

Queensland



*Occupational Therapists Act 1979*

# **OCCUPATIONAL THERAPISTS BY-LAW 1995**

**Reprinted as in force on 10 November 1995  
(By-law not amended up to this date)**

**Reprint No. 1**

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# Information about this reprint

This by-law is reprinted as at 20 October 1995.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (s 40)
- omit the words of notification (s 42A).

**See endnotes for information about when provisions commenced.**

Queensland



# OCCUPATIONAL THERAPISTS BY-LAW 1995

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# OCCUPATIONAL THERAPISTS BY-LAW 1995

[reprinted as in force on 10 November 1995]

## PART 1—PRELIMINARY

### Short title

1. This by-law may be cited as the *Occupational Therapists By-law 1995*.

### Definitions

2. In this by-law—

“**additional qualifications**” means a qualification other than a required qualification.

“**required qualifications**” means the qualifications mentioned in section 18(1)(a), (b) or (c) of the Act.<sup>1</sup>

## PART 2—BOARD MEETINGS

### *Division 1—Ordinary meetings*

#### Notice of meetings

3.(1) The registrar must give each member written notice of the time, date and place of an ordinary board meeting at least 7 clear days before the meeting.

(2) The notice must state the business to be considered at the meeting.

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<sup>1</sup> Section 18 (Qualification for registration)

**Order of business at ordinary meeting**

4. Unless the board decides otherwise, the order of business at an ordinary meeting of the board is as follows—

- (a) reading the minutes of the board's last meeting and any unconfirmed minutes of a special meeting;
- (b) confirming the minutes;
- (c) business arising out of the minutes;
- (d) considering correspondence received, or prepared, by the board;
- (e) financial matters, including consideration of the board's financial statements, bank statements and accounts payable;
- (f) considering applications for—
  - (i) restoration of a person's name to the register; or
  - (ii) registration as an occupational therapist; or
  - (iii) registration of additional qualifications;
- (g) motions of which notice has been given;
- (h) general business;
- (i) deciding the date of the next ordinary meeting.

***Division 2—Special meetings*****When a special meeting is to be held**

5.(1) The registrar must call a special meeting of the board—

- (a) at the chairperson's request; or
- (b) on the written request of 3 members of the board.

(2) The request must state the business to be considered at the meeting.

**Notice of special meeting**

6.(1) The registrar must give each member written notice of the time,

date and place of a special meeting at least 3 clear days before the meeting.

(2) The notice must state the business to be considered at the meeting.

### **Business that may be considered at special meeting**

7. The board may conduct business at a special meeting only if the business was specified in the notice of the meeting.

### *Division 3—General*

#### **Adjournment of meeting**

8.(1) The members present at a meeting of the board may adjourn the meeting at any time.

(2) If a quorum is not present within 30 minutes after a meeting is due to start, the registrar may adjourn the meeting for not more than 14 days.

(3) The registrar must give each member of the board written notice of the time, date and place of the adjourned meeting.

## **PART 3—ADMINISTRATION**

### **Board's funds**

9.(1) An amount payable to the board must be given to the registrar.

(2) The registrar must deposit the amount in an account kept by the board with a financial institution.

(3) A payment may be made from the board's account only if the payment is made—

- (a) by a cheque signed by the registrar and a board member authorised by the board to sign cheques; or
- (b) in another way decided by the board.

**Board's common seal**

- 10.(1)** The registrar must have custody of the board's common seal.
- (2)** The common seal may be used only as authorised by the board.

**PART 4—REGISTRATION****Application for registration**

**11.(1)** An application for registration as an occupational therapist must be accompanied by—

- (a) 2 passport photographs of the applicant—
- (i) taken not more than 6 months before the date of the application; and
  - (ii) certified by the applicant to be a photograph of the applicant and witnessed by a justice of the peace or commissioner of declarations; and
- (b) a copy of the required qualification certified, by a justice of the peace or a commissioner of declarations, to be a copy of the required qualification held by the applicant; and
- (c) 2 certificates, in a form approved by the board, about the applicant's character; and
- (d) a summary of the applicant's practice of occupational therapy; and
- (e) a statement whether the applicant is a resident of the State and the period of the applicant's residency.

**(2)** The board may, by written notice, ask the applicant to give further documents or information relevant to the application.

**Additional qualifications**

**12.(1)** An occupational therapist may apply to the board to have an additional qualification registered.

(2) An application must be—

- (a) in the form approved by the board; and
- (b) accompanied by a copy of the qualification certified, by a justice of the peace or commissioner of declarations, to be a copy of the qualification held by the therapist; and
- (c) accompanied by the fee stated in the schedule.

(3) The board may register the qualification if satisfied it is beneficial to the therapist's practice of occupational therapy.

### **Register to be kept**

13. The following particulars must be recorded in the register for each occupational therapist—

- (a) full name;
- (b) postal address;
- (c) registration number;
- (d) date of registration;
- (e) type of registration;
- (f) required qualifications;
- (g) any additional qualifications registered under section 12.

### **Additional records**

14.(1) This section applies if the name of an occupational therapist is removed from the register.

(2) The registrar must keep a record of—

- (a) the particulars for the therapist recorded in the register before the removal; and
- (b) the reason for the removal.

## **PART 5—PRACTICE**

### **Practice names**

**15.(1)** An occupational therapist must not practise under a name other than—

- (a) the therapist's name; or
- (b) if the therapist practises as a member of a partnership and the name of the partnership consists only of the name of its members or former members—the name of the partnership; or
- (c) a name approved by the board.

Maximum penalty—8 penalty units.

**(2)** The board may approve a name for a practice only if it is satisfied the name—

- (a) does not bring the profession of occupational therapy into disrepute; and
- (b) is not misleading as to the persons working in the practice or the nature of the practice; and
- (c) does not imply superiority for the practice over other practices.

### **Canvassing or soliciting**

**16.** An occupational therapist must not—

- (a) canvass or solicit business as an occupational therapist by offering an inducement; or
- (b) allow a person to canvass or solicit business on behalf of the occupational therapist by offering an inducement.

Maximum penalty—8 penalty units.

## **PART 6—MISCELLANEOUS**

### **Fees**

**17.** The fees payable under the Act are in the schedule.

### **Annual licence fee**

**18.(1)** The annual licence fee is waived for the year in which a person is first registered as an occupational therapist.

**(2)** If a person is first registered as an occupational therapist in December of a year, the annual licence fee for the following year is also waived.

### **Forms**

**19.** The board may approve forms for use under the Act.

**SCHEDULE****FEEES**

section 17

	\$
1. Inspection of register . . . . .	5.00
2. Registration . . . . .	125.00
3. Registration of an additional qualification . . . . .	5.00
4. Duplicate or certified copy of certificate of registration . . . . .	5.00
5. Annual licence fee . . . . .	100.00
6. Restoration of name to the register . . . . .	25.00
7. Examination fee . . . . .	100.00

## ENDNOTES

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Occupational Therapists By-law 1995 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

## **4 List of legislation**

### **Occupational Therapists By-law 1995 SL No. 286**

notfd gaz 20 October 1995 pp 753–4  
commenced on date of notification

## **5 List of annotations**

### **Repeal**

**s 20** om R1 (see RA s 40)