



NSW Physiotherapists Registration Board

Level 6, 477 Pitt Street
SYDNEY NSW 2000
PO Box K599
HAYMARKET NSW 1238
Hours: 8.30am - 4.30pm

Telephone: (02) 9219 0255
Facsimile: (02) 9211 9318
Email: physioreg@hprb.health.nsw.gov.au
Internet: www.physioreg.health.nsw.gov.au

APPLICATION FOR RE-REGISTRATION

1. INTRODUCTION

Physiotherapists 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 Physiotherapist Act 2001 or Mutual Recognition Act 1992 or Trans Tasman Mutual Recognition Act 1997.

Applicants who are not registered in another State or Territory of Australia should apply under Physiotherapists Act 2001.

Applicants who are registered in another State or Territory of Australia should apply under Mutual Recognition.

2. RE- REGISTRATION UNDER THE PHYSIOTHERAPISTS ACT 2001

Schedule 1, clause 28(1) 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. This fee is **\$100.00**.

Schedule 1, clause 28(2) 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 an **additional \$50.00**.

Schedule 1, clause 28(3) 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) 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.

Application Procedures

An application form is attached. The documentary requirements, which must accompany the application form, are outlined in the form. As noted in item 6 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.

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 physiotherapy in New South Wales whilst unregistered, will be referred to the next scheduled meeting of the Board following receipt for consideration. The Board meets on the second Tuesday of each month.

3. RE-REGISTRATION UNDER MUTUAL RECOGNITION

Under the provisions of Mutual Recognition Act 1992 and the Trans Tasman Mutual Recognition Act 1997 a person who has a current authority to practise as a physiotherapist in another jurisdiction of Australia and New Zealand is entitled to be registered to practise physiotherapy in New South Wales.

Mutual Recognition provides an additional and alternative avenue to the Physiotherapists Act for obtaining re-registration and you can contact the Board for the application form.

4. APPLICATION FEE FOR RE-REGISTRATION

Persons paying the re-registration fee within 3 months of the removal of their name from the register are required to pay a re-registration fee of \$100. Persons applying after the 3 months have elapsed are required to pay an **additional \$50.00 fee.**

5. PROFESSIONAL INDEMNITY INSURANCE

In accordance with the provisions of the Health Care Liability Act 2001 and Regulations, the Board may not register a person to practise physiotherapy in New South Wales unless it is satisfied that the person will be covered by professional indemnity insurance or that the person is exempt from that requirement under the Regulation.

Practising as a physiotherapist without being covered by professional indemnity insurance is, for the purpose of the Physiotherapists Act 2001, unsatisfactory professional conduct.

6. LODGMENT OF APPLICATION

The application may be lodged by;

- (i) Mail; or
- (ii) In person at the Boards office

- **Faxed applications or documentation will NOT be accepted.**

7. COMPLIANCE WITH THE PRIVACY AND PERSONAL INFORMATION ACT 1998

Your personal information is required by the Board to complete this application. Limited personal information may be provided to or accessed by any interested party to determine the registration status of the individuals.

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APPLICATION FOR RE-REGISTRATION OF NAME TO THE REGISTER

Your personal information is required by the Board to complete this application. Limited personal information may be provided to or accessed by any interested party to determine the registration status of the individuals.

I, *Full name* _____
 hereby apply to be re-registered as a physiotherapist in New South Wales under the provisions of the Physiotherapists Act 2001, and provide the following information in support of my application.

1	PERSONAL DETAILS
	Title: _____
	Surname: _____
	Given names: _____
	Previous name/s, aliases [if applicable]: _____
	Address: _____
	Postcode: _____
	Telephone: _____ (H) _____ (W)
	(Mobile) _____
	E-mail address: _____

2	REGISTRATION DETAILS
	Registration number: _____
	Date of removal of name from the Register: _____
	<i>You may need to contact the Board's office in order to complete the above items</i>
	Were you practising as a physiotherapist in New South Wales during the period you were unregistered? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Please attach complete employment history, including dates, practice location/s and employer's name (one page length only)

Applicant's Signature _____ **Date** _____

Office Use:

Qual _____ Reg Date _____ Rem Date _____
 Re-reg Date _____ LP Date _____ EH _____ GS _____ Credit /LPF _____

3 REGISTRATION IN OTHER JURISDICTIONS

Are you or have you ever been registered, certified and/or licensed as a physiotherapist or to otherwise practise physiotherapy in any other States, Territories or Countries? Yes
 No

If the answer is "YES", please provide the following information in respect of each such registration, certification or licence:

Name of State/s, Territory/s or Country/s:	Name of registering, certifying or licensing authority/s:	Date of registration/s, certification/s or license/s:	Registration number/s [if any] and Expiry Date

If you do hold registration in another State, Territory or Country it is necessary for you to arrange for a Certificate of Good Standing to be forwarded to the Board by the registering authority in that State, Territory or Country. Certificates of Good Standing must be dated within three months of the date of the application.

