



NEW SOUTH WALES

## CHIROPRACTORS REGISTRATION BOARD

### RE-REGISTRATION OF CHIROPRACTORS IN NEW SOUTH WALES

#### 1. INTRODUCTION

Chiropractors previously registered in New South Wales, and whose names were removed from the Register for non-payment of the annual registration fee, may apply for re-registration.

Applicants may apply under the Chiropractors Act 2001, or Mutual Recognition Act 1992, or Trans-Tasman Mutual Recognition Act 1996.

Applicants who are not registered in another State or Territory of Australia should apply under the Chiropractors Act. *Refer to item 2 below and Appendix 1.*

Applicants who are registered in another State or Territory of Australia should apply under mutual recognition. *Refer to item 3 below and Appendix 3.*

#### 2. RE-REGISTRATION UNDER THE CHIROPRACTORS ACT 2001

**Schedule 1, clause 28(1)** of the Act provides that a person whose name has been removed from the Register for failure to pay the annual registration fee is entitled to re-registration if the person pays to the Board any unpaid annual registration fee or fees together with any applicable late payment fee.

**Schedule 1, clause 28(2)** of the Act provides that a late payment fee is applicable when more than 3 months have elapsed since the person's name was removed from the Register. The late payment fee is such amount as the Board determines.

**Schedule 1, clause 28(3)** of the Act provides that the Board may waive payment of a late payment fee in a particular case if the Board thinks it appropriate to do so.

**Schedule 1, clause 28(4)** of the Act provides that the entitlement to re-registration is an entitlement to registration on the same terms and subject to the same conditions (if any) as applied to the person's registration immediately before the removal of his or her name from the Register.

**Schedule 1, clause 28(5)** of the Act provides that the Board may refuse to register a person under this clause if the Board is of the opinion, following an inquiry under Part 3 of this Schedule, that the person is not competent to practise chiropractic or is not of good character.

**Schedule 1, clause 28(6)** of the Act provides that a person registered pursuant to an entitlement to re-registration under this clause is taken to have been so registered on and from the day the person's name was removed from the Register or on and from such later day as the Board determines and notifies to the person.

**Schedule 1, clause 28(7)** of the Act provides that an entitlement to re-registration under this clause does not override any other provision of this Act pursuant to which a person's name is authorised or required to be removed from the Register.

***Application procedures***

An application form is attached as Appendix 3. The documentary requirements, which must accompany the application form, are outlined in the form. A checklist is appended to assist applicants in complying with the Board's requirements.

As noted in item 4 in the application form, applicants are not required to disclose offences relating to the parking of motor vehicles or any offence under the road transport legislation (within the meaning of the Road Transport (General) Act 1999), except for the following offences.

- 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.
- 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 applicant is, by way of penalty, sentenced to imprisonment or fined a sum of not less than \$200.
- 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).
- 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).
- Any offence under section 25A (1), (2) or (3) of the Road Transport (Driver Licensing) Act 1998 (which relates to driving while unlicensed).
- Any offence under section 70 of the Road Transport (Safety and Traffic Management) Act 1999 (which relates to failing to stop after an accident).
- 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).
- Any offence under section 43 of the Road Transport (Safety and Traffic Management) Act 1999 (which relates to menacing driving).
- Any other offence under the road transport legislation if the court orders the disqualification of the applicant from holding a driver licence.

Re-registration is usually effected upon receipt of the completed application and fee/s. Applications for waiver of all or part of the fee/s, applications not accompanied by the fee/s [incomplete], and applications where the applicant has practised chiropractic in New South Wales whilst unregistered, are referred to the next scheduled meeting of the Board following receipt for consideration. The Board normally meets on the last Tuesday of each month.

**3. RE-REGISTRATION UNDER MUTUAL RECOGNITION**

Under the provisions of Mutual Recognition Act 1992 and Trans-Tasman Mutual Recognition Act 1996 a person who has a current authority to practice as a chiropractor in another jurisdiction of Australia or New Zealand is entitled to be registered to practice chiropractic in New South Wales.

