

Queensland



PHYSIOTHERAPISTS ACT 1964

**Reprinted as in force on 1 February 2002
(includes amendments up to Act No. 13 of 2001)**

This is the reprint current on the repeal date

Reprint No. 1D

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This Act is reprinted as at 1 February 2002. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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PHYSIOTHERAPISTS ACT 1964

[as amended by all amendments that commenced on or before 1 February 2002]

An Act to consolidate and amend the law relating to the practice of physiotherapy

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Physiotherapists Act 1964*.

PART 2—ADMINISTRATION

Constitution of board

6.(1) There is to be a board, to be called the Physiotherapists Board of Queensland which shall have and may exercise and discharge the powers, authorities, duties and functions conferred and imposed upon the board by or under this Act.

(2) The board shall be a body corporate with perpetual succession and a common seal and shall, for the purposes of and subject to the provisions of this Act, be capable of purchasing, holding, granting, demising, disposing of or otherwise dealing with real and personal property and of doing and suffering all such other acts and things that a body corporate may by law do or suffer.

(3) The form of the common seal and all other matters relating thereto shall, subject as herein provided be as prescribed.

(4) All courts, judges, justices, and all persons acting judicially shall take judicial notice of the common seal of the board affixed to any instrument or other document and shall presume that it was duly affixed.

Members of the board

7.(1) The board shall consist of 9 members, each of whom shall, subject to nomination as prescribed, be appointed by the Governor in Council.

(1A) Of the members so appointed—

- (a) 4 shall be nominated by the Minister; and
- (b) 3 shall be physiotherapists nominated by an association or associations recognised by the Minister as representative of physiotherapists; and
- (c) 1 person representing users of the services of physiotherapists; and
- (d) a lawyer.

(1B) At least 2 of the members nominated by the Minister pursuant to subsection (1A)(a) shall be physiotherapists.

(2) A member of the board may hold the appointment in conjunction with any position in the public service.

Tenure of office

7A.(1) Subject to this Act the members of the board shall hold office for 3 years and shall be eligible for reappointment if they are eligible for appointment to the board.

(2) The office of a member of the board shall become vacant if such member—

- (a) dies; or
- (b) becomes bankrupt or compounds with his or her creditors, or otherwise takes advantage of the laws in force for the time being relating to bankruptcy; or
- (c) is absent without leave granted by the board from 3 consecutive ordinary meetings of the board of which due notice has been

given to the member.

- (d) resigns office by signed notice delivered to the Minister (which resignation shall be complete and shall take effect from the time when it is received by the Minister); or
- (e) is convicted of an indictable offence or of an offence against this Act; or
- (f) is removed from office by the Governor in Council by notification published in the gazette on the grounds of mental or physical incapacity to perform duties or because of any conduct which, in the opinion of the Governor in Council, shows the member to be unfit to be a member of the board.

(3) The attendance of a member at the time and place appointed for an ordinary meeting shall be deemed to constitute presence at an ordinary meeting notwithstanding that by reason that no quorum is present no meeting is actually held on that day, and the registrar shall enter in the minute book the names of all members who so attend.

Extraordinary vacancies

7B. When a vacancy arises in the office of a member of the board by death, resignation or otherwise howsoever, the Governor in Council may appoint, a person having a like qualification or being representative of the like interest as his or her predecessor, as a member to hold office for the balance of his or her predecessor's term of office.

Nomination of members of board

7C. Any nomination under this section of a member of the board shall be made within the time and in the manner as prescribed, and in default of any person or body entitled to make any such nomination doing so within such time and in such manner, the Governor in Council may appoint any person to the board as if that person had been duly nominated by the person or body entitled to make the nomination.

Chairperson

8.(1) The Governor in Council shall appoint members of the board to be

respectively the chairperson of the board and the deputy chairperson of the board.

(2) The chairperson or in the chairperson's absence the deputy chairperson when present shall preside at all meetings of the board.

(2A) However, in the absence of both the chairperson and the deputy chairperson from any meeting, another member, chosen for the purpose by the majority of the members present and voting, shall preside.

(3) The person presiding at any meeting of the board shall have a vote and when there is an equal division of votes upon any question shall have a second or casting vote.

