

**CHIROPRACTORS BOARD
OF
SOUTH AUSTRALIA**

**ANNUAL REPORT
YEAR ENDED 30 JUNE 2006**

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA

October 2006

The Hon John Hill, MP
Minister for Health
GPO Box 2555
ADELAIDE SA 5001

Dear Minister

RE: ANNUAL REPORT YEAR ENDED 30 JUNE 2006

The Chiropractors Board of South Australia hereby submits its report upon the administration of the Chiropractors Act 1991, for the twelve months ended 30 June 2006.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Phillip Donato', with a horizontal line underneath.

Phillip Donato
CHAIRPERSON

Encl.

16 Norma Street, Mile End, SA 5031 - PO Box 229, Torrensville Plaza, SA 5031
Telephone: (08) 8443 9669 Facsimile: (08) 8443 9550
E-mail: cbsa@saboard.com.au Web Site: www.cbsa.saboard.com.au

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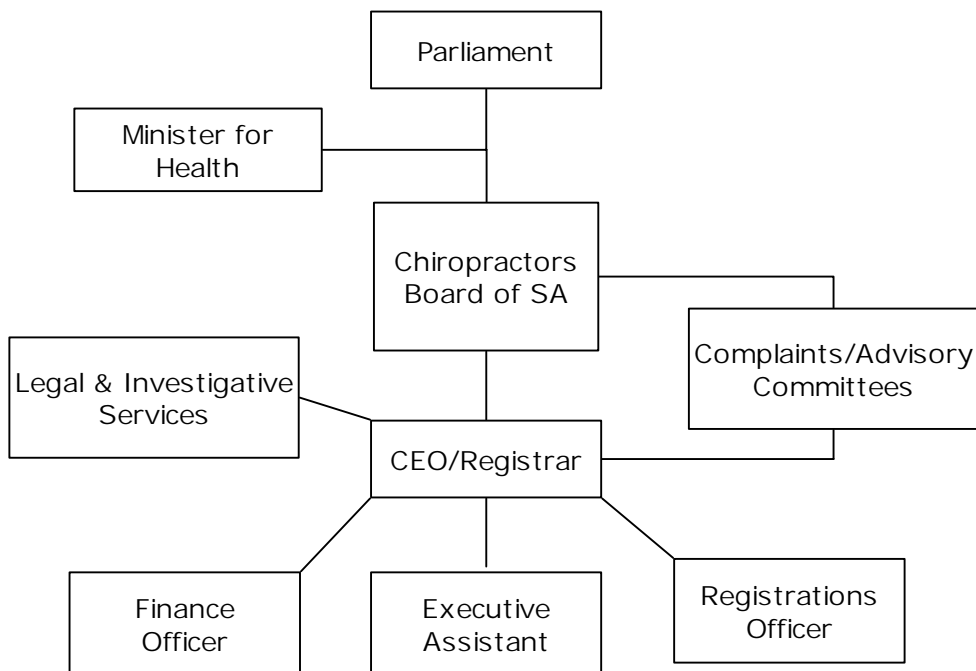
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1 CHARTER

The Chiropractors Board of South Australia (the Board) was established by the Chiropractors Act, 1979 which was proclaimed on 27 April 1981. ***The Board continued in existence under the Chiropractors Act 1991, (the Act)*** which was proclaimed on 25 June 1992. The Board is a body corporate and must exercise the powers, authorities, duties and functions imposed on it by the Act.

The Board is the Statutory Authority in South Australia responsible to Parliament for the administration of the Act, which provides for the registration of chiropractors (which includes osteopaths and company practitioners), the regulation of the practice of chiropractic (which includes osteopathy) and for other purposes.

2 STRUCTURE



3 FUNCTIONS OF THE BOARD / STRATEGIC PLAN

The Board is responsible for the protection of the interests of the public through the following functions as set out in Section 15 of the Act:

- (a) the registration and professional discipline of chiropractors;
- (b) exercising a general oversight over the standards of chiropractic practice;

- (c) monitoring the standards of courses of instruction and training available to -
- (i) those seeking registration as chiropractors; and
 - (ii) registered practitioners seeking to maintain and improve their skills in the practice of chiropractic,
- and consulting with educational authorities in relation to the establishment, maintenance and improvement of such courses;
- (d) the investigation and prosecution of summary offences under the Act; and
- (e) exercising the other functions assigned to it by or under the Act.

