



# NSW Physiotherapists Registration Board

Level 6, 477 Pitt Street  
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Hours: 8.30am - 4.30pm

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## INFORMATION FOR TEMPORARY REGISTRATION

### 1. PHYSIOTHERAPISTS ACT 2001

The Physiotherapists Act 2001 provides for the registration of physiotherapists. The object of the Act is to protect the health and safety of members of the public by providing mechanisms to ensure that physiotherapists are fit to practise.

Pursuant to section 7 of the Act, a person who is not registered as a physiotherapist must not indicate that the person practises physiotherapy or is qualified to practise physiotherapy.

### 2. PHYSIOTHERAPISTS REGISTRATION BOARD

The Physiotherapists Registration Board is the independent statutory body created by the Physiotherapists Act 2001 to maintain the Register of Physiotherapists of New South Wales and administer the Act generally. Pursuant to section 87 of the Act the functions of the Board are as follows.

- Such functions as are conferred or imposed by the Physiotherapists Act 2001, or any other Act.
- To promote and maintain standards of physiotherapy practice in New South Wales.
- To advise the Minister for Health on matters relating to the registration of physiotherapists, standards of physiotherapy practice and any other matter arising under or related to the Physiotherapists Act 2001 or Physiotherapists Regulation.
- To publish and distribute information concerning the Physiotherapists Act and Physiotherapists Regulation to physiotherapists, consumers and other interested persons.

Pursuant to section 88 of the Act the Board comprises eleven members as follows.

- 88(1)(a) 3 are to be registered physiotherapists elected by registered physiotherapists in accordance with the regulations,
- 88(2)(a) 1 person nominated by the Minister, being an officer of the Department of Health or an employee of an area health service, statutory health corporation or affiliated health organisation within the meaning of the *Health Services Act 1997*,
- 88(2)(b) 1 registered physiotherapist nominated by the Minister from a panel of physiotherapists nominated by the Australian Physiotherapy Association (NSW), and such other bodies representing physiotherapists as may be determined by the Minister,
- 88(2)(c) 1 registered physiotherapist nominated by the Minister, being a registered physiotherapist involved in the tertiary education of persons for qualification in New South Wales as physiotherapists,
- 88(2)(d) 1 registered physiotherapist practising physiotherapy in NSW nominated by the Minister of the Minister's own choosing,
- 88(2)(e) 3 persons nominated by the Minister, at least 2 of whom are not registered physiotherapists and are nominated to represent the community,

88(2)(f) 1 legal practitioner nominated by the Minister.

### 3. TEMPORARY REGISTRATION

- Section 14(1)** of the Act provides that the Board may grant to a person a certificate of Temporary Registration, if the person is not normally resident in New South Wales, for the purpose of enabling the person to carry out educational or research activities or such other activities as the Board considers to be in the public interest.
- Section 14(2)** of the Act provides that registration under this section is temporary registration.
- Section 14(3)** of the Act provides that Temporary Registration can only be granted to a person:-
- (a) who is registered as a physiotherapist in accordance with a law in force in the person's normal place of residence providing for the registration or certification of Physiotherapists,  
or
  - (b) who holds such qualifications or has such experience in the practice of Physiotherapy as the Board considers satisfactory for the purposes of temporary registration.
- Section 14(4)** of the Act provides that temporary registration is granted by the Board by the grant of certificate of temporary registration.
- Section 14(5)** of the Act provides that a person granted temporary registration is a registered physiotherapist until the temporary registration expires or is cancelled. Temporary registration expires on the date stated in the certificate unless the period of temporary registration is extended.
- Section 14(6)** of the Act provides that the Board may extend and further extend a period of temporary registration by the issue of a further certificate of temporary registration.
- Section 14(7)** of the Act provides that the Board may cancel a person's temporary registration for any reason that the Board considers proper. Cancellation does not affect any application for full registration by the person.
- Section 14(8)** of the Act provides that the Board may impose such conditions as it thinks fit on the temporary registration of a person, and may remove or vary those conditions, add to or vary those conditions by notice in writing to the registered person.

### Other relevant provisions of the Physiotherapists Act 2001

#### Section 9 - Competence

For the purposes of this Act, a person is competent to practise physiotherapy only if the person has sufficient physical capacity, mental capacity and skill to practise physiotherapy and has sufficient communication skills for the practice of physiotherapy, including an adequate command of the English language.

#### Section 10 - Impairment

- (1) For the purposes of this Act, a person suffers from an impairment if the person suffers from any physical or mental impairment, disability, condition or disorder that detrimentally affects or is likely to detrimentally affect the person's physical or mental capacity to practise physiotherapy.
- (2) For the purposes of this Act, a person who habitually abuses alcohol or is addicted to a deleterious drug is taken to suffer from an impairment.