Meetings of board

9.(1) The board shall meet as often as is necessary for the due administration of this Act, and at such times and places as it thinks fit, and shall conduct its business in such manner as may be prescribed, or in so far as is not prescribed, as it may from time to time determine.

(2) Five members of the board shall form a quorum at any meeting of the board, and any duly convened meeting at which a quorum is present shall be competent to transact any business of the board and shall have and may exercise all of the powers, authorities and functions, and may perform all of the duties of the board.

(3) The decision of a majority of the members present at any meeting of the board at which there is a quorum shall be the decision of the board.

Committees

10.(1) The board may appoint such advisory committees as it thinks fit to advise it on such matters within the scope of its functions as are referred to those committees by the board.

(2) A person may be appointed to be a member of any such committee whether or not the person is a member of the board.

Entitlements of members of board or committees

11. Members of the board and members of a committee formed

pursuant to section 10 shall be entitled to such fees and allowances as are approved by the Governor in Council.

Where offices of government departments appointed

12. Where by or under any Act or regulation provision is made requiring the holder of an office specified therein to devote the whole of his or her time to the duties of the office, or prohibiting the holder from engaging in employment outside the duties of the office, such provision shall not operate to disqualify the holder from holding that office and also the office of chairperson, acting chairperson or a member of the board under this Act, or a member of any committee appointed under section 8, or from accepting and retaining any remuneration or allowances payable to a member of the board under section 11.

Funds of the board

13.(1) All moneys received by the board, or the registrar, including fees and penalties shall be paid into the funds of the board.

(2) The remuneration of the registrar and other officers appointed under this Act, and all other expenses of and incidental to the administration of this Act shall be paid by the board out of its funds.

Board is statutory body

13A.(1) Under the *Statutory Bodies Financial Arrangements Act 1982*, the board is a statutory body.

(2) The *Statutory Bodies Financial Arrangements Act 1982*, part 2B sets out the way in which the board's powers under this Act are affected by the *Statutory Bodies Financial Arrangements Act 1982*.

Registrar and other officers employed under Public Service Act

14. The registrar and officers of the board are to be employed under the *Public Service Act 1996*.

PART 3—REGISTRATION OF PHYSIOTHERAPISTS

The register

15.(1) The board shall cause the registrar to keep in such form as it thinks fit a register (the “**register of physiotherapists**”) of the names and other prescribed particulars of persons who are entitled to be and who remain registered under this Act as physiotherapists.

(2) The register shall at all reasonable times be open to inspection at the office of the registrar by any person on payment of the prescribed fee.

(3) The registrar shall cause to be published—

- (a)** by 30 June in each year the ‘list of physiotherapists, Queensland’ certified by the registrar as correct to 1 May in that year;
- (b)** from time to time, as the registrar thinks desirable, a supplementary list indicating all alterations, additions, revisions and removals made in the register during the period indicated in such supplementary list and certified by the registrar to a date indicated in that list.

Registration of physiotherapists

16.(1) Subject to this Act, a person who makes application to the board in that behalf in the approved form and pays the prescribed fees shall be entitled to be registered under this Act as a physiotherapist if the person proves to the board that—

- (a)** the person is the holder of a degree or diploma in physiotherapy granted after due examination by any university in Queensland; or
- (b)** the person is the holder of 1 of the prescribed qualifications; or
- (c)** the following subparagraphs apply to the person—
 - (i)** the person is the holder of 1 of the prescribed qualifications;
 - (ii)** the person has undertaken a period of supervised practice of physiotherapy in a hospital in the Commonwealth approved by the board being the period set out in the regulations made for the purposes of subparagraph (i) under the name of the country in which the qualification was obtained;

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- (iii) the person produces to the board a certificate or certificates as prescribed that the supervised practice referred to in subparagraph (ii) was performed and completed to the satisfaction of the competent authority or authorities controlling the hospital or hospitals concerned; or
- (d) the following subparagraphs apply to the person—
 - (i) the person is the holder of a degree, diploma or certificate in physiotherapy conferred by a university, college or other body in a country outside the Commonwealth and which university, college or other body is duly recognised in the country in which it is situated as competent to confer the same, which degree, diploma or certificate is recognised by the board as qualifying the applicant to practise physiotherapy in that country;
 - (ii) the person is entitled under subsection (2) to be so registered;

and further satisfies the board that—

- (e) the person is of good fame and character; and
- (f) the person has a sound understanding of the English language and possesses sufficient knowledge of and sufficient skill in the expression of that language, both written and oral; and
- (g) the person is medically fit to practise physiotherapy.