Mutual Recognition provides an additional and alternative avenue to the Chiropractors Act for obtaining re-registration.

***Application procedures***

An application for registration form is attached as Appendix 3. The documentary requirements, which must accompany the application form, are outlined in the form. A checklist is appended to assist applicants in complying with the Board's requirements.

Upon lodgement of a completed application/notice the applicant is "deemed" to be registered in New South Wales and is entitled to practice in New South Wales from the date of lodgement (ss.20, 25 and 27, MRA). The "deemed" registration automatically becomes a substantive (full) registration after one month (s.21(3), MRA), subject to:

- o the Board postponing or refusing substantive registration (ss.25 (1) & 26(3) & (6), MRA), or
- o the applicant's deemed registration is cancelled or suspended or otherwise ceases in accordance with Part 3 of the Act (s.26)(1), MRA), or

- o the applicant ceases to be substantively registered in every state referred to in the application/notice(s. 26(4) MRA); or
- o the applicant requests the Board to cancel its deemed registration (s. 26(5) MRA).

The Board can postpone or refuse the grant of a substantive registration if the application/notice is not fully completed, if the statements in the application/notice are found to be materially false or misleading, if the circumstances of the applicant have materially changed since the application was lodged, or the Board decides that the occupation in which registration is sought is not an equivalent occupation (ss.22 and 23, MRA).

The Board is prohibited from postponing the grant of substantive registration for longer than six months (s.22(6), MRA) and during that period the applicant remains registered as a “deemed” registration(s. 26(6)).

#### **4. FURTHER INFORMATION**

Further information is available from:

The Registrar  
Chiropractors Registration Board  
PO Box K599  
Haymarket NSW 1238  
Australia

Telephone: (02) 92190277  
Facsimile: (02) 92812030  
E-mail: [chiroreg@hprb.health.nsw.gov.au](mailto:chiroreg@hprb.health.nsw.gov.au)  
Internet: [www.chiroreg.health.nsw.gov.au](http://www.chiroreg.health.nsw.gov.au)



**CHIROPRACTORS REGISTRATION BOARD**

<b>4.</b>	Have you been convicted of any offence in or outside of New South Wales, except an excluded offence (please see following notes 4.1)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.1	<ul style="list-style-type: none"> <li>• Parking tickets, and minor traffic offences are excluded offences, and are <b>not required to be disclosed.</b></li> <li>• The following more serious traffic offences must be disclosed: <ul style="list-style-type: none"> <li>a) furious or reckless driving, or driving in a manner dangerous to the public</li> <li>b) negligent driving, with a fine greater than \$200, or imprisonment</li> <li>c) refusing to produce licence, to state name and address, or stating a false name and address</li> <li>d) driving under the influence of alcohol or any other drug</li> <li>e) driving whilst unlicensed</li> <li>f) failing to stop after an accident</li> <li>g) presence of prescribed concentration of alcohol</li> <li>h) menacing driving</li> <li>i) any offence leading to disqualification from driving</li> </ul> </li> </ul>	
4.2	<b>If the answer to Q4. is "YES", please supply full details.</b>	
<b>5.</b>	Has a criminal finding for a sex/violence offence been made against you?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1	<b>If the answer to Q5. is "YES", please supply full details.</b>	
<b>6.</b>	Has a criminal finding been made against you for an offence committed in the course of chiropractic practice or purported chiropractic practice?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6.1	<b>If the answer to Q6. is "YES", please supply full details.</b>	
<b>7.</b>	Are any criminal proceedings pending against you for a sex/violence offence alleged to have been committed in the course of chiropractic practice or purported chiropractic practice?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.1	<b>If the answer to Q7. is "YES", please supply full details.</b>	
<b>8.</b>	Are any criminal proceedings pending against you for a sex/violence offence alleged to have been committed against a minor or to involve child pornography?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.1	<b>If the answer to Q8. is "YES", please supply full details.</b>	
<b>9.</b>	Have you suffered any significant illness that may detrimentally affect your physical or mental capacity to practice as a chiropractor?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.1	<b>If the answer to Q9. is "YES", please supply full details.</b>	
<b>10.</b>	Has your registration as a chiropractor been suspended or cancelled, or had any conditions imposed on it, in any other jurisdiction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10.1	<b>If the answer to Q10. is "YES", please supply full details.</b>	
<b>11.</b>	Were you registered under a health registration Act in any jurisdiction other than as a chiropractor in N.S.W. as at the time of this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11.1	<b>If the answer to Q11. is "YES", please supply full details</b>	
<b>12.</b>	Has any registration held by you under a health registration Act been suspended or cancelled, or had any conditions imposed upon it?	<input type="checkbox"/> Yes <input type="checkbox"/> No
12.1	<b>If the answer to Q12. is "YES", please supply full details</b>	
<b>13.</b>	Have you been refused registration as a chiropractor in any other jurisdiction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
13.1	<b>If the answer to Q13. is "YES", please supply full details.</b>	

