.
- (3) The affixing of the Common Seal of the Board shall be attested by at least 2 members of the Board and the Registrar.

5. Committees

- (1) The Board may constitute committees of the Board for such purposes as the Board appoints.
- (2) A committee may consist of members of the Board or persons who are not members of the Board but so that in every case at least one member of the Board shall be a member of a committee.
- (3) The chairman shall be an *ex officio* member of any committee of the Board constituted under subrule (1).
- (4) The chairman shall preside at any meeting of a committee of the Board at which he is present and where he is absent from a meeting of a committee the members of the committee who are present shall elect one of their number to preside at the meeting.
- (5) A committee constituted under subrule (1) shall report to the Board on its activities at such times as the Board determines.

6. Applicant to satisfy Board as to his identity

In addition to the matters prescribed in section 11 an applicant for registration shall satisfy the Board as to his identity.

7. Fee to accompany application

Every applicant for registration as an occupational therapist shall forward together with his application the fee payable in respect of such registration.

8. Particulars to be contained in Register

- (1) Where the Board has authorised the grant of a certificate of registration to any person there shall be entered in the Register in respect of that person his —
 - (a) name;
 - (b) address;
 - (c) particulars of qualification;
 - (d) sex;

- (e) date of birth;
- (f) nationality;
- (g) date of registration; and
- (h) date of re-registration.

- (2) Where the name of a person is struck off the Register the Register shall contain the particulars of the date of and the reason for the name being struck off and if the name is restored to the Register the date of such restoration.

9. Change of address

An occupational therapist who changes his address as set out in the Register shall notify the Board of the change within 14 days of that change.

10. Complaint

The Board may require any person who makes a complaint against an occupational therapist relating to a matter under this Act to verify the statement by a statutory declaration.

11. Prescribed educational establishment

The Curtin University of Technology² established under the *Curtin University of Technology Act 1966*² is a prescribed educational establishment for the purposes of section 4(2) of the Act.

12. Name plate

An occupational therapist shall not display at the place of his practice any plate or notice relating to his practice other than a plate or notice that bears —

- (a) his name;
- (b) his qualifications as registered with the Board;
- (c) his hours of attendance at that place;
- (d) his telephone number,

r. 13

and the size of the characters on the plate or notice shall not exceed —

- (e) where the sign is exhibited on the ground floor of any premises — the height of 10 cm;
- (f) where the sign is exhibited above ground floor of any premises — the height of 15 cm.

13. Advertising

(1) An occupational therapist shall not advertise himself in relation to the practice of occupational therapy or be a party to any such advertisement unless —

(a) the advertisement is in relation only to —

- (i) his commencement of practice;
- (ii) his resumption of practice; or
- (iii) the change of address of his practice;

and

(b) the advertisement takes one of the following forms, namely —

- (i) Mr. A. B., Occupational Therapist, has commenced practice as an Occupational Therapist at; or
- (ii) Mr. A. B., Occupational Therapist, has changed his address from to; or
- (iii) Mr. A. B., Occupational Therapist, has resumed practice at

as the case requires.

(2) Where an occupational therapist practises with another occupational therapist an advertisement permitted under subrule (1) may contain the words —

- (a) “in partnership with”; or
- (b) “as assistant to”,

as the case requires.

- (3) An advertisement referring to any of the facts specified in subrule (1)(a) shall be in the following form —
 - (a) the words of the advertisement shall be “run on” without spacing or display;
 - (b) the size of the type in the advertisement shall not exceed the size of the type used for the text on the page on which the advertisement appears; and
 - (c) the space containing the advertisement shall not be greater than is necessary for the advertisement.
- (4) The following provisions apply to and in relation to the publication of an advertisement referring to any of the facts specified in subrule (1)(a) —
 - (a) the only medium in which the advertisement may be published is a newspaper;
 - (b) the advertisement shall be published only in a newspaper circulating in the vicinity of the place where the practice is situate;
 - (c) where the advertisement relates to a commencement of practice, the advertisement shall not be published in more than 6 consecutive daily issues of the newspaper or if the newspaper is published only weekly, in more than 2 consecutive issues of the newspaper;
 - (d) where the advertisement relates to a change of address, the advertisement shall not be published in more than 4 consecutive daily issues of the newspaper or if the newspaper is published only weekly, in more than 2 consecutive issues of the newspaper;
 - (e) where the advertisement relates to a resumption of practice an advertisement shall not be published unless the resumption occurs after an absence of not less than 4 weeks and then only on one occasion;
 - (f) the advertisement shall not include —