The Board exercises its functions under the Act with a view to achieving and maintaining high professional standards of competence and conduct in the practice of chiropractic.

The Board has adopted a Strategic Plan for the twenty-first century. The Plan contains the following strategies:

Profile of the Board

Strengthen the Board's profile and its relationship with the community and the profession so that they:

- (a) are appropriately consulted and informed;
- (b) understand and value the Board's role and function; and
- (c) value the profession as one which provides safe and competent health services.

Governance for Effective Outcomes and Business Continuity

- Analyse the Board's governance structure and implement change as necessary.
- Implement annual risk analysis to foster business continuity planning.
- Develop and implement an effective financial management plan.

Quality in Customer Service and Communication

Improve access to, and delivery of, Board services with systems that deploy appropriate, effective and innovative information technologies with a particular focus on:

- (a) registration services;
- (b) complaint handling processes; and
- (c) communication with the community and the profession.

Quality in Professional Standards, Competence for Practice and Education Programs

Develop and implement standards for the regulation of the profession with a specific focus on:

- (a) code of professional conduct and practice;
- (b) continuing education; and
- (c) ongoing competence.

Role and Scope of Practice

Clarify the changing role of chiropractors and the scope of their practice in the context of the changing health care environment.

Strategic Alliances

Identify industry alliances required to progress the achievement of this plan, particularly in relation to the collaborative development of regulatory standards.

Quality in Complaints Handling

Continually improve the complaints handling policies and procedures to ensure:

- (a) fairness and equity;
- (b) open and efficient communication; and
- (c) matters are dealt with in a timely manner.

Quality in Registration Processes

Continually review the registration process to ensure:

- (a) fairness and equity;
- (b) open and efficient communication; and
- (c) matters are dealt with in a timely manner.

4 BOARD MEMBERSHIP

In accordance with Section 6 of the Act, the Board consists of seven members appointed by the Governor.

As at 30 June 2006 the Board comprised the following persons:

(a) ***Four registered chiropractors elected in accordance with the Regulations by registered chiropractors -***

Phillip Raymond DONATO B App Sc (Chiropractic) (*Chairperson*)
Appointed 25 June 1992

Annette Joan SHELLEY B App Sc (Chiropractic)
Appointed 1 August 2002

Kendall Ward LEEMBRUGGEN B App Sc (Chiropractic)
Appointed 1 August 2002

Charles Fred WILLIAMSON DC (Palmer)
Appointed 16 July 2004

(b) ***A legal practitioner -***

Caroline Ruth CHRISTIE LLB
Appointed 1 November 1992

(c) ***A medical practitioner -***

Dennis Reginald FURNISS MB BS
Appointed 24 July 1986

(d) ***A person appointed to represent the interests of persons receiving chiropractic services -***

Norman FOREST
Appointed 7 August 2003

Members of the Board are appointed for a term of office not exceeding 3 years, but are eligible for re-appointment upon the expiration of their term of office.

The term of office of the present members of the Board expires on 15 July 2006.

5 BOARD & COMMITTEE MEETINGS

The Board met on eleven (11) occasions during the year to conduct regular business and a further one (1) occasion to determine penalty and costs following a disciplinary inquiry.

Attendances at meetings were as follows:

<u>Board</u>		<u>Board of Inquiry</u>	
Dr P R Donato (Chairperson)	11	Dr P Donato	1
Mr N Forest	11	Ms C Christie	1
Dr K W Leembruggen	11	Mr N Forest	1
Ms C R Christie	10	Dr K Leembruggen	1
Dr D R Furniss	9		
Dr C F Williamson	9		
Dr A J Shelley	8		

The ***Complaints Committee*** comprising the Registrar and one or more Board members met when the need arose to consider the substance and progress of complaints and to offer, when necessary, appropriate counselling to practitioners.

The Chairperson and Registrar represented the Board at the Australasian Conferences of Chiropractors and Osteopaths Registration Boards held in Darwin, Northern Territory on 10 and 11 September 2005.

Regular meetings are held between the Board and the Chiropractors Association of Australia (SA) and between the Registrars of the South Australian Health Registration Boards.

The Chairperson met with the Chairpersons of the Psychological, Occupational Therapists and Podiatry (Chiropody) Boards on 4 July 2005 and 20 March 2006 to discuss matters of mutual interest and concern.

