

Physiotherapists Registration Regulation 1995

[1995-511]



New South Wales

Status Information

Currency of version

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Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Regulation was repealed by the *Physiotherapists Act 2001 No 67*, sec 135 with effect from 1.12.2002.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Physiotherapists Registration Regulation 1995



New South Wales

Contents

Part 1 Preliminary	5
1 Name of Regulation	5
2 Commencement	5
3 Definition	5
4 Notes	5
Part 2 Election of members of the Board	5
5 Manner of conduct of election	5
6 Returning Officer	5
7 Notice of election	5
8 Nominations	6
9 Candidate information sheet	6
10 Procedure on close of nominations	7
11 Closing of roll	7
12 Taking of poll	8
13 Examination of envelopes	9
14 Dealing with ballot-papers	9
15 Method of voting and counting	10
16 Report of election	10
Part 3 Registration	10
17 Prescribed qualifications for registration	10
18 Application for registration or conditional registration	10
19 Certificate of registration	11

20 Certificate of provisional registration	11
21 Certificate of conditional registration	11
22 Roll fee	11
23 Restoration of name to register	11
24 Change of name	12
25 Fee for entry in register of additional qualifications	12
26 Fee for inspection of register	12
Part 4 Proceedings before the Board	12
27 Definitions	12
28 Making of a complaint	12
29 Offences for which notice of conviction of physiotherapist not required	13
30 Notice of inquiry	13
31 Evidence of other proceedings	14
32 Additional complaints	14
33 Adjournment of inquiry	14
34 Release of information	14
35 Authentication of documents by the Board	15
Part 5 Professional Standards Committees	15
36 Definition	15
37 Proceedings before a Committee	15
38 Representation before a Committee	15
39 Nominal complainant	16
40 Evidence of other proceedings	16
41 Additional complaints	16
42 Adjournment of inquiry	17
43 Remuneration of Committee members	17
Part 6 Advertising	17
44 Advertising—general	17
Part 6A Infection control standards	17
44A Infection control standards	17
Part 7 Repeal and savings	18

45 Repeal and savings.....	18
Schedule 1 Forms	18
Schedule 2 Infection control standards	24

Physiotherapists Registration Regulation 1995



New South Wales

Part 1 Preliminary

1 Name of Regulation

This Regulation may be cited as the *Physiotherapists Registration Regulation 1995*.

2 Commencement

This Regulation commences on 1 September 1995.

3 Definition

(1) In this Regulation:

the Act means the *Physiotherapists Registration Act 1945*.

(2) In this Regulation, a reference to a form is a reference to a form in Schedule 1.

4 Notes

Notes in this Regulation are explanatory notes and do not form part of this Regulation.

Part 2 Election of members of the Board

5 Manner of conduct of election

For the purposes of section 6 (1) of the Act, the election of elected members of the Board is to be held and conducted in the manner set out in this Part.

6 Returning Officer

The Electoral Commissioner for New South Wales appointed under the *Parliamentary Electorates and Elections Act 1912* is to be the Returning Officer at an election.

7 Notice of election

(1) The Returning Officer must, as soon as practicable after being notified in writing by the Minister that an election is required to be held, cause to be published in the Gazette and in at least 1 daily newspaper published and circulated in New South

Wales a notification that:

- (a) states that an election is to be held, and
 - (b) invites nominations from physiotherapists to fill the vacancies for elected members of the Board, and
 - (c) advises where nomination forms may be obtained, and
 - (d) fixes the close of nominations, and
 - (e) fixes the close of the roll, and
 - (f) fixes the close of the ballot.
- (2) A notification referred to in subclause (1) must be published at least 60 days before the polling day for the election to which it relates.
- (3) The Returning Officer may, by a notification published in accordance with subclauses (1) and (2), fix a later time and date for the close of nominations for an election than those fixed by a previous notification published in relation to the election.

8 Nominations

- (1) A nomination must be made in writing in Form 1 and must set out the following particulars:
- (a) the full name of the candidate nominated,
 - (b) the residential address of that candidate,
 - (c) an endorsement of that candidate's consent to his or her nomination,
 - (d) the full names, residential addresses and signatures of at least 2 nominators, being registered physiotherapists other than that candidate.
- (2) A candidate may withdraw his or her nomination for an election by notification in writing delivered to the Returning Officer at any time until the close of nominations for the election.