### 4. CATEGORIES WHICH MAY BE CONSIDERED FOR TEMPORARY REGISTRATION

Temporary registration may be granted in special circumstances where a physiotherapist is travelling to NSW for a specific event. These include:

- Accompanying sporting teams competing in NSW
- Covering a performing arts event

- Practising physiotherapy in NSW at a conference or workshop
- Working in a locum private practice position
- Studying or training at postgraduate level
- Teaching
- Research
- Performing clinical demonstrations

Conditions on registration for visiting physiotherapists:

- ◇ May only treat a team or group member (if applying for temporary registration to attend a course, sporting or cultural event)
- ◇ Registration is for the short term
- ◇ Not entitled to full registration

<b>Application Fee for Temporary Registration</b>			
<b>Purpose</b>	<b>Duration</b>		<b>Comments</b>
	<b>Up to 2 weeks</b>	<b>Over 2 weeks</b>	
Courses and sporting/cultural events	No fee	\$70.00	Maximum of 4 occasions/events in any 12-month period.
Lectures/educational purposes	No fee	\$70.00	
Locums – Fees charged for service	\$70.00	N/A	Maximum of 2 weeks temporary registration allowed as a locum in any 12-month period.
Locums – No fee for service	No fee	N/A	
Cross-border tele-health	No fee	No fee	
A Statutory Declaration must be submitted to support any claim for exemption from application fees. Applicants requiring longer periods of registration than those allowed above should contact the Board's office.			

## 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 TEMPORARY REGISTRATION AS A PHYSIOTHERAPIST

*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 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.

<b>1</b>	<b>PERSONAL DETAILS</b>		
	Title:	_____	
	Surname:	_____	
	Given names:	_____	
	Previous name/s, aliases [if applicable]:	_____	
	Address:	_____	
		Postcode:	_____
	Telephone:	(H)	(W)
		(Mobile)	
	E-mail address:	_____	
	Date of birth:	_____	
	Gender [M or F]:	_____	

<b>2</b>	<b>QUALIFICATIONS</b>		
	Qualification/s on which the application is based.		
	<i>Degree/ diploma</i>	<i>University/ Institution</i>	<i>Year conferred</i>

<b>3</b>	<b>REASON FOR TEMPORARY REGISTRATION</b>			
	<i>Event or Course</i>	<i>Location of event/ course</i>	<i>Dates- From:</i>	<i>To:</i>

**Applicant's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

Office use only:

Quals \_\_\_\_\_ Good Standing \_\_\_\_\_ Evidence of Current Registration \_\_\_\_\_ Fee \_\_\_\_\_

From \_\_\_\_\_ To \_\_\_\_\_ PYO \_\_\_\_\_ Board Date \_\_\_\_\_ PII \_\_\_\_\_

**4 REGISTRATION IN OTHER JURISDICTIONS**  
**Please provide the following information in respect of each such registration, certification or licence:**

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

**Please provide evidence of current registration from your Registering Authority**

**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 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 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.**

**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?  Yes  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?  Yes  No  
 Have you ever been found guilty of cheating or other dishonesty by a tertiary education institution?  Yes  No  
**If the answer to either question 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?  Yes  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>

**Applicants Signature** \_\_\_\_\_

**Date** \_\_\_\_\_



10 **AUTHORISATION**

Applicants are required to complete the attached authorisation for the Board to approach and request information from persons, institutions and organisations as the Board may consider appropriate in order to determine the applicant's eligibility for registration as a physiotherapist in New South Wales.

**Notes:**

- **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.**
- **Applications may be lodged by mail OR in person at the Boards office.**
- **Please note – faxed applications or documentation will NOT be accepted.**

**Section 123**

**FALSE AND MISLEADING ENTRIES AND STATEMENTS**

A person must not:

- (a) make or cause to be made in the Register an entry that the person knows to be false or misleading, or alter an entry in the Register with intent to render the entry false or misleading, or
- (b) for the purposes of obtaining registration as a physiotherapist either for that person or for anyone else, make a statement, whether orally or in writing, that the person knows to be false or misleading.

Maximum penalty: 50 Penalty units or imprisonment for 12 months or both

**AUTHORISATION**

1. I authorise and consent to the Physiotherapists 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 registration as a physiotherapist in New South Wales.
2. I indemnify the Physiotherapists 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 registration as a physiotherapist in New South Wales.

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*Applicant's signature*

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*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

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### 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 TEMPORARY 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
Qualifications	YES/NO
Current evidence of registration in other Jurisdictions	YES/NO
Reason for Temporary Registration given	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
Convictions/Criminal findings	YES/NO
Impairment	YES/NO
Professional Indemnity Insurance Details	YES/NO
Application form signed on each page	YES/NO
Fee Included	YES/NO
Authorisation 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.**