6 ADMINISTRATION

Pursuant to Section 14 of the Act the following staff are employed by the Board:

❖ Peter John Martin, JP	Registrar/Chief Executive Officer
❖ Jennifer Vincent, JP	Office Manager/Executive Assistant
❖ Liz Girolamo	Finance Officer
❖ Angela Wicks	Registrations Officer

No officer or employee of the Board is a Public Service employee.

Ms Angela Wicks was appointed to the new position of Registrations Officer on 20 March 2006, initially on a 3 month probation period and with a 12 month review. The 3 month performance review was accepted and Ms Wicks was subsequently appointed on a permanent full-time basis.

Salaries, accommodation outgoings and most other administrative costs were shared with the Psychological, Occupational Therapists and Podiatry (Chiropody) Registration Boards. The Board's share of these costs was 27% with the Board taking responsibility for the employment of staff and provision of office accommodation, furniture and equipment.

The staff are responsible to the Board for providing the following services:

- Assess and provide information on eligibility for registration.
- Maintain up to date registers and documentation.
- Provide an annual registration renewal service.
- Ensure the efficient and effective use of the Board's physical, financial and human resources.
- Develop the Board's registration, education and communication policies.
- Investigate complaints of unprofessional conduct, incompetence or incapacity.
- Investigate complaints regarding breaches of the Act.
- Convene formal inquiries and hearings as needed.
- Liaise and communicate with the public, profession, government and non-government agencies.

Office hours are Monday to Friday 9.00am – 5.00pm, closed 12.30pm – 1.30pm.

The Crown Solicitor provides the Board with legal services. Investigators from Quark & Associates and the Government Investigations Unit provide the Board with investigative services.

The Registrar is authorised by the Board to exercise the powers of an inspector pursuant to the provisions of the Act.

7 WEB SITE

The Board has established a comprehensive web site at the address "www.cbsa.sboards.com.au".

The Act and Regulations, application forms, annual report and the Board's publications and policies can be viewed/downloaded from this site.

The Register of Chiropractors has been placed on the web site with an advanced search engine and updating facility. A search can be done by name, postcode or language selection. Employment addresses and phone numbers are published where chiropractors have given their approval.

The web site also features a "*What's New*" section which is used to keep the profession advised of matters of interest and is updated monthly to ensure that the information is current and relevant. There is also an archive of "*What's New*" items which is accessible from the home page.

8 REGISTRATION FEES

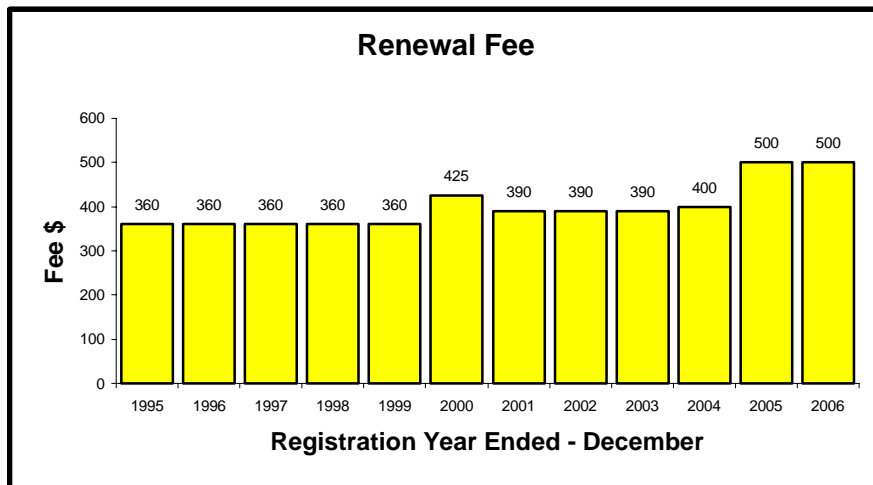
As at 30 June 2006 the fees were as follows:

(1)	Application for Registration Fee		\$
(a)	Natural persons granted registration		
	(i) between December & June	450	
	(ii) between July & November	230	
	(iii) but for persons in their first year of practice immediately following graduation –		
	▪ between December & June	250	
	▪ between July & November	125	
	(iv) in a limited capacity for a period not exceeding two months	150	
(b)	Companies granted registration		
	(i) between January & June	450	
	(ii) between July & December	250	
(2)	Application for Renewal of Registration Fee		
(a)	Natural Persons		
	(i) persons under 70 years of age	500	
	(ii) persons 70 years of age and over	120	
(b)	Companies	500	

Registration fees are non-refundable and GST exempt.