9 Candidate information sheet

- (1) A candidate for election may, at any time before the close of nominations for the election, submit to the Returning Officer a statutory declaration in or to the effect of Form 2, containing information intended for inclusion in a candidate information sheet referred to in subclause (2).
- (2) As soon as practicable after the close of nominations for an election, the Returning Officer must, if clause 10 (2) requires that a poll be taken, draw up a candidate information sheet consisting of the information in the statutory declarations, if any,

submitted to the Returning Officer by candidates pursuant to subclause (1).

- (3) Despite subclause (2), the Returning Officer may, when drawing up a candidate information sheet, omit or alter such of the information contained in a statutory declaration submitted to the Returning Officer pursuant to subclause (1) as appears necessary or desirable to prevent the sheet containing information which is:
 - (a) inappropriate for inclusion in a candidate information sheet, or
 - (b) misleading in a material particular, or
 - (c) of an amount which is excessive having regard to the limitation on the amount of information indicated in Form 2.
- (4) Information concerning candidates must appear on a candidate information sheet referred to in subclause (2) in the same order in which the candidates are listed on the ballot-paper relating to them.

10 Procedure on close of nominations

- (1) If, after the close of nominations, there is not a greater number of persons nominated than are required for election, the Returning Officer is to declare those persons duly elected.
- (2) If, after the close of nominations, the number of persons nominated is greater than the number required for election, a poll must be taken.
- (3) If, after the close of nominations for an election and before the polling day, any candidate dies, the Returning Officer must, in accordance with this Part, invite fresh nominations and fix another date for the poll.

11 Closing of roll

- (1) If, by the close of nominations, the Returning Officer has received more than the required number of nominations, the Returning Officer must immediately notify the Secretary that a ballot is to be held and that the Returning Officer requires the Secretary to deliver to the Returning Officer within 7 days after the close of the roll:
 - (a) a roll on which is endorsed a certificate in or to the effect of Form 3 and which contains:
 - (i) the name of each person whose name is entered in the register of physiotherapists, and
 - (ii) an address nominated by the person to which a ballot paper in respect of an election may be sent to the person, and
 - (b) a label for each person whose name is entered in the register of physiotherapists as at the close of the roll, of a size suitable for fixing to an envelope, upon which

the name and address of that person is written.

- (2) The Secretary is to comply with a requirement of the Returning Officer under subclause (1).

12 Taking of poll

- (1) Where a poll is to be taken, the Returning Officer must:
- (a) hold a ballot, in the manner prescribed for the purposes of section 82A of the *Parliamentary Electorates and Elections Act 1912*, to determine the order in which the candidates' names are to be entered on the ballot-paper, and
 - (b) cause ballot-papers in or to the effect of Form 4 to be drawn up in the manner prescribed by section 83 of the *Parliamentary Electorates and Elections Act 1912*, and
 - (c) cause the ballot-papers to be printed, and
 - (d) cause any candidate information sheet drawn up under clause 9 (2) relating to the candidates to be printed.
- (2) The Returning Officer must, not later than 20 days before the date fixed for a poll, post to the address, nominated in the roll referred to in clause 11 (1) of each physiotherapist registered at the date of the close of nominations to which the poll relates:
- (a) a ballot-paper printed in accordance with subclause (1) and initialled by the Returning Officer, and
 - (b) a business reply envelope addressed to the Returning Officer, and
 - (c) where appropriate, a candidate information sheet referred to in clause 9 (2) relating to the candidates included in the poll.
- (3) A business reply envelope mentioned in subclause (2) must contain on the rear flap spaces for the insertion of a voter's name, address and signature.
- (4) A physiotherapist who has been forwarded a ballot-paper and a business reply envelope under subclause (2) and who wishes to vote must complete the ballot-paper in accordance with the directions printed on the ballot-paper and must send or deliver to the Returning Officer the ballot-paper enclosed and sealed in the business reply envelope addressed to the Returning Officer.
- (5) The Returning Officer may, on written application made to the Returning Officer, and if satisfied that a ballot-paper has been lost or destroyed, supply a duplicate ballot-paper to the person to whom the lost or destroyed ballot-paper was issued.
- (6) An election is not invalid because:

- (a) a person whose name is on the Register did not receive a ballot-paper, or
- (b) the Returning Officer did not receive a ballot-paper sent to the Returning Officer.

13 Examination of envelopes

- (1) The Returning Officer must, as soon as practicable after the receipt of a business reply envelope purporting to contain a ballot-paper, examine the envelope for the purpose of deciding whether to accept or reject the envelope.
- (2) The Returning Officer is to reject a business reply envelope purporting to contain a ballot-paper issued in respect of an election if:
 - (a) the business reply envelope does not have legibly marked on its rear flap the name, address and signature that appear to the Returning Officer to be those of a physiotherapist, or
 - (b) the business reply envelope is not sealed, or
 - (c) the business reply envelope is not received by the Returning Officer at or before the time stated on ballot-papers issued in respect of the election as the time at or before which the business reply envelope is to be so received.