Applicant's signature \_\_\_\_\_



STATUTORY DECLARATION

I, *Full name* \_\_\_\_\_

of \_\_\_\_\_

\_\_\_\_\_

*Address*

do sincerely declare that:

1. I am the applicant for re-registration as a chiropractor referred to in this application;
2. the information supplied by me in this application is complete and true to the best of my knowledge and belief;

and I make this declaration conscientiously believing the same to be true, and by virtue of the Oaths Act 1900.

\_\_\_\_\_

*Date*

Declared at

\_\_\_\_\_

*Place of declaration*

before me

\_\_\_\_\_

*Applicant's signature*

\_\_\_\_\_

*Signature of Justice of the Peace*

**NOTES**

- *This application for re-registration as a chiropractor in New South Wales under the Chiropractors Act 2001 comprises pages 4-8 of the document entitled "Re-registration of chiropractors in New South Wales" approved by the New South Wales Chiropractors Registration Board.*
- *A photocopy of any of the documents required to accompany this application may be provided if it is certified by a Justice of the Peace, solicitor or public notary as being a true copy of the original.*
- *Each page of the application must be signed by the applicant.*

**AUTHORISATION**

1. I authorise and consent to the Chiropractors Registration Board of New South Wales and its Registrar, inspectors and employees to approach and request information from persons, institutions and organisations as the Board may consider appropriate in order to determine my eligibility for re-registration as a chiropractor in New South Wales.
2. I indemnify the Chiropractors Registration Board, its Registrar, inspectors and employees from any actions and claims by any person arising from any request for and supply of information and the consideration and processing of my application for re-registration as a chiropractor in New South Wales.

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*Applicant's signature*

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*Date*

## Extract from Health Care Liability Regulation 2007

**Clause 7 Exemption from insurance requirement**

- (1) In accordance with section 25 (5) of the Act, the following health practitioners are exempt from the requirement for professional indemnity insurance:
- (a) a person whose registration as a health practitioner is subject to the condition that the person does not practise,
  - (b) a health practitioner who practises primarily outside New South Wales and who is covered by professional indemnity insurance of any kind while practising in New South Wales,
  - (c) a health practitioner whose practice is limited to the rendering of assistance, in the practitioner's capacity as a health practitioner, on a voluntary basis in emergency situations,
  - (d) a health practitioner who practises in the course of being:
    - (i) employed by another person, or
    - (ii) engaged by another person under some contractual arrangement,
  - (e) a health practitioner whose practice does not include the provision of health care or of an opinion given in the practitioner's capacity as a health practitioner in respect of the physical or mental health of any person,
  - (f) a health practitioner who, while practising, is covered by an indemnity arrangement established or entered into by the State or the Commonwealth to cover civil liability,
  - (g) a health practitioner who, while practising in accordance with a function conferred or imposed by or under any State or Commonwealth Act or regulation, does not, under that Act or regulation, incur any personal liability.
- (2) An exemption under subclause (1) (b)–(g) applies to a health practitioner only to the extent to which the health practitioner practises in the circumstances described in the exemption concerned.
- (3) Without limiting subclause (2), the exemption under subclause (1) (d) applies only in relation to a health practitioner:
- (a) to the extent that the health practitioner is practising as an employee of, or under contract to, the other person, and
  - (b) to the extent that the health practitioner is indemnified, under an insurance policy issued to the other person, for civil liability arising out of the provision of, or failure to provide, health care by the health practitioner, and
  - (c) if the other person is not the health practitioner's practice company.