The renewal fee for 2007 may increase substantially due to a significant rise in complaints and subsequent investigative, legal and inquiry costs, the loss of company registration under the Chiropractic & Osteopathy Practice Act 2005, and increased administrative requirements under the new Act. This will be considered by the new Chiropractic & Osteopathy Board of South Australia at its September 2006 Board meeting.

The following bar chart shows the increase in the annual renewal fee since 1995 for natural persons under 70 years of age.



Registration fees are increased when necessary to cover increases in operating expenditure.

Significant funds should also be kept in reserve for leave purposes and unexpected legal and investigative expenditure.

It is a policy of the Government that the Board be financially self-supporting.

9 ADMINISTRATIVE FEES

The Board has approved the following schedule of administrative fees:

(GST exempt unless indicated)	\$
Active Register (<i>names & qualifications only – no contact details</i>)	40
Inspection of Active Register and/or Copy of Extract from Active Register	10
Duplicate Certificate of Registration	20
Letter of Good Standing	20
Letter of Current Registration	10
Annual Report	20 + GST
Code of Professional Conduct & Practice	5 + GST
Guidelines on Registration	5 + GST
Information Statement - FOI	5 + GST
Draft Memorandum & Articles of Association	50 + GST
New or Additional Qualifications on Register (each)	10
Postal address labels (<i>Approved by Board for professional, educational or research reasons</i>)	30c/label + GST
Photocopying (per page)	50c + GST

These fees do not apply to any application for registration or renewal of registration.

10 GOODS & SERVICES TAX (GST)

In accordance with Determination 2000 made under Section 81-5 of A New Tax System (Goods & Services Tax) Act 1999, the following fees of the Board are exempt -

- Registration and renewal fee
- Entering new qualifications on the Register
- Duplicate Registration Certificate
- Preparation of Statements verifying registration
- Inspection of Register and extracts from Register

Fees charged which are not GST exempt include photocopying, Board publications and postal address labels.

11 REGISTRATION STATISTICS - NATURAL PERSONS & COMPANIES

(a) *Register of Chiropractors*

(i) *Natural Persons*

Number currently registered (30 June 2006) **341**

Comprising:

Full registration		336	
Provisional		0	
Limited		3	
Deemed		2	341

Chiropractors	82%	280	
Chiropractors & Osteopaths	13%	46	
Osteopaths	5%	15	341

Males	69%	235	
Females	31%	106	341

Number residing in South Australia 310

Including:			
Practising	296		
Not Practising	14		

Number presently Interstate 9

Number presently Overseas **341**

(ii) *Companies*

Number currently registered (30 June 2006) 48

(b) **Age Cohorts every 5 years by Gender**

Age Group	Male	Female	Total
Under 25	4	7	11
25 to 29	27	21	48
30 to 34	28	34	62
35 to 39	22	13	35
40 to 44	30	11	41
45 to 49	33	8	41
50 to 54	23	6	29
55 to 59	25	3	28
60 to 64	18	0	18
65 to 69	15	0	15
70 to 74	7	2	9
75 to 79	2	1	3
80 and over	1	0	1
Total	235	106	341
Average Age	46.2	36.0	43.0

(c) **Registration Movement in 2005/2006**

	Natural Persons	Companies
Number registered as at 30 June 2005	320	44
New registrations (757-793) / (62-66)	37	5
Re-registrations	10	-
Registrations lapsed - non payment of fees etc	-19	-1
- limited registration	-7	-
Number registered as at 30 June 2006	341	48