14 Dealing with ballot-papers

- (1) On the day fixed for the poll, the Returning Officer must:
 - (a) open all the business reply envelopes received (except those envelopes rejected under clause 13 (2)) and extract the ballot-papers and, without unfolding them, place the ballot-papers in the ballot-box, and
 - (b) mix the ballot-papers and draw the ballot-papers at random, and
 - (c) unfold the ballot-papers and count, in accordance with clause 15, the votes recorded on the ballot-papers (except any ballot-papers rejected under subclause (2)).
- (2) The Returning Officer is to reject a ballot-paper as being informal if:
 - (a) the ballot-paper contains any matter by which the voter may be identified, or
 - (b) the ballot-paper is not completed in accordance with the directions printed on the ballot-paper.
- (3) Each candidate may appoint, in writing, a scrutineer to represent that candidate.
- (4) A scrutineer appointed in accordance with subclause (3) may be present during the examination, opening and counting of votes by the Returning Officer.

15 Method of voting and counting

- (1) At an election a voter is:
 - (a) required to record a vote for 3 candidates, and
 - (b) permitted to record a vote for as many more candidates as the voter pleases, so as to indicate, in such manner as is required by this Part, the candidates for whom the voter votes and the order of the voter's preference for them.
- (2) Ballot-papers must be counted, and the candidates who are elected determined, by the Returning Officer according to an optional multi-preferential system in which the first, second and third preference votes (represented by the numbers "1", "2" and "3", respectively, marked on the ballot-paper) are regarded as primary votes.

16 Report of election

When he or she first ascertains the result of an election, the Returning Officer must furnish a report, in writing, of the result to the Minister and must cause the result to be published in the Gazette and in at least one daily newspaper published or circulated in New South Wales.

Part 3 Registration

17 Prescribed qualifications for registration

For the purposes of section 21 (1) (a) of the Act, the following degrees, diplomas and other awards are prescribed:

- (a) a Diploma of Applied Science (Physiotherapy) awarded by the Cumberland College of Health Sciences,
- (b) a Bachelor of Applied Science (Physiotherapy) degree conferred by the Cumberland College of Health Sciences,
- (c) a Bachelor of Science (Anatomy) degree conferred by the University of New South Wales together with a Post Graduate Diploma in Physiotherapy awarded by the Cumberland College of Health Sciences,
- (d) a Diploma of Physiotherapy awarded by the Australian Physiotherapy Association,
- (e) a Bachelor of Applied Science (Physiotherapy) degree conferred by the University of Sydney.

18 Application for registration or conditional registration

- (1) A person applying for registration or conditional registration as a physiotherapist must:

- (a) complete and submit an application in Form 5, and
 - (b) submit with the application an unmounted passport-sized photograph of the applicant, signed with the applicant's usual signature on the back, together with any other evidence of identification requested by the Board, and
 - (c) submit the prescribed fee of \$60, and
 - (d) appear before the Secretary, or such other person nominated by the Board for that purpose, at the time of applying for registration and, if so required by the Board, appear before the Board.
- (2) The prescribed fee or such part of the fee as the Board determines (either generally or in a particular case) is to be refunded if the application is refused.

19 Certificate of registration

- (1) On registration of a person as a physiotherapist, the Secretary is to issue to the person a certificate of registration in Form 6.
- (2) The Board may, if satisfied that a certificate of registration has been lost, destroyed or defaced and on payment of a fee of \$20, issue a duplicate certificate of registration in Form 6 and marked "Duplicate".

20 Certificate of provisional registration

For the purposes of section 21A (1) of the Act, the prescribed form of a certificate of provisional registration is Form 7.

21 Certificate of conditional registration

- (1) For the purposes of section 21B (1) of the Act, the prescribed form of a certificate of conditional registration is Form 8.
- (2) For the purposes of section 21B (2) of the Act, the prescribed form of a provisional certificate of conditional registration is Form 9.
- (3) For the purposes of section 21B (4) of the Act, the prescribed fee for renewal of a certificate of conditional registration is \$31.

22 Roll fee

For the purposes of section 22 (1) of the Act, the prescribed roll fee is \$50.

23 Restoration of name to register

- (1) For the purposes of section 22 (3) of the Act:
 - (a) the prescribed form of application for restoration of a name to the register is Form 10, and

(b) the prescribed fee for restoration of a name to the register is \$100.

