

NORTHERN TERRITORY OF AUSTRALIA
HEALTH PRACTITIONERS AND ALLIED PROFESSIONALS
REGISTRATION AMENDMENT ACT 1989

No. 3 of 1989

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NORTHERN TERRITORY OF AUSTRALIA

No. 3 of 1989

AN ACT

to amend the Health Practitioners and Allied Professionals Registration Act

[Assented to 14 March 1989]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the Health Practitioners and Allied Professionals Registration Amendment Act 1989.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

3. PRINCIPAL ACT

The Health Practitioners and Allied Professionals Registration Act is in this Act referred to as the Principal Act.

4. APPLICATION

Section 3 of the Principal Act is amended by omitting "in right of the Territory" and substituting "not only in right of the Territory but also, so far as the legislative power of the Legislative Assembly permits, in all its other capacities".

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5. INTERPRETATION

Section 4 of the Principal Act is amended -

- (a) by omitting from the definition of "appointed member" in subsection (1) "section 6(1)(b)" and substituting "section 6(1)(b) or (1A)(b)";
- (b) by omitting from the definition of "Board" in subsection (1) "of health practice" and substituting "or categories of health practice"; and
- (c) by inserting in subsection (2)(e), (f), (g) and (h), after "the category", the words "or categories".

6. ESTABLISHMENT OF BOARD

Section 5 of the Principal Act is amended -

- (a) by inserting in subsection (1), after "health practice", the words "other than the categories of chiropractic and osteopathy, for which categories, together, there is hereby established a single Board"; and
- (b) by inserting in subsection (2), after "the category", the words "or categories".

7. COMPOSITION OF BOARD

Section 6 of the Principal Act is amended -

- (a) by omitting from subsection (1) "The Board" and substituting "Subject to subsection (1A), the Board";
- (b) by omitting from subsection (1)(b)(i) ", subject to subsection (2),";
- (c) by inserting after subsection (1) the following:

"(1A) The Board established by section 5(1) for the categories of health practice of chiropractic and osteopathy shall consist of -

- (a) the Chairman; and
- (b) 5 persons appointed by the Minister by notice in the Gazette, of whom -
 - (i) 2 shall be registered or qualified for registration in the category of health practice of chiropractic;

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(ii) 2 shall be registered or qualified for registration in the category of health practice of osteopathy; and

(iii) one shall be appointed to represent the public interest in relation to both those categories of health practice."; and

(d) by omitting subsection (2).

8. DISMISSAL OF APPOINTED MEMBERS

Section 10(2)(b) of the Principal Act is amended by omitting "section 6(1)(b)(i)" and substituting "section 6(1)(b)(i) or (1A)(b)(i) or (ii)".

9. MEETING OF BOARD

Section 13 of the Principal Act is amended -

(a) by omitting subsection (3)(a) and substituting the following:

"(a) subject to subsection (3A), the Chairman and 2 appointed members constitute a quorum;"; and

(b) by inserting after subsection (3) the following:

"(3A) At a meeting of the Board established by section 5(1) for the categories of health practice of chiropractic and osteopathy, a quorum shall include at least one appointed member registered in the category of chiropractic when the Board is considering a matter relating to that category of health practice and at least one appointed member registered in the category of osteopathy when the Board is considering a matter relating to that category of health practice.".

10. FUNCTIONS OF BOARD

Section 14 of the Principal Act is amended by omitting "category" and substituting "category or categories".

11. POWERS OF BOARD

Section 15(2) of the Principal Act is amended by omitting "category" and substituting "category or categories".

12. APPLICATION FOR REGISTRATION

Section 23 of the Principal Act is amended by omitting "the category" and substituting "the category or a category".

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13. REPEAL AND SUBSTITUTION

Section 35 of the Principal Act is repealed and the following substituted:

"35. QUALIFICATIONS FOR REGISTRATION AS CHIROPRACTOR

"(1) For the purposes of section 23(b)(ii)(A), the prescribed qualifications for full registration in the category of practice of chiropractic are -

- (a) a qualification specified in column 2 of Part A of Schedule 1 awarded by the institution specified in column 1 of that Part opposite to that qualification;
- (b) a qualification from a college specified in Part B of Schedule 1 which is approved by the Council on Chiropractic Education in the United States of America or Canada; or
- (c) a qualifying pass in an examination in chiropractic approved from time to time by the Board,

and such relevant experience in chiropractic as the Board thinks necessary.