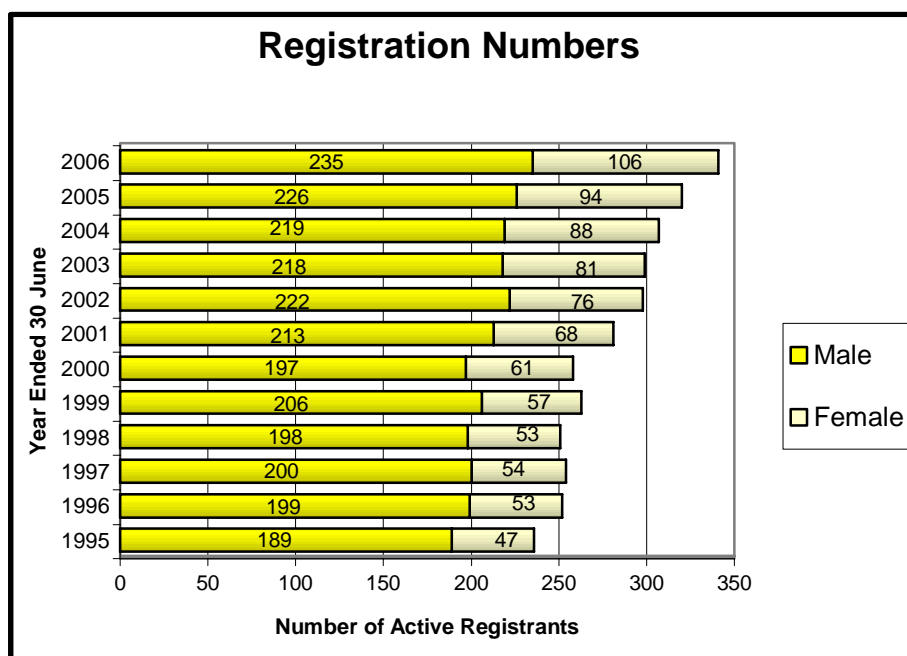
(d) **New and Re-Registrations in 2005/2006
(by Country of Training, Legislation & Gender)**

Country	Applied Under						Total		Grand Total
	Act		MR		TTMR		M	F	
	M	F	M	F	M	F	M	F	
Australia	11	17	10	4	0	0	21	21	42
Canada	1	0	0	1	0	0	1	1	2
New Zealand	0	0	0	0	0	1	0	1	1
U.S.A.	1	0	1	0	0	0	2	0	2
TOTAL	13	17	11	5	0	1	24	23	47

(e) **Registration Numbers Since Commencement of Act**(i) *Natural Persons*

30 June 1981:	49	30 June 1990:	226	30 June 1999:	263
30 June 1982:	169	30 June 1991:	231	30 June 2000:	258
30 June 1983:	180	30 June 1992:	237	30 June 2001:	281
30 June 1984:	189	30 June 1993:	229	30 June 2002:	298
30 June 1985:	205	30 June 1994:	231	30 June 2003:	299
30 June 1986:	206	30 June 1995:	236	30 June 2004:	307
30 June 1987:	209	30 June 1996:	252	30 June 2005:	320
30 June 1988:	212	30 June 1997:	254	30 June 2006:	341
30 June 1989:	211	30 June 1998:	251		

The following chart shows the number of males and females and the total number of active registrants since 1995.



Note: Since the original Act was proclaimed in April 1981, a total of 793 chiropractors have been initially registered.

(ii) *Companies*

30 June 1993:	11	30 June 2000:	39
30 June 1994:	20	30 June 2001:	43
30 June 1995:	23	30 June 2002:	43
30 June 1996:	25	30 June 2003:	44
30 June 1997:	29	30 June 2004:	47
30 June 1998:	33	30 June 2005:	44
30 June 1999:	39	30 June 2006:	48

Under the provisions of the new Chiropractic & Osteopathy Practice Act 2005, the Board will no longer register chiropractic companies.

12 PUBLICATIONS

The Board has produced the following publications for the information of practitioners and members of the public:

- ***Code of Professional Conduct & Practice***
Revised October 2005
- ***Guidelines on Registration***
Revised May 2006
- ***Chiropractic & Osteopathic Services - Your Rights as a Patient***
February 1998
- ***Complaint Guidelines – Unprofessional Conduct***
Revised March 2006
- ***Guidelines for Fieldwork Programs***
January 2002
- ***Consumer Information***
January 2002
- ***FOI Information Statement 2003***
- ***Newsletters and Notices to the Profession and Public***
since 1999
- ***Annual Report***
1985 to current
- ***Policy for Registered Chiropractors & Osteopaths regarding Assistants in Chiropractic or Osteopathy Practice***
Adopted May 2006

The above documentation is available for viewing or downloading from the Board's web site (www.cbsa.sboards.com.au). Only Annual Reports from 2001 onwards will be available online.