(2) The Board may, if it thinks proper in any particular case, waive the whole or any part of the fee referred to in subclause (1).

24 Change of name

A physiotherapist who changes his or her name may, by notice in writing, request the Board:

(a) to enter the particulars of the new name in the register, and

(b) to issue to the physiotherapist a certificate of registration in Form 6 showing the new particulars.

25 Fee for entry in register of additional qualifications

For the purposes of section 20 (3) (a) of the Act, the prescribed fee for entering each additional qualification in the register is \$12.

26 Fee for inspection of register

For the purposes of section 20 (4) of the Act, the prescribed fee for inspection of the register is \$10.

Part 4 Proceedings before the Board

27 Definitions

In this Part:

complaint means a complaint alleging misconduct in a professional respect against a physiotherapist (including the holder of a certificate of conditional registration).

inquiry means an inquiry under section 24 of the Act.

28 Making of a complaint

(1) A person making a complaint to the Board must lodge with the Secretary a concise statement in writing of the complaint.

(2) The Board may require the complainant to provide further particulars of a complaint.

(3) In any proceedings before the Board, the Health Care Complaints Commission constituted under section 75 of the *Health Care Complaints Act 1993*:

(a) may, with the consent of a complainant, act as the nominal complainant, and

(b) when so acting, is to be taken to be, for the purposes of the Act and this Regulation, the person who made the complaint.

29 Offences for which notice of conviction of physiotherapist not required

All the offences under the road transport legislation (within the meaning of the *Road Transport (General) Act 1999*) are prescribed offences for the purposes of section 24 (2A) of the Act, except for the following offences:

- (a) an offence under section 42 of the *Road Transport (Safety and Traffic Management) Act 1999* relating to driving a motor vehicle upon a public street furiously or recklessly or at a speed or in a manner which is dangerous to the public,
- (b) an offence under section 42 of the *Road Transport (Safety and Traffic Management) Act 1999* relating to driving a motor vehicle upon a public street negligently if the physiotherapist is, by way of penalty, sentenced to imprisonment or fined a sum of not less than \$200,
- (c) any offence under section 19 (2) of the *Road Transport (General) Act 1999* (which relates to refusing to produce a driver licence when required or to state name and home address, or stating a false name and home address),
- (d) any offence under section 12 (1) of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to driving etc while under the influence of alcohol or any other drug),
- (e) any offence under section 25A (1), (2) or (3) of the *Road Transport (Driver Licensing) Act 1998* (which relate to driving while unlicensed),
- (f) any offence under section 70 of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to failing to stop after an accident),
- (g) any offence under section 9 of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to presence of prescribed concentration of alcohol in person's blood),
- (h) an offence under section 43 of the *Road Transport (Safety and Traffic Management) Act 1999* (which relates to menacing driving),
- (i) any other offence under the road transport legislation if the court orders the disqualification of the physiotherapist from holding a driver licence.

30 Notice of inquiry

If a complaint has been set down by the Board for inquiry under section 24 of the Act, the Secretary must give at least 14 days' notice either personally or by post to the physiotherapist concerned of the time, date and place fixed for the commencement of the inquiry.

31 Evidence of other proceedings

The Board may receive, and admit on production, as evidence in any proceedings:

- (a) the judgment and findings of any court or tribunal (whether civil or criminal and whether or not of New South Wales), or
- (b) the verdict or findings of a jury of any such court, or
- (c) a certificate of the conviction of any person, or
- (d) a transcript of the depositions or of shorthand notes, duly certified by the proper officer of the court or tribunal as correct, of the evidence of witnesses taken in any such court or tribunal,

where the Board is of the opinion that the judgment, findings, verdict, certificate or evidence is relevant to the proceedings.

32 Additional complaints

The Board may in proceedings before it deal with one or more complaints about a physiotherapist.

33 Adjournment of inquiry

If the Board has commenced to hold an inquiry under section 24 of the Act, it may adjourn the proceedings as it thinks fit.

34 Release of information

- (1) The person presiding in proceedings before the Board may, on the request of a complainant, the physiotherapist concerned or any other person, if the person presiding thinks it appropriate in the particular circumstances of the case to do so, direct that the name of any witness is not to be disclosed in the proceedings.
- (2) A direction may be amended or revoked at any time by the person presiding.
- (3) A direction may be given before or during the proceedings, but must not be given before the proceedings unless notice of the time and place appointed by the person presiding for consideration of the request is given to:
 - (a) the complainant and the physiotherapist against whom the complaint has been made, and
 - (b) if the person who requested the direction is not the complainant or physiotherapist concerned, that person, and
 - (c) such other persons as the person presiding thinks fit.