4 CONVICTIONS/CRIMINAL FINDINGS

Have you been convicted of any offence or made the subject of a criminal finding in this State or elsewhere? Yes
 No

Excludes any offence 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 those offences listed on page 2.

If the answer is "YES", please supply the following information in respect of each offence:

Date of offence/s	Nature of offence/s	Date of conviction/s	Court imposing conviction/s

5 GOOD CHARACTER

Refusal of registration

Has any application for registration, certification or licensing as a physiotherapist or as a provider of physiotherapy services been refused for any reason in another State, Territory or Country? Yes
 No

If the answer is "YES", please supply full details.

De-registration, suspension etc

Has any registration referred to above been suspended, withdrawn, revoked, cancelled and/or removed for any reason? Yes
 No

If the answer is "YES", please supply full details.

Has any registration referred to above been made subject to any restrictions or conditions? Yes
 No

If the answer is "YES", please supply full details.

Current Complaints

Are you currently as a physiotherapist or as a registered care professional the subject of a complaint of lack of good character, professional misconduct or other matter? Yes
 No

If the answer is "YES", please supply full details.

Are you currently the subject of pending criminal proceedings in NSW or elsewhere for a sex/violence offence? Yes
 No

A sex/violence offence is an offence involving sexual activity, acts of indecency, child pornography, physical violence, or the threat of physical violence.

If the answer is "YES", please supply full details.

Applicant's Signature _____

Date _____

5 GOOD CHARACTER Cont'd	
Claims for damages	
Have you ever been named as a defendant in any court action for negligence or other malpractice in the provision of physiotherapy services?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the answer is "YES", please supply full details.	

Academic Conduct	
Have you ever been suspended or expelled/excluded from a tertiary education institution?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you ever been found guilty of cheating or other dishonesty by a tertiary education institution?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the answer to either question's is "YES", please supply full details	

Adverse findings of Courts etc.			
Have you ever been the subject of an adverse finding relating to your conduct as a physiotherapist or as a provider of physiotherapy services or relating to your character by a court, royal commission, special commission of inquiry or by the NSW Independent Commission Against Corruption?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
If the answer is "YES", please supply the following information in respect of each adverse finding			
<i>Name of Court/s etc</i>	<i>Name of proceeding/s or inquiry/s</i>	<i>Details of adverse finding/s</i>	<i>Date of adverse finding/s</i>

6 IMPAIRMENT	
Do you suffer from any physical or mental impairment, disability, condition or disorder that detrimentally affects, or is likely to detrimentally affect, your physical or mental capacity to practice physiotherapy?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the answer is "YES", please supply full details.	

7 PROFESSIONAL INDEMNITY INSURANCE								
My Professional Indemnity Insurance status is:								
(a) Approved Insurer Provider: _____ Member Code: _____								
(b) Exempt (Refer to Clause 7, Health Care Liability Regulation 2007, attached):								
<table border="1"> <tr> <td>7(1)(a) <input type="checkbox"/> non-practising (Board imposed)</td> <td>7(1)(e) <input type="checkbox"/> not providing health care</td> </tr> <tr> <td>7(1)(b) <input type="checkbox"/> practice outside NSW</td> <td>7(1)(f) <input type="checkbox"/> employee of public health organisation</td> </tr> <tr> <td>7(1)(c) <input type="checkbox"/> not-practising</td> <td>7(1)(g) <input type="checkbox"/> government indemnity</td> </tr> <tr> <td>7(1)(d) <input type="checkbox"/> indemnified employee</td> <td>7(1)(g) <input type="checkbox"/> statutory liability protection</td> </tr> </table>	7(1)(a) <input type="checkbox"/> non-practising (Board imposed)	7(1)(e) <input type="checkbox"/> not providing health care	7(1)(b) <input type="checkbox"/> practice outside NSW	7(1)(f) <input type="checkbox"/> employee of public health organisation	7(1)(c) <input type="checkbox"/> not-practising	7(1)(g) <input type="checkbox"/> government indemnity	7(1)(d) <input type="checkbox"/> indemnified employee	7(1)(g) <input type="checkbox"/> statutory liability protection
7(1)(a) <input type="checkbox"/> non-practising (Board imposed)	7(1)(e) <input type="checkbox"/> not providing health care							
7(1)(b) <input type="checkbox"/> practice outside NSW	7(1)(f) <input type="checkbox"/> employee of public health organisation							
7(1)(c) <input type="checkbox"/> not-practising	7(1)(g) <input type="checkbox"/> government indemnity							
7(1)(d) <input type="checkbox"/> indemnified employee	7(1)(g) <input type="checkbox"/> statutory liability protection							
(c) Other (please specify) _____ _____ _____ _____								

Applicant's Signature _____

Date _____

PROFESSIONAL INDEMNITY INSURANCE REQUIREMENTS

The *Health Care Liability Regulation 2007* was implemented on 1 September 2007. The Regulation specifies the classes of health practitioners who are required under section 25 of *Health Care Liability Act* to be covered by approved professional indemnity insurance and the classes of health practitioners who are exempt from that requirement.