**The following does not form part of the legislation or regulations and is provided as a guide only.**

The Board is unable to advise health professionals which exemption category they fit into as they must determine this themselves depending on their circumstances. Please refer below for assistance with the interpretation of the various exemptions. The following must be read in conjunction with the Professional Indemnity Insurance (PII) exemption clauses in the Health Care Liability Regulation above.

7(1)(a) - Applies only to a very limited number of health professionals who are restricted from practise by conditions imposed by the Board.

7(1)(b) - Applies to health professionals practising outside NSW (overseas or interstate). Where the health professional returns to practise in NSW, they must either obtain PII or ensure they are exempt from holding PII.

7(1)(c) - Applies to health professionals who are not practising. This exemption allows a health professional to practise without PII if required as a volunteer in an emergency situation should they happen to be at the scene of the emergency.

7(1)(d) - Applies to health professionals whose PII is provided by their employer. This exemption only applies to the workplace of the employer providing the cover. Where a health professional works for multiple employers, or also practises privately, they must either hold PII or be exempt from holding PII for all areas of their practise.

7(1)(e) - Applies to health professionals who may be practising within the discipline of physiotherapy but are not providing treatment to clients and are not providing opinions related to the treatment of any particular client.

7(1)(f) - Applies to most health professionals practising in State or Commonwealth government facilities such as public hospitals. Health professionals in this category are advised to confirm their insurance entitlement with their employer before claiming this exemption. As with exemption 7(1)(d), this exemption only applies to the workplace of the employer providing the cover. Where a health professional works for multiple employers, or also practises privately, they must either hold PII or be exempt from holding PII for all areas of their practise.

7(1)(g) - Applies to a very limited number of health practitioners who legislatively do not incur any personal liability.