13 CODE OF PROFESSIONAL CONDUCT & PRACTICE

The Board's Code of Professional Conduct & Practice is a document that can be amended from time to time given:

- feedback from the profession and stakeholders;
- trends in the practice of the profession;
- complaints from the public.

The Code was amended in August 2005 to include a restriction on testimonial advertising, and again in October 2005 to include a specific section regarding care plans (including pay in advance contracted treatment plans) and also an example care plan.

Practitioners are expected to comply with the Code as a breach may lead to a complaint of unprofessional conduct. The Code is not exhaustive - any dereliction of professional duty and/or responsibility may give rise to an allegation of unprofessional conduct.

14 BUSINESS NAMES

Pursuant to Section 19 of the Regulations under the Act, a registered practitioner must not practice under a name (whether a company name or a business name) unless that name has first been approved by the Board. Penalty Division 11 fine.

As at 30 June 2006 the number of business names approved was 239.

Business names must not in any way be false, misleading or deceptive and must aptly describe the practice as one which carries on the profession of chiropractic.

Under the provisions of the new Chiropractic & Osteopathy Practice Act 2005, the Board will no longer approve business names.

15 FREEDOM OF INFORMATION

The Board has published an Information Statement as required by Section 9 of the Freedom of Information Act 1991. The Information Statement contains advice on:

- structure and functions
- effect of functions on members of the public
- public participation in policy formulation
- kinds of documents held
- access arrangements and procedures.

The Statement is available from the offices of the Board or can be downloaded from the Board's web site.

Application and processing fees are in accordance with the Freedom of Information (Fees & Charges) Regulations 2003.

The Registrar is an accredited FOI Officer under the provisions of the FOI Act, 1991.

No enquiries or applications under the Freedom of Information Act for access to documents in the possession of the Board were made during the year ended 30 June 2006.

16 COMPLAINTS

(a) *Against Unregistered Persons (including prosecutions)*

During the year two (2) complaints were dealt with by the Board against persons not registered for breaches of the Act.

The complaints are **summarised** as follows:

Breach of Section 25 of the Act – Practising Chiropractic Unregistered

<u>Allegation</u>	<u>Result of Investigation</u>
Persons offering “spinology” services which is defined as applying “ <i>gentle, specific forces into the spinal column and the muscles around it to help the body to correct spinal obtrusions</i> ”.	Persons advised of provisions of the Act regarding manipulation or adjustment of the spinal column.
Podiatrist advertised that services offered were a combination of podiatry, chiropractic and manipulative physiotherapy.	Podiatrist advised of provisions of the Act and warned of penalties if practises chiropractic.

(b) *Against Registered Practitioners*

During the year twenty five (25) complaints were dealt with by the Board against persons registered under the Act for various forms of unprofessional conduct.

These complaints are **summarised** as follows:

(i) Unprofessional Conduct (nineteen (19) complaints)

<u>Allegation</u>	<u>Result of Investigation</u>
Practitioner overserviced patients and pressured them to sign contracts for care (5 complainants).	Still under investigation.
Practitioner overserviced patients and pressured them to sign contracts for care (3 complainants).	Still under investigation.
Practitioner pressured patient to sign contract for care and refused to treat unless spouse also attended.	Still under investigation.
Practitioner was rude, pressured patient to sign contract for care and to bring spouse. Treatment given was brief and inadequate.	Still under investigation.

Practitioner offered care plan which breaches the Board's Code of Professional Conduct & Practice.	Still under investigation.
Practitioner offers care plans which are in breach of the Board's Code of Professional Conduct & Practice.	Still under investigation.
Practitioner offered care plan which breaches the Board's Code of Professional Conduct & Practice.	Still under investigation.
Practitioner billed patient for physiotherapy services performed by a person that did not treat him (received massage).	Still under investigation.
Practitioner overserved patient and pressured to enter into contract for care (under false pretences).	Still under investigation.
Practitioner engaged in sexual relationship with patient. Practitioner did not keep adequate records.	Patient withdrew complaint regarding sexual relationship. Matter of inadequate record keeping still under investigation.
Practitioner encouraged patient to undergo chiropractic care on false pretences, and then refused to provide refund of fees paid.	Insufficient evidence to lay a formal complaint before the Board, but practitioner to be counselled regarding practice methods and pre-paid contracts of care offered. Attendance at counselling deferred and matter adjourned sine die.
Practitioner asked personal and irrelevant questions.	Insufficient evidence to lay a formal complaint before the Board. No further action.
Practitioner breached contract entered into with another practitioner.	Not within the jurisdiction of the Board. Recommended to seek advice from a qualified legal practitioner.