"(2) The Board may refuse to register an applicant who is otherwise qualified for full registration in the category of health practice of chiropractic -

- (a) if the applicant has been refused registration as a chiropractor in a place outside the Territory; or
- (b) where the applicant was qualified to be registered as a chiropractor 5 years before the date of his application and during those 5 years has not been registered as such under this Act and has not been registered as a chiropractor in a place outside the Territory."

14. REPEAL AND SUBSTITUTION

Section 39 of the Principal Act is repealed and the following substituted:

"39. QUALIFICATION FOR REGISTRATION AS OSTEOPATH

"(1) For the purposes of section 23(b)(ii)(A), the prescribed qualifications for full registration in the category of health practice of osteopathy are -

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- (a) a qualification specified in column 2 of Schedule 2 awarded by the institution specified in column 1 of that Schedule opposite to that qualification; or
- (b) a qualifying pass in an examination in osteopathy approved from time to time by the Board,

and such relevant experience in osteopathy as the Board thinks necessary.

"(2) The Board may refuse to register an applicant who is otherwise qualified for full registration in the category of health practice of osteopathy -

- (a) if the applicant has been refused registration as an osteopath in a place outside the Territory; or
- (b) where the applicant was qualified to be registered as an osteopath 5 years before the date of his application and during those 5 years has not been registered as such under this Act and has not been registered as an osteopath in a place outside the Territory."

15. EFFECT OF DISCIPLINARY ACTION

Section 57(1)(a) of the Principal Act is amended by omitting "under Part V" and substituting "under Part VI".

16. HEALTH PRACTITIONER AND ALLIED PROFESSIONALS TRIBUNAL

Section 58(3) of the Principal Act is amended by omitting "the category" and substituting "the category or a category".

17. GUIDELINES

Section 68 of the Principal Act is amended by omitting "the category" and substituting "the category or a category".

18. REPEAL OF SECTION 70

Section 70 of the Principal Act is repealed.

19. SCHEDULES

The Principal Act is amended by adding at the end the following:

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"SCHEDULE 1

Section 35(1)

Chiropractic Qualifications

PART A

Column 1 Institution	Column 2 Award
Chiropractic and Osteopathic College of SA Incorporated	Diploma in Chiropractic and Osteopathy [Awarded prior to 31 December, 1979]
Chiropractic and Osteopathic Institute Incorporated	Diploma in Chiropractic and Osteopathy [Awarded prior to 31 December, 1979]
International College of Chiropractic, Preston Institute of Technology, Victoria	Diploma in Applied Science (Human Biology) and Diploma in Applied Science (Chiropractic) [Awarded prior to 1 January, 1982]
Phillip Institute of Technology, Victoria	Bachelor of Applied Science Degree. Degree in Chiropractic [Awarded after 31 December, 1981]
Sydney College of Chiropractic Ltd with the -	
(a) University of NSW or	Graduate Diploma in
(b) University of Sydney or	Chiropractic [Awarded after
(c) Univeristy of Adelaide or	30 November, 1983] and
(d) University of Melbourne or	Bachelor of Science (Anatomy)
(e) University of Queensland	
Chiropractic College of Australasia, Melbourne	Diploma of Chiropractic [Awarded prior to 1978]
Sydney College of Chiropractic, Ashfield, New South Wales	Diploma of Chiropractic [Awarded prior to 1979]
Sydney College of Chiropractic Limited, Ashfield, New South Wales	Diploma of Doctor of Chiropractic [Awarded prior to 1986]
Pax Chiropractic College	Diploma of Doctor of Chiropractic [Awarded prior to 1970]

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PART B

Anglo European College of Chiropractic
Canadian Memorial Chiropractic College
Cleveland College of Chiropractic (Kansas City)
Cleveland College of Chiropractic (Los Angeles)
Life Chiropractic College
Logan Chiropractic College
Los Angeles College of Chiropractic
New York Chiropractic College
North Western College of Chiropractic
Palmer College of Chiropractic
Texas Chiropractic College
Western States Chiropractic College

SCHEDULE 2

Section 39

Osteopathy Qualifications

Column 1	Column 2
Institution	Award
Phillip Institute of Technology, Victoria	Bachelor of Applied Science Degree. Degree in Osteopathy [Awarded after 31 December, 1990]
The International Colleges of Osteopathy, Randwick, NSW, with the -	
(a) University of NSW or (b) University of Sydney or (c) University of Adelaide or (d) University of Melbourne or (e) University of Queensland	Graduate Diploma in Osteopathy and Bachelor of Science (Anatomy)
British School of Osteopathy, London	Diploma of Osteopathy
London College of Osteopathic Medicine, London	Licentiate in Osteopathy
The European School of Osteopathy, Maidstone, Kent	Diploma of Osteopathy