(1A) The board may, where it thinks fit, appoint a committee of assessors composed of medical practitioners (whether or not they are members of the board) and may require an applicant for registration to appear before the committee of assessors who shall determine the medical fitness to practise physiotherapy of an applicant and the board shall be bound by a certificate issued by the committee of assessors as to the medical fitness to practise physiotherapy of the applicant.

(2) A person whose application for registration depends partly on a qualification referred to in subsection (1)(d) shall not be entitled to be so registered unless—

- (a) the person has prior to making such application undertaken and passed a preliminary examination, conducted in the English language, as may be approved by the board; and

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- (b) the person has undertaken and passed a written examination relevant to the conditions governing the practice of physiotherapy in Australia and recognised by the board; and
- (c) if the board requires it—the person has undertaken and passed a practical and oral examination, conducted by examiners approved by the board, at a standard equal to that required by any university in Queensland for the grant by it of a degree or diploma in physiotherapy; and

(d)—

- (i) that qualification is a degree, diploma or certificate approved by the board as equal to or higher than the degree or diploma in physiotherapy conferred after due examination by any university in Queensland; or
- (ii) where that qualification is a degree, diploma or certificate which is not approved by the board, under subparagraph (i)—the person has proved to the satisfaction of the board that—
 - (A) subsequent to obtaining that degree, diploma or certificate the person has obtained postgraduate experience in physiotherapy and in respect thereof holds a qualification or has had such experience as would in the opinion of the board qualify the person for registration; and
 - (B) the person has the knowledge, skill and ability to practise physiotherapy efficiently in Queensland.

(3) A person shall be deemed to have complied with subsection (2)(a) and (b) if the board, in its discretion, by its certificate exempts the person therefrom by reason that the person has proved to the satisfaction of the board that—

- (a) subsequent to obtaining the degree, diploma or certificate upon which the person so depends, the person has obtained postgraduate experience in physiotherapy and in respect thereof holds a qualification or has had such experience as would in the opinion of the board qualify the person for registration; and
- (b) the person has the knowledge, skill and ability to practise

physiotherapy efficiently in Queensland.

(4) For the purposes of subsection (2)(b), the board may appoint examiners who may include in any certificate by them to the board a condition that such certificate is given subject to the examinee being required to undertake a period of supervised practice in physiotherapy.

(5) The board may require a person to whom the provisions of subsection (2) apply to complete a period of supervised practice in physiotherapy, as determined by the board.

(6) For the purposes of subsection (1)(b) and (c)(i)—

“prescribed qualifications” means those qualifications set out in regulations made for the purposes of that paragraph or subparagraph.

(6A) The regulations may specify—

- (a) the university, college or other body granting the qualification; and
- (b) the place where the university, college or other body is situated; and
- (c) the qualification recognised; and
- (d) the special conditions (if any) which relate to the qualification.

(7) If a certificate of supervised practice referred to in subsection (1)(c)(iii) is not provided by the competent authority referred to in that paragraph and the applicant concerned shows to the board that, prima facie, the applicant is justly entitled to the certificate, the board may, by notice in writing to the competent authority, call upon it to show cause to the board at a place, date and time specified by it in such notice why the certificate should not be provided.

(8) If such cause is not shown to the board’s satisfaction as requested by the board, the board may direct the competent authority to provide the applicant with the certificate within the time specified by the board.

(9) If the certificate is not duly provided by the competent authority the board may proceed with the applicant’s application for registration as if such certificate had been provided.

(10) The board shall report to the Minister upon any case arising under subsection (7).