**CHIROPRACTORS REGISTRATION BOARD**

<b>5.</b>	<b>DECLARATION OF CRIMINAL, CIVIL OR DISCIPLINARY PROCEEDINGS</b>							
5.1	I am not the subject of disciplinary proceedings in any State or Territory of Australia or New Zealand, (including any preliminary investigations or action that might lead to disciplinary proceedings) in relation to the above occupation/s.							
<b>6.</b>	<b>CANCELLATION OR SUSPENSION</b>							
6.1	My registration has not been cancelled nor is it currently suspended in any State or Territory of Australia or New Zealand as a result of disciplinary action.							
<b>7.</b>	<b>PROHIBITIONS/SPECIAL CONDITIONS: CRIMINAL/CIVIL OR DISCIPLINARY PROCEEDINGS</b>							
7.1	I have not been personally prohibited from carrying on the occupation/s for which registration is sought, in any State or Territory of Australia, nor am I subject to any special conditions in carrying on that/those occupation/s, as a result of criminal, civil or disciplinary proceedings, in any State or Territory of Australia or New Zealand.							
<b>8.</b>	<b>SPECIAL CONDITIONS</b>							
8.1	Special conditions do not apply to my carrying on the occupation/s for which registration is sought.							
<i>If special conditions do apply please check the box <input type="checkbox"/> and attach details of those conditions.</i>								
<b>9.</b>	<b>INQUIRIES AND INFORMATION GATHERING</b>							
9.1	I give consent to the making of inquiries of, and the exchange of information with, the authorities in any State or Territory of Australia or New Zealand regarding my activity in the occupation/s for which registration is sought or otherwise regarding my application for registration.							
<b>10.</b>	<b>CURRENT PRACTISING CERTIFICATE</b>							
10.1	The attached document evidencing my registration is the original or a complete and accurate copy of my current authority to practise in the jurisdiction listed in item (2) above							
<b>11.</b>	<b>APPLICATION FEE</b>							
11.1	Application for registration fee of \$270.00							
11.2	Do you wish to apply for a waiver of all or part of the application fee?	<input type="checkbox"/> Yes <input type="checkbox"/> No						
11.3	<b>If the answer to Q10.2 is "YES", please supply full details, including amount of waiver requested and reasons for the waiver.</b>							
<i>Cheques or money orders should be made payable to the Chiropractors Registration Board. Overseas cheques and bank drafts must be in Australian dollars and made payable to an Australian bank. Credit card payments Visa/MasterCard/Bankcard only</i>								
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%; vertical-align: top;"> <input type="checkbox"/> Visa  <input type="checkbox"/> MasterCard  <input type="checkbox"/> Bankcard             </td> <td style="width:50%; border-top: 1px solid black; border-bottom: 1px solid black; text-align: center;">                           -           -           -                       </td> <td style="width:25%; border-top: 1px solid black; border-bottom: 1px solid black; text-align: center;">                 /             </td> </tr> <tr> <td style="text-align: center;"><i>Card type</i></td> <td style="text-align: center;"><i>Card number</i></td> <td style="text-align: center;"><i>Card expiry</i></td> </tr> </table>			<input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> Bankcard	-           -           -	/	<i>Card type</i>	<i>Card number</i>	<i>Card expiry</i>
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<i>Card type</i>	<i>Card number</i>	<i>Card expiry</i>						
<hr/> <i>Signature</i>								
<b>12.</b>	<b>DECLARATION</b>							
I make this solemn declaration, as to the matter aforesaid, according to the law in this behalf made, and subject to the punishment by law provided for any wilfully false statement in any such declaration.								

Made and declared at \_\_\_\_\_  
Place of declaration

before me \_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Signature of Justice of the Peace/Solicitor/Public Notary

**APPLICATION FOR RE-REGISTRATION UNDER MUTUAL RECOGNITION**

**APPLICANT'S CHECKLIST**

The following checklist is provided to assist applicants in complying with the Board's requirements.

<b>Personal Details</b>	
<input type="checkbox"/> Completed	
<b>Registration in other jurisdictions</b>	
<input type="checkbox"/> Completed	<input type="checkbox"/> Jurisdiction upon which the application is based
<input type="checkbox"/> Completed	<input type="checkbox"/> Details of equivalent registration in other jurisdictions
<b>Special conditions</b>	
<input type="checkbox"/> Details provided (if required)	
<b>Current practising certificate</b>	
<input type="checkbox"/> Certified copy provided	
<b>Fee</b>	
<input type="checkbox"/> Enclosed	
<b>Declaration</b>	
<input type="checkbox"/> Completed	<input type="checkbox"/> Signed by a Justice of the Peace
<b>Application form</b>	
<input type="checkbox"/> Signed on each page	

**N.B. A certified copy is a photocopy certified by a Justice of the Peace, solicitor, or Notary Public, as a true copy of the original.**

**NOTES**

- *This application for re-registration as a chiropractor in New South Wales under Mutual Recognition comprises pages 10-11 of the document entitled "Re-registration of chiropractors in New South Wales" approved by the New South Wales Chiropractors Registration Board.*
- *Incomplete applications including omission of payment of the appropriate fee will not be accepted by the Board resulting in deferment of the right to practise. Statements or information which are materially false or misleading will result in postponement or refusal of registration.*
- *Please ensure your current Authority to Practise Document is attached to this Application (Item 10).*
- *A photocopy of any of the documents required to accompany this application may be provided if it is certified by a Justice of the Peace, solicitor or public notary as being a true copy of the original.*