r. 14

- (i) the qualifications of the occupational therapist;
or
 - (ii) the educational institution at which his
qualifications were acquired; or
 - (iii) the body by which he is registered or allowed to
practise.
- (5) Notwithstanding anything in subrules (4)(d) and (4)(e) —
- (a) where an occupational therapist changes his place of
practice to another place in the same town the change of
address shall not be advertised on more than one
occasion except with the permission of the Board;
 - (b) where a resumption of practice occurs after a period
exceeding 6 months an advertisement of the resumption
of practice may be published but so as not to exceed
more than 4 occasions in consecutive daily issues of a
newspaper.

14. Fees

The fees prescribed by the First Schedule to these regulations are payable in respect of the matters specified therein.

15. Forms

The form numbered in column 1 of the Table to this rule is the form in Schedule 2 that is to be for the purpose of the provision of the Act or these rules (if any) specified in column 2 of that Table opposite and corresponding to that number.

Table
Purpose and provision

Form No.	
1.	Certificate of registration as an occupational therapist.
2.	Application to restore name to register (sections 17(2), 21(1) and 22(3)).
[3]	<i>deleted</i>

4. Application for temporary registration (section 24(1)).
 5. Certificate of temporary registration as an occupational therapist.
 - [(6) deleted]*
 7. Certificate of registration of a person (section 42(6)(a)).
 8. Renewal of registration as an occupational therapist.
- [Rule 15 amended in Gazette 15 Nov 1991 p. 5813;
30 Dec 2004 p. 6985.]*

Schedule 1

Schedule 1
Fees

	\$
1. Grant of registration as an occupational therapist (section 22(1))	60
2. Change of particulars in Register (section 13(3))	10
3. Renewal of Registration (section 22(1))	60
4. Application for restoration of name after resignation (section 17(3))	20
5. Registration after striking off (section 21(3))	35
6. Restoration after removal of name from Register (section 22(3))	35
7. Grant of temporary registration as an occupational therapist (section 24(2)).....	35

*[Schedule 1 inserted in Gazette 11 Nov 1983 p. 4509; amended in
Gazette 19 Dec 1986 p. 4871-2; 2 Dec 1997 p. 7057; 14 Oct 1997
p. 5693.]*

Schedule 2

Forms

OCCUPATIONAL THERAPISTS REGISTRATION ACT 1980
OCCUPATIONAL THERAPISTS RULES 1981

Form 1

OCCUPATIONAL THERAPISTS REGISTRATION BOARD
OF WESTERN AUSTRALIA
REGISTRATION CERTIFICATE

NUMBER DATE OF ORIGINAL REGISTRATION
NAME
ADDRESS
.
QUALIFICATIONS
This Registration is effective until 31 December

It is hereby certified that this is a true copy of the entry of the above
specified names in the Register.

.
Registrar.

OCCUPATIONAL THERAPISTS REGISTRATION ACT 1980
OCCUPATIONAL THERAPISTS RULES 1981

Form 2

APPLICATION TO RESTORE NAME TO REGISTER

TO: THE OCCUPATIONAL THERAPISTS REGISTRATION BOARD OF
WESTERN AUSTRALIA

I,
OF
QUALIFICATIONS

APPLY, UNDER SECTION 17(2)/ 21(1)/ 22(3)* OF THE ACT, TO HAVE
MY NAME RESTORED TO THE REGISTER.

*[*delete whichever is inapplicable]*

REASON FOR PREVIOUS REMOVAL OF NAME FROM THE REGISTER:

- VOLUNTARY WITHDRAWAL
- LEFT W.A.