Conditional registration

16A.(1) When a person has applied to the board for registration under the provisions of section 16(1)(c) and the person desires to undertake the period of supervised practice in physiotherapy specified thereunder in a hospital in the State, the board may grant the person a certificate in the approved form of conditional registration.

(2) When a person has applied to the board for registration under the provisions of section 16(1)(d) and the board has required the person to undertake a period of supervised practice pursuant to section 16(5), the board may grant the person a certificate in the approved form of conditional registration.

(3) The practice of physiotherapy by a person who has been granted a certificate of conditional registration under this section shall be limited to supervised practice but, subject to this subsection and the conditions contained in the certificate, the person shall be deemed to be registered as a physiotherapist for as long as the certificate remains valid.

(4) If the person shall fail to carry out any of such conditions to the satisfaction of the board, the board may direct the registrar to cancel the certificate and that person shall thereupon cease to be deemed to be registered as a physiotherapist under this Act and the cancellation shall be deemed to be a refusal by the board of that person's application to be registered as a physiotherapist.

Provisional registration

17.(1) When a person has applied to the board in the approved form to be registered as a physiotherapist and has paid the prescribed registration fee, the chairperson or (in the absence of the chairperson) a member of the board authorised generally in that behalf by the board, upon being satisfied that such person is entitled to be registered as a physiotherapist, may grant to such person a certificate in the approved form of provisional registration as a physiotherapist.

(2) A person who has been granted a certificate of provisional registration as a physiotherapist shall be deemed to be registered under this Act as a physiotherapist and this Act shall apply to and with respect to that person accordingly—

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- (a) until the date stated in such certificate; or
- (b) until such later date as may be fixed by the board;

which stated date or later date (if any) fixed by the board shall not in any case be later than 6 months from the granting of such certificate.

(2A) However, the board may at any time before the date so stated or fixed, cancel such certificate and such person shall thereupon cease to be deemed to be registered as a physiotherapist under this Act.

(3) If a person to whom a certificate of provisional registration has been granted becomes registered as a physiotherapist under this Act while that certificate is still in force the person's registration shall, unless otherwise decided by the board, date from the granting of that certificate.

Registration for a limited period

17A.(1) Subject to this Act, a person who makes application to the board in that behalf in the approved form and who satisfies the board that the person is of good fame and character and that the person is the holder of a degree, diploma or certificate in physiotherapy (in each case recognised by the board and obtained after due examination) conferred by an institution recognised in the State, or other country wherein it is situated and by the board as authorised to confer such degree, diploma or certificate and that the person has come to Queensland—

- (a) at the request of a university in Queensland, any State authority or any association recognised by the board as representative of physiotherapists for the purpose of teaching, lecturing, giving clinical demonstrations or engaging in research work; or
- (b) to undertake postgraduate study in physiotherapy;

shall be entitled to registration as a physiotherapist at all times during the period the person is so engaged.

(1A) However, such period of registration shall not exceed 12 months unless the board on application extends it.

(2) A person registered under this section shall notify the board forthwith upon ceasing to engage in the duties mentioned in subsection (1) and the board shall then direct the registrar to remove that person's name from the register.

(3) The board may at any time by notice in writing call upon a person registered under this section to show cause at a place, date and time specified by the board in such notice why the person's name should not be erased from the register.

(4) If such cause be not shown to the board's satisfaction as requested by the board, the board may direct the registrar to remove that person's name from the register.

Certificate of registration

18.(1) Every physiotherapist shall be entitled to obtain from the registrar a certificate of the physiotherapist's registration in the approved form.

(2) On application made to the board at any time and on payment of the prescribed fee, the board may direct the registrar to issue to any physiotherapist a duplicate or certified copy of the physiotherapist's certificate of registration.

Annual licence fee

19.(1) Every physiotherapist shall pay to the board such annual licence fee as may be prescribed.

(1A) Such annual licence fee shall be paid to the board by the physiotherapist concerned within the period from 1 January up to and including 30 April in each year or, where another period is prescribed in respect thereof (the board being hereby thereunto authorised), within that other period in each year as is prescribed.

(1B) A physiotherapist shall at the time of the payment of the annual licence fee furnish the board with particulars of the physiotherapist's address for entry in the register.