35 Authentication of documents by the Board

Every document requiring authentication by the Board may be sufficiently authenticated if signed by the person presiding in the proceedings before the Board.

Part 5 Professional Standards Committees

36 Definition

In this Part:

Committee means a Professional Standards Committee referred to in section 24A of the Act.

37 Proceedings before a Committee

- (1) A Committee is to investigate any matter referred to it by the Board.
- (2) On appointment under section 24A of the Act, the chairperson of a Committee is to fix a time and place for the holding of a meeting by the Committee to investigate the matter and must give not less than 7 days' notice of the meeting to the Secretary and:
 - (a) in the case of an application to be registered as a physiotherapist or for the grant of a certificate of conditional registration, the applicant, or
 - (b) in the case of an application under section 21C of the Act to practise physiotherapy, the applicant, or
 - (c) in the case of an investigation to consider whether the Board should, on the grounds set out in section 23 (1) (b) or (c) of the Act, cause the name of a physiotherapist to be removed from the register, the physiotherapist, or
 - (d) in the case of an investigation to consider whether a physiotherapist may be guilty of misconduct in a professional respect:
 - (i) the physiotherapist concerned, and
 - (ii) the complainant, if any.
- (3) In conducting an investigation, a Committee:
 - (a) is, unless it otherwise directs, to sit in the absence of the public, and
 - (b) may conduct the proceedings as it thinks fit.
- (4) A Committee may be assisted by a legally qualified person appointed by the Secretary for that purpose on the request of the Committee.

38 Representation before a Committee

- (1) In any proceedings before a Committee, the applicant or physiotherapist concerned

and the complainant (if any) are entitled to attend and be accompanied by a legal practitioner or other adviser, but are not entitled to be represented at the proceedings by the legal practitioner or other adviser.

- (2) In any proceedings concerning an investigation as to whether a physiotherapist may be guilty of misconduct in a professional respect, a Committee may (despite subclause (1)) grant leave for a person to be represented by a legal practitioner at the proceedings if the Committee is satisfied that, having regard to the subject matter of the investigation, the proceedings may result in suspension of the physiotherapist's registration or removal of the physiotherapist's name from the register.
- (3) A Committee may grant leave for any other person (who is not a legal practitioner or other adviser representing any person) to appear at any proceedings if the Committee is satisfied that it is appropriate for that person to appear.

39 Nominal complainant

In any proceedings before a Committee, the Health Care Complaints Commission constituted under section 75 of the [Health Care Complaints Act 1993](#):

- (a) may, with the consent of a complainant, act as the nominal complainant, and
- (b) when so acting, is, for the purposes of the Act and this Regulation, to be taken to be the person who made the complaint.

40 Evidence of other proceedings

A Committee may receive, and admit on production, as evidence in any proceedings:

- (a) the judgment and findings of any court or tribunal (whether civil or criminal and whether or not of New South Wales), or
- (b) the verdict or findings of a jury of any such court, or
- (c) the certificate of the conviction of any person, or
- (d) a transcript of the depositions or of shorthand notes, duly certified by the proper officer of the court or tribunal as correct, of the evidence of witnesses taken in any such court or tribunal,

where the Committee is of the opinion that the judgment, findings, verdict, certificate or evidence is relevant to the proceedings.

41 Additional complaints

A Committee may in proceedings before it deal with one or more complaints about a physiotherapist.

42 Adjournment of inquiry

If a Committee has commenced to investigate a matter under section 24A of the Act, it may adjourn the proceedings as it thinks fit.

43 Remuneration of Committee members

For the purposes of section 24A (7) of the Act, a member of a Professional Standards Committee is entitled to be paid such remuneration as the Minister may from time to time determine.

Part 6 Advertising

44 Advertising—general

- (1) A physiotherapist must not advertise in relation to physiotherapy in any manner in contravention of this Regulation but otherwise may advertise in any manner. This clause applies to all forms of advertising, including advertising appearing on professional stationery.
- (2) An advertisement by a physiotherapist in relation to physiotherapy must not:
 - (a) be false, misleading or deceptive, or
 - (b) be vulgar or sensational, or
 - (c) create an unjustified expectation of beneficial treatment, or
 - (d) promote the unnecessary or inappropriate use of the services of a physiotherapist, or
 - (e) claim superiority for a physiotherapist in the practice of physiotherapy, or
 - (f) compare a physiotherapist's practice with that of any other physiotherapist, or
 - (g) be unprofessional or likely to bring the profession into disrepute.
- (3) A reference in this clause to a physiotherapist includes a reference to a corporation engaged or associated in the practice of physiotherapy and to each registered physiotherapist employed by the corporation.