(ii) Advertising
(four (4) complaints)

<u>Allegation</u>	<u>Result of Investigation</u>
Practitioner used misleading and deceptive advertising, including the use of testimonials.	Still under investigation.
Practitioner using misleading and deceptive advertising, as well as use of a self-testimonial and outdated material.	Practitioner asked to amend advertising materials to meet the Board's requirements.

Practitioner used testimonials in advertising leaflets.

Practitioner undertook to cease the use of testimonials. No further action.

Two practitioners used misleading and deceptive advertising on television.

Advertising deemed to be neither unprofessional nor misleading. No further action.

(iii) Negligence
(two (2) complaints)

Allegation

Result of Investigation

Practitioner allowed unregistered person to perform traction.

Insufficient evidence to lay a formal complaint before the Board, however the practitioner was counselled about some aspects of the complaint.

Treatment by practitioner caused brain stem injury.

Insufficient evidence. No further action.

(c) Health & Community Services Complaints Commissioner

From January 2006 the Board forwarded to the Commissioner a summary of all complaints it received against registered practitioners detailing the name of the complainant, practitioner and the content of the complaint.

No complaints were referred by the Commissioner to the Board during this period.

17 INQUIRIES

(a) Disciplinary – Appeal

On 30 August 2005 the Board of Inquiry found that there was proper cause for disciplinary action against a chiropractor as the practitioner was guilty of unprofessional conduct in that:

1. The chiropractor had provided the complainant with a written corrective care plan that was inappropriate for the complainant in that:

- it was insufficiently tailored to the complainant's individual circumstances; and
- the number of treatments proposed in the intensive care adjustment schedule in the plan was excessive,

and, as such, the plan did not accord with paragraphs 4.1 and 4.2 of the Chiropractors Board of South Australia's Code of Professional Conduct and Practice; and

2. The chiropractor's manner of presentation to the complainant generally and in relation to the corrective care plan in particular portrayed the chiropractic profession in a negative light.

The Board heard submissions as to penalty and costs from counsel for the Registrar and counsel for the chiropractor.

On 8 November 2005 the Board formally reprimanded the practitioner and agreed that both parties meet their own costs.

The Board suspended the operation of this decision pending the determination of an appeal by the practitioner to the Supreme Court. A judgement is expected to be handed down shortly.

(b) Medical Fitness

On 7 December 2005, following receipt of a report from a medical practitioner, the Board held an inquiry into the medical fitness of a practitioner to provide chiropractic.

The Board cancelled the registration of the chiropractor until it received a report from the practitioner's psychiatrist that was acceptable to the Board.

On 7 June 2006 the Board reconsidered the matter following receipt of an independent psychiatric opinion and granted the practitioner "limited" registration on the condition that he continue to attend his medical practitioner at intervals no greater than 3 months, and that the medical practitioner advise the Board at any time the practitioner's condition raises concerns about his ability to safely practise as a chiropractor.

18 COMPLAINT & INQUIRY PROCEDURES

Should a member of the public or profession wish to complain about the conduct or practice of a registered chiropractor or osteopath, the appropriate channel is to the Board.

The Board has the statutory responsibility to deal with complaints against chiropractors and osteopaths and the power under the provisions of the Act to impose appropriate penalties.

The Complaints Committee of the Board comprising the Registrar and one or more professional Board members, conducts preliminary enquiries. Upon completion of the investigation (by the Committee and/or the Board's investigators) and legal advice from the Crown Solicitors Office the Committee may lay a complaint to the Board or report to the Board on its findings. An expert witness may also be asked to give an opinion on the conduct of the practitioner or breach of the Act.

The question of whether any particular course of conduct amounts to unprofessional conduct is a matter to be determined by the Board after considering the evidence in each individual case.

Comprehensive complaint guidelines have been published and are available from the offices of the Board or from the Board's web site.

Publication

Following the Parliamentary Statutory Authorities Review Committee's inquiries into the Nurses Board and Medical Board of South Australia, and in the interests of public safety and transparency, the Board adopted the following policy/procedures regarding publication of information.