(2) If any person fails to pay such annual licence fee within such period as aforesaid, the registrar shall thereupon remove his or her name from the register.

(3) If the name of any person has been removed from the register under this section or under section 20(1) the board shall, upon application, direct the registrar to restore the person's name to the register upon payment of such annual licence fee and a restoration fee as prescribed.

Removal of name from register

20. The board may direct the registrar to remove from the register the name of any physiotherapist—

- (a) who applies in writing to have his or her name removed therefrom; or
- (b) whose name has at any time been ordered to be erased from the register of physiotherapists maintained by any other registration authority and whose name at the material time has not been restored to that register.

Correction of register

22.(1) The registrar shall from time to time strike out in the register the names of all physiotherapists who have died, and shall make such alterations and amendments in the register as the board from time to time directs, for the purpose of making the same an accurate record of the names, addresses, and qualifications of all persons for the time being registered.

(2) To assist the registrar in the discharge of duties under this section the registrar-general and every district registrar within the meaning of the *Registration of Births, Deaths and Marriages Act 1962* on receiving notice of the death of any person known to him or her to be registered under this Act, shall forthwith inform the registrar in writing of such death.

Board to give notice of refusal of application

23.(1) If the board refuses an application by a person for registration as a physiotherapist, the registrar must, within 14 days of the refusal happening, give written notice of the refusal to the person.

(2) The notice must state—

- (a) the reasons for the board's decision to refuse the application; and
- (b) that the person may appeal against the decision to the District Court; and
- (c) how to appeal.

Appeals

24.(1) Any person who feels aggrieved by the board's refusal to register the person may appeal to a judge of the District Court exercising jurisdiction in the district within which such person resides.

(2) An appeal under this section shall not lie unless it is instituted within 30 days after the notification by the registrar to such person of the refusal or order.

(3) An appeal under this section shall be by way of rehearing and, subject to this Act, the decision of the judge shall be final and shall be given effect to by the board.

PART 4—MISCELLANEOUS**Physiotherapist not to prescribe certain drugs or medicines**

24B. A physiotherapist shall not prescribe any drug or medicine to any person for internal use.

Offences with relation to badges

26.(1) A person who is not registered shall not use or wear any badge issued by the board.

(2) A person whose name has been removed from the register shall not whilst the name of that person is removed from the register use or wear any badge issued to the person by the board.

(3) A person who is registered under this Act shall not wear any badge issued by the board other than the badge issued to such person by the board.

(4) A person shall not use or wear any colourable imitation of any badge issued by the board.

Penalty for falsifying register or making false statement

27.(1) Any person who—

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- (a) makes or causes to be made any falsification in the register or in any matter relating to the register; or
- (b) utters or puts off, or attempts to utter or put off, as true any false, forged, or counterfeit certificate or other document or writing; or
- (c) procures or attempts to procure himself, herself or any other person to be registered by making or producing, or causing to be made or produced, any false or fraudulent statement, declaration, or representation, either verbal or in writing; or
- (d) falsely personates or represents himself or herself as being the person referred to in any certificate, document, or writing presented to the board or in any certificate granted under this Act; or
- (e) fraudulently or by false representation obtains any certificate of registration under this Act; or
- (f) forges, alters, or counterfeits any such certificate; or
- (g) utters or uses, or attempts to utter or use, any such forged or altered or counterfeit certificate knowing the same to have been forged or altered or to be counterfeit; or
- (h) falsely advertises or publishes himself or herself as having obtained any such certificate, or as being registered under this Act, or permits any such advertisement or publication;

commits an offence.

Maximum penalty—10 penalty units or 6 months imprisonment.

(2) The name of any person who procures himself or herself to be registered by any means which constitutes an offence under this section shall upon that person being convicted for that offence be removed by the board from the register.

(3) The provisions of this section shall be in addition to and not in substitution for or in derogation of the provisions of the Criminal Code or any other Act.

(4) However, a person shall not be liable to be convicted both under this Act and under the Criminal Code or any other Act in respect of the same act or omission.

General penalty provisions

28.(1) Save as expressly provided by or under this Act every person who contravenes or fails to comply with any provision of this Act shall be guilty of an offence against this Act.