Note—

A person who contravenes any provision of this Regulation is liable to a penalty not exceeding 5 penalty units (section 29 of the Act).

Part 6A Infection control standards

44A Infection control standards

- (1) A physiotherapist must not, without reasonable excuse, fail to comply with the

infection control standards set out in Schedule 2 to the extent that they apply to the physiotherapist in the practice of physiotherapy.

- (2) In determining whether or not a physiotherapist has a reasonable excuse for failing to comply with a standard, particular consideration is to be given to the following:
- (a) whether the circumstances involved the provision of emergency treatment,
 - (b) whether the physiotherapist's employer failed to provide the necessary equipment, including providing access to it and training in its use, that would have enabled the physiotherapist to comply with the standard (and whether the failure to provide such equipment was reported by the physiotherapist to the Director-General of the Department of Health).

Part 7 Repeal and savings

45 Repeal and savings

- (1) The *Physiotherapists Registration Regulation 1990* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the repealed Regulation, had effect under that Regulation is taken to have effect under this Regulation.

Schedule 1 Forms

Form 1

(Clause 8)

PHYSIOTHERAPISTS REGISTRATION ACT 1945

Nomination for Elected Physiotherapist

To the Returning Officer,

We, being registered physiotherapists, hereby nominate

*

(full name)

of

(residential address)

as a candidate at the election of elected members referred to in section 5 (2) (a) of the *Physiotherapists Registration Act 1945*.

name (in full)

signature

residential address

(must be completed by at least 2 registered physiotherapists other than the candidate)

* The person nominated must be a registered physiotherapist.

I, of

(full name)

(residential address)

consent to the nomination and do solemnly and sincerely declare that I am a registered physiotherapist.

AND I MAKE this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

DECLARED AT this day of
19 , before me:

.....
(a Justice of the Peace)

.....
(candidate's signature)

Form 2

(Clause 9)

PHYSIOTHERAPISTS REGISTRATION ACT 1945

Statutory Declaration in Support of Candidature for Election to the Board

I, of
(name) (address)

do solemnly and sincerely declare:

1. My year of graduation as a physiotherapist was

2. I hold the following qualifications:

.....
.....

(academic and professional qualifications)

3. The information relevant to my candidature is:

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

(information relevant to candidature—not more than 6 lines)

AND I MAKE this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

DECLARED AT this day of
19 , before me:

.....
(a Justice of the Peace)

.....
(candidate's signature)

Form 3

(Clause 11)

PHYSIOTHERAPISTS REGISTRATION ACT 1945

Certificate of Secretary of the Physiotherapists Registration Board

I,
Secretary of the Physiotherapists Registration Board, certify that the attached roll containing

.....
pages commencing with the name and ending
with the name

is a true and correct roll of persons registered as physiotherapists under the *Physiotherapists Registration Act*

1945 as at
on the day of 19.....

.....Secretary

.....
date

Form 4

(Clause 12)

PHYSIOTHERAPISTS REGISTRATION ACT 1945

Ballot-paper

Election of members of the Physiotherapists Registration Board

READ CAREFULLY THE FOLLOWING INSTRUCTIONS BEFORE VOTING

1. You must vote for at least 3 candidates in the order of your preference by placing the number "1", "2" or "3" in the squares opposite the names of those candidates. You may, if you so desire, indicate your preference for the remaining candidates using the numbers "4", "5" and so on.
2. After marking your ballot-paper, fold it so that the vote cannot be seen, then place it in the Reply envelope and fasten this envelope. PRINT YOUR NAME AND ADDRESS AND SIGN YOUR NAME IN THE SPACE PROVIDED ON THE BACK FLAP OF THE ENVELOPE. Post or deliver the Reply envelope so that it will be received by the Returning Officer NOT LATER THAN*
3. Your vote will not be accepted unless your particulars and signature are shown on the back flap of the Reply envelope. Remember to show the registered address to which voting materials were posted.
4. Only one ballot-paper is to be enclosed in each Reply envelope, otherwise the ballot-papers will not be accepted.
5. Any correspondence concerning this election should be addressed to the Electoral Commissioner for New South Wales.

*Indicate time and date of close of ballot.

Form 5

(Clause 18)

PHYSIOTHERAPISTS REGISTRATION ACT 1945

APPLICATION FOR REGISTRATION OR CONDITIONAL REGISTRATION AS A PHYSIOTHERAPIST

NOTE:

The applicant must appear in person before the Secretary of the Board, or other person nominated by the Board, at the time of applying for registration.