Schedule 2

- CEASED PRACTISING
- NON-PAYMENT OF FEES
- STRUCK OFF
- OTHER (PLEASE SPECIFY)

.....
NOTE FOR APPLICANTS FOR RE-REGISTRATION UNDER SECTION 17(2) OR 22(3)

Under section 17(3), you are entitled to be re-registered on paying the fee for this application. Under section 22(3), you are entitled to be re-registered on paying all back fees and the fee for this application. The information sought below is to assist in the determination of whether your re-registration should be subject to conditions.

NOTE FOR APPLICANTS FOR RE-REGISTRATION UNDER SECTION 21(1)

The information sought on page 2 is mainly to assist in the determination of whether re-registration should be granted, while the information sought on page 1 below is to assist in the determination of whether conditions should be attached to re-registration, if granted.

Details of work history relative to the practice of occupational therapy during the last 5 years:

<u>APPOINTMENT</u>	<u>DATE APPOINTED</u>	<u>DATE TERMINATED</u>
--------------------	-----------------------	------------------------

.....		
.....		
.....		
.....		
.....		

Details of continuing education relative to the practice of occupational therapy during the last 5 years:

YEAR

.....	
.....	
.....	
.....	

.....
NAMES OF 2 PROFESSIONAL REFEREES:

	<u>NAME</u>	<u>ADDRESS</u>
1.
2.

RESPONSES TO THE FOLLOWING QUESTIONS WILL BE KEPT STRICTLY CONFIDENTIAL:

- Are you, or have you ever been, addicted to any harmful drugs? Yes No
- Have you ever been convicted of any offence? Yes No

If yes to either question, please give details:

.....
.....

I, _____ do solemnly and sincerely declare that the above statements are true and correct in every particular, that I am the person named in the qualifications and details of appointments relative to the practice of occupational therapy, and I make this solemn declaration by virtue of section 106 of the *Evidence Act 1906*.

Declared at this day of 20.., before me —

_____	_____
Justice of the Peace (or as applicable)	Signature of applicant and declarant

[Form 3 deleted]

OCCUPATIONAL THERAPISTS REGISTRATION ACT 1980
OCCUPATIONAL THERAPISTS RULES 1981

Form 4

APPLICATION FOR TEMPORARY REGISTRATION
AS AN OCCUPATIONAL THERAPIST

Section 24(1)

I hereby apply to the Occupational Therapists Registration Board of Western Australia to be registered as an Occupational Therapist under the *Occupational Therapists Registration Act 1980* and submit the following: —

Schedule 2

- (a) my answers to the following questionnaire which I have completed in all particulars;
- (b) degrees, primary qualifications, licences, diplomas or other proof or qualifications by virtue of which I claim to be registered as mentioned in the following questionnaire;
- (c) the registration fee prescribed by the Rules.

1. Name in Full.
(Block letters — Underline Surname)
2. Present Address.
3. Last Fixed Address
4. Date of Birth
5. Place of Birth.
6. Proposed Type of Professional Occupation.
.....
(Hospital, Private Practice, etc.)
7. Are you an Australian Subject?
If not, what is your present nationality?
8. Give the names and addresses of (1)
2 reputable persons to whom
reference may be made as to your (2)
character
9. State Qualifications:
Degree, Diploma or University, College or Year
other qualification Authority
.....
10. Are you at present legally qualified to
practise in the country, state or province in
which your qualifications were granted?
11. Have any of the qualifications upon which
you rely for registration as an occupational
therapist been withdrawn or cancelled by
the university, college or other body by
which they were conferred or by any other
authority lawfully exercising elsewhere
powers similar to those conferred upon this
Board?
12. Have you at any time in any State,

dominion, province or country been: —

(a) found guilty of any professional misconduct or any infamous conduct in a professional respect?

(b) subject to any disciplinary action by any tribunal, body or authority legally constituted to discipline?

13. Have you ever been refused registration as an occupational therapist?

14. State the special circumstances relating to your engagement in the practice in this State as an occupational therapist and details of the hardship which would be occasioned by any delay in the granting of registration.