(2) Every person guilty of an offence against this Act for which no penalty is expressly provided shall be liable to a penalty not exceeding 5 penalty units.

(3) All penalties and fees recovered by the board pursuant to this Act shall be paid to the board and become part of its funds.

Proceedings generally

29.(1) All offences against this Act may be prosecuted in a summary way under the *Justices Acts 1886*, upon the complaint of—

- (a) the registrar; or
- (b) some person appointed by the board for that purpose; or
- (c) a police officer.

(2) A prosecution for an offence against this Act may be instituted at any time within 12 months after the commission of the offence or within 6 months after the commission of the offence comes to the knowledge of the complainant, whichever is the later period.

(3) Without prejudice to any other right or remedy conferred upon the board with respect thereto all fees imposed by or pursuant to this Act may be recovered in a summary way by complaint under the *Justices Acts 1886*, or as a debt by action in any court of competent jurisdiction.

Facilitation of proof

30.(1) In any proceeding under and for the purposes of this Act—

- (a) a certificate purporting to be signed by the registrar that—
 - (i) on a specified day or days or during the whole of a specified period, a particular person was a physiotherapist;
 - (ii) on a specified day or days or during the whole of a specified period a particular person was not a physiotherapist;

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(iii) on a specified day the name of a particular person was removed from the register;

(iv) as from a specified day the registration of a particular person was suspended for a specified period;

shall, upon its production in evidence, and until the contrary is proved, be sufficient evidence of such matter;

(b) it shall not be necessary to prove the appointment of the registrar or any other officer of the board;

(c) it shall not be necessary to prove the appointment of a person appointed by the board to take any proceedings under this Act;

(d) the averment in any complaint of the date on which the commission of any offence against this Act came to the knowledge of the complainant shall, until the contrary is proved, be sufficient evidence of such matter;

(e) evidence of the contents of any register kept under this Act may be given in any proceedings by a certificate under the hand of the registrar, and every such certificate shall, upon its production in evidence and until the contrary is proved, be sufficient evidence of the matter stated therein.

(2) The signature of the registrar shall be judicially noticed.

Approval of forms

30A. The board may approve forms for use under this Act.

Regulation making power

31.(1) The Governor in Council may make regulations under this Act.

(2) A regulation may be made for or about—

(a) the proceedings of the board;

(d) the fees payable for the purposes of this Act, the amounts of fees, the persons who are liable to pay fees, when fees are payable, the waiver of fees and the recovery of unpaid amounts of fees;

(e) prescribing the kind of badge to be issued to physiotherapists and

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regulating the issue of such badges;

- (f) prescribing the amount of any penalty for any offence against any regulation, provided that any such penalty shall not exceed 2 penalty units.

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 February 2002.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	prev	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	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
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
orig	=	original	SIA	=	Statutory Instruments Act 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to Act No. 58 of 1995	14 December 1995
1A	to Act No. 54 of 1996	23 April 1997
1B	to Act No. 54 of 1996	20 November 1997
1C	to Act No. 58 of 1999	7 February 2000

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
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Renumbered provisions	1

6 List of legislation

Physiotherapists Act 1964 No. 19

date of assent 8 April 1964

commenced 27 July 1965 (proc pubd gaz 10 July 1965 p 1390)

rep 1 February 2002 (2001 No. 13 s 216)

Note—ss 4, 24A, 25 are relocated to the Physiotherapists Registration Act 2001 pt 10, div 3 and renumbered as ss 238–240 (2001 No. 13 s 243 sch 3)

amending legislation—

Physiotherapists Act Amendment Act 1965 No. 18

date of assent 27 April 1965

commenced 27 July 1965 (proc pubd gaz 10 July 1965 p 1390)

Physiotherapists Act Amendment Act 1976 No. 48

date of assent 27 September 1976

commenced on date of assent

Medical Act and Other Acts Amendment Act 1981 No. 76 pt 3

date of assent 22 October 1981

ss 1–2 commenced on date of assent (see s 2(1))

remaining provisions commenced 17 April 1982 (proc pubd gaz 17 April 1982 p 1729)