I,
name in full (include maiden name if applicable)
of
postal address
born on
date of birth

* Delete whichever is not applicable.

Form 6

(Clauses 19, 24)

PHYSIOTHERAPISTS REGISTRATION ACT 1945

PHYSIOTHERAPISTS REGISTRATION BOARD CERTIFICATE OF REGISTRATION

No.

This is to certify that, in accordance with the provisions of the *Physiotherapists Registration Act 1945* of the State of New South Wales,

.....

was on the day of 19..
registered as a Physiotherapist.

.....Secretary

.....
date

Form 7

(Clause 20)

PHYSIOTHERAPISTS REGISTRATION ACT 1945

CERTIFICATE OF PROVISIONAL REGISTRATION

No.

Pursuant to the provisions of section 21A of the *Physiotherapists Registration Act 1945* of the State of New South Wales, this Certificate of Provisional Registration is granted to

.....

until the day of 19..
or such later date as is fixed by the Board.

.....prescribed person

.....
date

Form 8

(Clause 21 (1))

PHYSIOTHERAPISTS REGISTRATION ACT 1945

CERTIFICATE OF CONDITIONAL REGISTRATION

No.

Pursuant to the provisions of section 21B (1) of the *Physiotherapists Registration Act 1945* of the State of New South Wales, this Certificate of Conditional Registration is granted to

.....

until the day of 19..

The holder of this certificate is entitled to practise physiotherapy only in a government department, State hospital, mental hospital, public hospital or separate institution within the meaning of the *Public Hospitals Act 1929*, private

hospital or other institution approved by the Minister.

.....Secretary

.....
date

Form 9

(Clause 21 (2))

PHYSIOTHERAPISTS REGISTRATION ACT 1945

PROVISIONAL CERTIFICATE OF CONDITIONAL REGISTRATION

No.

Pursuant to the provisions of section 21B (2) of the *Physiotherapists Registration Act 1945* of the State of New South Wales, this Provisional Certificate of Conditional Registration is granted to

.....
.....

until the day of 19..

The holder of this certificate is entitled to practise physiotherapy only in a government department, State hospital, mental hospital, public hospital or separate institution within the meaning of the *Public Hospitals Act 1929*, private hospital or other institution approved by the Minister.

.....prescribed person

.....
date

Form 10

(Clause 23)

PHYSIOTHERAPISTS REGISTRATION ACT 1945

APPLICATION FOR RESTORATION OF NAME TO THE REGISTER

I

name in full (include maiden name if applicable)

of

postal address

make application for my name to be restored to the Register of Physiotherapists.

The reasons for this application are as follows:

Details of complete employment history, including dates, are attached.

I enclose the sum of \$, being the prescribed fee.

Signature

Date

Telephone No

Registration No

Schedule 2 Infection control standards

(Clause 44A)

Part 1 Preliminary

1 Definitions

(1) In this Schedule:

body substance includes any human bodily secretion or substance.

invasive procedure means any one or more of the following:

- (a) surgical entry into body tissue, cavities or organs,
- (b) surgical repair of traumatic injuries.

patient includes (but is not limited to) a person who is accessing physiotherapy services or who is undergoing physiotherapy treatment.

sharps means any object capable of inflicting penetrating injury, and includes hollow bore needles, suture needles, scalpel blades, wires, trocars, auto lancets, stitch cutters, broken glassware, razors or scissors.

(2) The requirements set out in this Schedule apply to a physiotherapist who is assisting in performing a procedure in the same way as they apply to a physiotherapist who is actually in performing the procedure.

Part 2 General standards applying to physiotherapists

2 General precautions and aseptic techniques

- (1) Procedures must be followed in order to avoid direct exposure to a patient's blood or other body substances. This requirement applies regardless of whether there is any perceived risk of infection.
- (2) Aseptic techniques must be used in the course of complying with the requirements of this Schedule.

3 Hand and skin cleaning

- (1) Hands must be cleaned immediately before and after any direct patient care.
- (2) Hands may be cleaned by:
 - (a) using washing facilities involving water and a soap or antiseptic, or
 - (b) if any of the items specified in paragraph (a) are unavailable, using non-water cleansers or antiseptics.

- (3) Hands or other skin surfaces that are contaminated with a patient's blood or other body substance must be cleaned as soon as it is practicable to clean them.
- (4) The requirement to clean hands applies regardless of whether gloves are also required to be worn.

4 Protective gowns and aprons

A gown or apron made of impervious material must be worn during any procedure where there is a likelihood of clothing being splashed or contaminated with blood or other body substances.