A copy of the relevant sections of the regulation plus a copy of section 25 of the *Health Care Liability Act 2001* (the Act) is enclosed for your information.

Section 25(2) of the Act provides that a person (declared by the regulation) is not entitled to practise as a health practitioner (in New South Wales) unless covered by professional indemnity insurance. Section 25(4) of the Act goes on to say that “Practising as a health professional without being covered by professional indemnity insurance is, for the purposes of the relevant health registration Act, (ie the *Physiotherapists Act 2001*), unsatisfactory professional conduct.”

Section 25(3) of the Act prescribes that the appropriate registration authority (ie the Physiotherapists Registration Board):

- a) must not register a person as a health practitioner unless the authority is satisfied that the person will, while practising as a health practitioner (in New South Wales), be covered by professional indemnity insurance, and
- b) may cancel or suspend the registration of a person as a health practitioner if the authority is satisfied that the person is not covered by professional indemnity insurance while the person is practising as a health practitioner (in New South Wales).

Health Care Liability Regulation 2007

Part 3 Health practitioners

Clause 6 - Classes of health practitioner required to be covered by professional indemnity insurance

Section 25 of the Act applies to the following classes of health practitioner:

- (a) chiropractors,
- (b) dental auxiliaries,
- (c) dental prosthetists
- (d) dentists,
- (e) optometrists,
- (f) osteopaths,
- (g) pharmacists,
- (h) physiotherapists,
- (i) podiatrists,
- (j) psychologists.

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.

Clause 8 Exemption for limited period after cessation of insurer's business

(1) If a health practitioner ceases to be covered by professional indemnity insurance as a consequence of the cessation of business of the insurer who provided the insurance, the health practitioner is, in accordance with section 25 (5) of the Act, exempt from the requirement for professional indemnity insurance but only for a period of no more than 3 months (or such longer period as the Minister may specify by order published in the Gazette) commencing on the date on which the health practitioner ceased to be so covered.

(2) The reference in subclause (1) to the cessation of business of an insurer includes a reference to the appointment of a liquidator, administrator or controller (within the meaning of the [Corporations Act 2001](#) of the Commonwealth) in respect of the insurer's business.

S. 25 Professional indemnity insurance for certain other health practitioners

(1) This section applies to or in respect of a person who is a health practitioner only if the regulations have declared that this section applies to the class of health practitioner of which the person is a member.

(2) A person is not entitled to practise as a health practitioner unless the person is covered by professional indemnity insurance.

(3) Accordingly, the appropriate registration authority:

(a) must not register a person as a health practitioner unless the authority is satisfied that the person will, while practising as a health practitioner, be covered by professional indemnity insurance, and

(b) may cancel or suspend the registration of a person as a health practitioner if the authority is satisfied that the person is not covered by professional indemnity insurance while the person is practising as a health practitioner.

(4) Practising as a health practitioner without being covered by professional indemnity insurance is, for the purposes of the relevant health registration Act, unsatisfactory professional conduct.

(5) This section does not apply in respect of a health practitioner who is exempt under the regulations from the requirement for professional indemnity insurance.

(6) This section has effect despite the relevant health registration Act under which a health practitioner is registered.

(7) In this section:

appropriate registration authority, in relation to a health practitioner, means the person or body who has the function, under the relevant health registration Act, of determining any matter relating to the registration of the health practitioner under the health registration Act.

relevant health registration Act, in relation to a health practitioner, means the Act under which the health practitioner is registered or is otherwise entitled to practise.

APPLICATION FOR RE-REGISTRATION UNDER THE PHYSIOTHERAPISTS ACT 2001

APPLICANT'S CHECKLIST

Before submitting your application please check the following for inclusion in your submission.

Personal Details	YES/NO
Registration details	YES/NO
Details of complete employment history attached (including dates)	YES/NO
Registration in other Jurisdictions (if applicable)	YES/NO
Certificate of Good Standing, if required	YES/NO
<i>Dated within 3 months of the date of application</i>	
Convictions/Criminal findings	YES/NO
Good Character:	
Refusal of Registration	YES/NO
De- Registration, suspension etc	YES/NO
Current Complaints	YES/NO
Pending Criminal Proceedings	YES/NO
Claim for damages	YES/NO
Academic Conduct	YES/NO
Adverse findings of Courts etc	YES/NO
Impairment	YES/NO
Professional Indemnity Insurance Details	YES/NO
Fee Included	YES/NO
Authorisation Signed	YES/NO
Application form Signed	YES/NO

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.