Nursing Studies Act and Other Acts Amendment Act 1984 No. 74 pt 12

date of assent 18 October 1984

commenced on date of assent

Health Legislation Amendment Act 1992 No. 66 pts 1, 13

date of assent 7 December 1992

ss 1–2 commenced on date of assent

ss 74–75, 79–80 commenced 18 December 1992 (1992 SL No. 450)

remaining provisions commenced 1 February 1993 (1992 SL No. 450)

Health Legislation Amendment Act 1993 No. 79 pts 1, 13

date of assent 17 December 1993

ss 1–2 commenced on date of assent

remaining provisions commenced 14 March 1994 (1994 SL No. 84)

Statute Law Revision Act 1995 No. 57 ss 1–2, 4 sch 1 (as amd 1995 No. 58 ss 1–2, 4 sch 1 (as from 28 November 1995 (see s 2(1) sch 1)))

date of assent 28 November 1995

commenced on date of assent

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995

commenced on date of assent

Public Service Act 1996 No. 37 ss 1–2, 147 sch 2

date of assent 22 October 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1996 (1996 SL No. 361)

Statutory Bodies Financial Arrangements Amendment Act 1996 No. 54 ss 1–2, 9 sch

date of assent 20 November 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 June 1997 (1997 SL No. 128)

Health Practitioners (Professional Standards) Act 1999 No. 58 ss 1–2 pt 14 div 12

date of assent 18 November 1999

ss 1–2 commenced on date of assent

remaining provisions commenced 7 February 2000 (1999 SL No. 327)

Physiotherapists Registration Act No. 13 ss 1–2, 243 sch 3

date of assent 11 May 2001

ss 1–2 commenced on date of assent

remaining provisions commenced 1 February 2002 (2001 SL No. 262)

7 List of annotations**Short title**

s 1 amd R1 (see RA s 37)

Arrangement of this Act

s 2 om R1 (see RA s 36)

Saving

s 3 om 1995 No. 57 s 4 sch 1

Definitions**prov hdg** sub 1992 No. 66 s 75(1)

s 4 amd 2001 No. 13 s 243 sch 3

reloc (as 2001 No. 13 s 238) 2001 No. 13 s 243 sch 3

def “**approved form**” ins 1995 No. 57 s 4 sch 1

om 2001 No. 13 s 243 sch 3

def “**board**” om 2001 No. 13 s 243 sch 3def “**fee**” ins 1992 No. 66 s 75(2)

om 2001 No. 13 s 243 sch 3

def “**medical practitioner**” om 1995 No. 57 s 4 sch 1def “**Minister**” om 1992 No. 66 s 75(3)def “**Part**” om 1992 No. 66 s 75(3)def “**physiotherapist**” om 2001 No. 13 s 243 sch 3def “**physiotherapy**” sub 1976 No. 48 s 2

reloc 2001 No. 13 s 243 sch 3

def “**register**” sub 1995 No. 57 s 4 sch 1

om 2001 No. 13 s 243 sch 3

def “**registrar**” sub 1995 No. 57 s 4 sch 1

om 2001 No. 13 s 243 sch 3

Administration of this Act

s 5 om 1995 No. 58 s 4 sch 1

Constitution of board

s 6 amd 1995 No. 57 s 4 sch 1

Members of the board

s 7 amd 1976 No. 48 s 3; 1992 No. 66 s 76; 1993 No. 79 s 91; 1995 No. 57 s 4 sch 1; 1995 No. 58 s 4 sch 1; R1 (see RA s 38)

Tenure of office

s 7A prev s 7A ins 1992 No. 66 s 77
om 1995 No. 57 s 4 sch 1
pres s 7A (prev s 7(3)) amd 1995 No. 57 s 4 sch 1
renum 1995 No. 57 s 4 sch 1