5 Gloves

- (1) Gloves must be worn while handling blood or other body substances.
- (2) In particular, gloves must be worn:
 - (a) during any procedure where direct contact is anticipated with a patient's blood or other body substances, mucous membranes or non-intact skin, and
 - (b) while suctioning a patient, and
 - (c) while handling items or surfaces that have come into contact with blood or other body substances, and
 - (d) while performing an invasive procedure, venipuncture or a finger or heel stick.
- (3) Sterile gloves must be worn if the procedure involves contact with sterile tissue.
- (4) Gloves must be changed and discarded:
 - (a) as soon as they are torn or punctured, and
 - (b) after contact with each patient.
- (5) Gloves must also be changed if separate procedures are being performed on the same patient and there is a risk of infection from one part of the body to another.

6 Masks and protective eye wear

- (1) A mask and protective eye wear must be worn while performing any procedure where there is a likelihood of splashing or splattering of blood or other body substances.
- (2) In cases where a mask is required to be worn, it must be worn and fitted in accordance with the manufacturer's instructions.
- (3) A mask must be discarded once it has been worn and it must not be used again.
- (4) In cases where protective eye wear is required to be worn, it must be worn and fitted

in accordance with the manufacturer's instructions.

- (5) Protective eye wear must be discarded once it has been worn and not used again unless it is reusable in which case it is to be cleaned in accordance with the manufacturer's instructions.

7 Sharps

- (1) Sharps must not be passed by hand between a physiotherapist and any other person. However, this requirement does not apply if, in any case involving an invasive procedure, the proper conduct of the procedure would be adversely affected.
- (2) A puncture resistant tray must be used to transfer sharps.
- (3) A needle must not be removed from a disposable syringe for disposal, or be purposely broken or otherwise manipulated by hand, unless it is necessary to remove the needle for technical reasons.
- (4) A needle must not be bent after it is contaminated with blood or body substances.
- (5) In any case where resheathing of a needle is required:
 - (a) the needle must be properly recapped, and
 - (b) the sheath must not be held in the fingers, and
 - (c) either a single handed technique or forceps, or a suitable protective guard designed for the purpose, must be used.
- (6) Reusable sharps must, immediately after being used, be placed in a puncture resistant container specially labelled for that purpose.
- (7) Non-reusable sharps must, immediately after being used, be disposed of in a puncture resistant container.

8 Management of waste

- (1) Clinical waste must be properly packaged to protect against potential exposure to infectious agents and to facilitate the proper handling, storage and treatment or disposal of the waste.
- (2) Splashing or contamination of skin while disposing of blood or body substances must be avoided as far as practicable.

Part 3 Processing of instruments and equipment

9 Respiratory equipment

- (1) Any respiratory equipment that is designed for single use must be discarded once it is

used.

- (2) Any other respiratory equipment must be cleaned and disinfected after each time the equipment is used.

10 Cleaning of instruments and equipment

- (1) Any instrument or equipment that comes into contact with intact skin must be cleaned before it is used.
- (2) Any instrument or equipment that is required to be sterilised or disinfected must be cleaned before it is sterilised or disinfected.
- (3) The process of cleaning must involve water and mechanical or physical action (such as washing machines) and a cleaning agent.
- (4) All cleaning agents must be removed from instruments and equipment by rinsing prior to further processing.
- (5) In this clause, **cleaning agent** means a detergent and includes proteolytic enzyme substances.

11 Disinfection of instruments and equipment

- (1) Any instrument or equipment that comes into contact with non-sterile tissue (other than intact skin) must, before it is used, be disinfected with a disinfectant specified in the Australian Register of Therapeutic Goods, and the relevant manufacturer's instructions must be followed.
- (2) The process of disinfection must involve either thermal or chemical methods. Chemical disinfection may only be used in cases where thermal methods are unsuitable.

12 Sterilisation of instruments and equipment

- (1) Any instrument or equipment used to enter, or that is capable of entering, tissue that would be sterile under normal circumstances, or the vascular system of a patient, must be sterilised before it is used.
- (2) The method of sterilisation must be compatible with the particular type of instrument or equipment.
- (3) If a steriliser is used (whether it is a benchtop/portable steriliser or a permanently plumbed or wired steriliser), the following criteria must be met:
 - (a) the relevant manufacturer's instructions must be followed,
 - (b) an ongoing monitoring program must be followed which reflects the requirements of Table 7.1 "STERILIZER TESTS AND TEST FREQUENCIES" of Australian Standard

AS 4187-1998.

(4), (5) (Repealed)