I, do solemnly and sincerely declare that the above statements are true and correct in every particular and that I am the person named in the qualifications and other documents.

Declared at this day of 20

Before me:

Signature of Applicant.

Approved:

Chairman

Registrar.

[Form 4 amended in Gazette 30 Dec 2004 p. 6985.]

OCCUPATIONAL THERAPISTS REGISTRATION ACT 1980

OCCUPATIONAL THERAPISTS RULES 1981

Form 5

REGISTRATION CERTIFICATE

(Temporary only)

Section 24(1)

NUMBER DATE OF ORIGINAL REGISTRATION

NAME

ADDRESS

Schedule 2

QUALIFICATIONS

This registration is effective only for a period of months.

It is hereby certified that this is a true copy of the entry of the above specified names in the Register.

.....
Registrar.

[Form 6 deleted in Gazette 30 Dec 2004 p. 6985.]

OCCUPATIONAL THERAPISTS REGISTRATION ACT 1980
OCCUPATIONAL THERAPISTS RULES 1981

Form 7

CERTIFICATE
Section 42(6)(a)

It is hereby certified that the name of
of (last known address)

appeared in } the Register of Occupational Therapists in
did not appear in } Western Australia
was suspended from }

on the following dates or periods: —

.....
Registrar.

OCCUPATIONAL THERAPISTS REGISTRATION ACT 1980
OCCUPATIONAL THERAPISTS RULES 1981

Form 8

No.

RENEWAL OF REGISTRATION TO PRACTISE
OCCUPATIONAL THERAPY
Section 22(1)

.....
is hereby registered to practise occupational therapy until 31 December 20

Schedule 2

This renewal of registration is issued under and subject to the provisions of the *Occupational Therapists Registration Act 1980* and the regulations made thereunder.

.....
Registrar.

(This renewal of registration is to be surrendered if name removed from Register).

*[Schedule 2 amended in Gazette 15 Nov 1991 p. 5813-15;
30 Dec 2004 p. 6985.]*

Notes

¹ This is a compilation of the *Occupational Therapists Rules 1981* and includes the amendments made by the other written laws referred to in the following table ^{1a}. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Occupational Therapists Rules 1981</i>	11 Dec 1981 p. 5056-60	11 Dec 1981 (see r. 2)
<i>Occupational Therapists Amendment Rules 1983</i>	11 Nov 1983 p. 4509	1 Jan 1984 (see r. 2)
<i>Occupational Therapists Amendment Rules 1986</i>	19 Dec 1986 p. 4871-2	1 Jan 1987 (see r. 2)
<i>Occupational Therapists Amendment Rules 1991</i>	15 Nov 1991 p. 5813-15	15 Nov 1991
<i>Occupational Therapists Amendment Rules 1997</i>	14 Oct 1997 p. 5693	1 Jan 1998 (see r. 2)
<i>Occupational Therapists Amendment Rules (No. 2) 1997</i>	2 Dec 1997 p. 7057	2 Dec 1997
Reprint of the <i>Occupational Therapists Rules 1981</i> as at 2 October 2001 (includes amendments listed above)		
<i>Occupational Therapists Amendment Rules 2004</i>	30 Dec 2004 p. 6985	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>Occupational Therapists Act 2005</i> s. 107 ³	42 of 2005	19 Dec 2005	To be proclaimed (see s. 2)

² Formerly referred to the Western Australian Institute of Technology established under the *Western Australian Institute of Technology Act 1966*. The names of the Institute and the Act were changed to the Curtin University of Technology and the *Curtin University of Technology Act 1966* by the *Western Australian Institute of*

Technology Amendment Act 1986 s. 5 and s. 11. References changed under the *Reprints Act 1984* s. 7(3)(gb) and (h).

³ On the date as at which this compilation was prepared, the *Occupational Therapists Act 2005* s. 107 had not come into operation. It reads as follows:

“

107. Occupational Therapists Rules 1981 repealed

The *Occupational Therapists Rules 1981* are repealed.

”.