Extraordinary vacancies

s 7B (prev s 7(4)) amd 1995 No. 57 s 4 sch 1
renum 1995 No. 57 s 4 sch 1

Nomination of members of board

s 7C (prev s 7(5)) renum 1995 No. 57 s 4 sch 1

Meetings of board

s 9 amd 1992 No. 66 s 78; 1995 No. 57 s 4 sch 1

Entitlements of members of board or committees

s 11 sub 1976 No. 48 s 4; 1984 No. 74 s 26
amd 1995 No. 57 s 4 sch 1

Funds of the board

s 13 amd 1976 No. 48 s 5

Board is statutory body

s 13A ins 1996 No. 54 s 9 sch

Registrar and other officers employed under Public Service Act

s 14 sub 1996 No. 37 s 147 sch 2

The register

s 15 amd 1976 No. 48 s 6

Registration of physiotherapists

s 16 amd 1965 No. 18 s 3
sub 1976 No. 48 s 7
amd 1981 No. 76 s 11; 1995 No. 57 s 4 sch 1; R1 (see RA s 39)

Conditional registration

s 16A ins 1976 No. 48 s 8
amd 1995 No. 58 s 4 sch 1

Provisional registration

s 17 amd 1976 No. 48 s 9; 1995 No. 57 s 4 sch 1

Registration for a limited period

s 17A ins 1976 No. 48 s 10
amd 1995 No. 58 s 4 sch 1

Certificate of registration

s 18 amd 1976 No. 48 s 11; 1995 No. 57 s 4 sch 1

Annual licence fee

prov hdg amd 1976 No. 48 s 12(a)

s 19 amd 1976 No. 48 s 12(b)–(c)

Removal of name from register

s 20 sub 1976 No. 48 s 13

amd 1999 No. 58 s 522

Disciplinary action

s 21 amd 1976 No. 48 s 14; 1995 No. 57 s 4 sch 1

om 1999 No. 58 s 523

Board to give notice of refusal of application

s 23 amd 1976 No. 48 s 15

sub 1999 No. 58 s 524

Appeals

s 24 amd 1995 No. 57 s 4 sch 1; 1999 No. 58 s 525

Approved methods of treatment

s 24A ins 1976 No. 48 s 16

amd 2001 No. 13 s 243 sch 3

reloc (as 2001 No. 13 s 239) 2001 No. 13 s 243 sch 3

Physiotherapist not to prescribe certain drugs or medicines

s 24B ins 1976 No. 48 s 16

Prohibited practices

s 25 amd 1965 No. 18 s 4

sub 1976 No. 48 s 17

amd 1995 No. 57 s 4 sch 1; 2001 No. 13 s 243 sch 3

reloc (as 2001 No. 13 s 240) 2001 No. 13 s 243 sch 3

Penalty for falsifying register or making false statement

s 27 amd 1976 No. 48 s 18; 1995 No. 57 s 4 sch 1

General penalty provisions

s 28 amd 1976 No. 48 s 19; 1995 No. 58 s 4 sch 1

Approval of forms

s 30A ins 1995 No. 57 s 4 sch 1

Approved forms

s 30B ins 1995 No. 57 s 4 sch 1 (as amd 1995 No. 58 s 4 sch 1)

exp 28 May 1996 (see s 30B(3))

Regulation making power

s 31 amd 1976 No. 48 s 20; 1981 No. 76 s 12; 1992 No. 66 s 79; 1995 No. 57

s 4 sch 1; 1999 No. 58 s 526

Power to make regulations about fees

s 32 sub 1992 No. 66 s 80

om 1995 No. 57 s 4 sch 1

**FIRST SCHEDULE—QUALIFICATIONS FOR REGISTRATION AS A
PHYSIOTHERAPIST**

ins 1976 No. 48 s 21

om 1981 No. 76 s 14

**SECOND SCHEDULE—RESTRICTED QUALIFICATIONS FOR
REGISTRATION AS A PHYSIOTHERAPIST**

ins 1976 No. 48 s 21

om 1981 No. 76 s 14

8 List of forms**Form T 03 Version November 1998—Application for Registration as a
Physiotherapist in Queensland**

pubd gaz 28 May 1999 p 395

**Form T 03m Version November 1998—Application for Registration under
Mutual Recognition as a Physiotherapist in Queensland**

pubd gaz 28 May 1999 p 395

**Form T 03MNZ Version April 1999—Application for Registration under
Trans-Tasman Mutual Recognition as a Physiotherapist in Queensland**

pubd gaz 28 May 1999 p 395