1. Web Page – Disciplinary Actions / Conditions on Registration

A web page be created showing:

- (a) The names of all practitioners with current conditions on their registration and detailing those conditions. The person's name to be removed when the conditions have been met and the person has been granted full registration.
- (b) The names of all practitioners who have been suspended and cancelled from holding registration, and a brief description of the findings of the Board. The person's name to be removed when the period of suspension has been served or the person cancelled has been reinstated to the Register, or the person is deceased.

This policy is similar to the Board's policy on Annual Report recording of complaints (public information). Under the new legislation this information will also appear on the "lapsed" register (persons removed and reasons why) but will be difficult for the public to access.

2. Prosecutions – Decisions on Website

The names of persons found guilty of an offence under the Act and a conviction recorded be included in the publication of the Court's findings on the Board's website for a period of 5 years as is the case with the Board's policy on Annual Report recording of prosecutions. Decisions of Court cases are presently recorded on the Board's website without names and identifiers.

3. Disciplinary Actions / Fitness to Practice – Decisions on Website

- (a) In the case of a practitioner reprimanded or censured Board decisions are published with the practitioner's name (names of complainants and witnesses not to be recorded) for a period of 1 year. After the period of 1 year has lapsed, all identifiers will be removed and the anonymous decision will remain on the website.
- (b) In the case of suspension of registration Board decisions are published with the practitioner's name (names of complainants and witnesses not to be recorded) for a period of 2 years. After the period of 2 years has lapsed, all identifiers will be removed and the anonymous decision will remain on the website
- (c) In the case of cancellation of registration Board decisions are published with the practitioner's name (names of complainants and witnesses not to be recorded) for a period of 5 years. After the period of 5 years has lapsed, all identifiers will be removed and the anonymous decision will remain on the website

This policy does not apply to decisions in relation to medical fitness of a practitioner. These decisions are published without identifiers, however names will appear on the "Suspension/Conditions" page if suspended, cancelled or conditions placed on registration.

19 CHIROPRACTIC & OSTEOPATHY PRACTICE ACT 2005

The Chiropractic & Osteopathy Practice Act 2005 was assented to on 14 July 2005. It is anticipated that the Act will be proclaimed in approximately July 2006 and significant changes to the Board's administration of the Act will need to be implemented.

Purpose of New Act

"An Act to protect the health and safety of the public by providing for the registration of chiropractors, osteopaths, chiropractic students and osteopathy students; to regulate the provision of chiropractic and osteopathy for the purpose of maintaining high standards of competence and conduct by the persons who provide it; to repeal the Chiropractors Act 1991; and for other purposes."

Board Membership / Elections

The Board will increase from 7 to 9 members:

- 4 registered chiropractors elected in accordance with the Election Regulations by registered chiropractors
- 1 registered osteopath elected in accordance with the Election Regulations by registered osteopaths – note that for the first election of Board members the osteopath member will be nominated by the Minister. In future elections the osteopath Board member will be elected in accordance with the Election Regulations.
- 4 must be persons nominated by the Minister:
 - 1 must be a legal practitioner;
 - 1 must be a medical practitioner; and
 - 2 must be persons who are not eligible for appointment under a preceding provision of this sub-section.

An election for the 4 chiropractors was conducted by the State Electoral Commissioner (SEC) during June 2006 in accordance with the Election Regulations. The SEC commenced the process by calling for nominations from registered chiropractors by placing an advertisement in The Advertiser. The Board advised by email (to those practitioners who have given the Board an email address) the details of the advertisement and the SEC forwarded the notice calling for nominations to all registered chiropractors by post.

Six nominations were received for the four available positions. An election was held and the results (published in the Advertiser by the SEC on 24 June 2006, and included on the Board's website) were as follows:

Elected to the Board

Phillip Raymond DONATO
 Patrick Martin SIM
 Kendall Ward LEEMBRUGGEN
 Charles Fred WILLIAMSON

Not Elected to the Board

Georgina Ann KELLETT
 George Michael BELLE

It is proposed that all Board members will attend an orientation seminar conducted by the Crown Solicitor's Office, Registrar and others, on the duties and responsibilities of Board members, provisions of the new Act etc.

Student Registration

The new legislation will require chiropractic and osteopathy students to be registered by the Board prior to practising chiropractic or osteopathy as part of a course of study recognised for registration purposes. There will be no registration fees for students to apply or renew their registration.

Students who do not meet the registration criteria (which includes certification of medical fitness and evidence of being fit and proper – criminal history checks will be made) will be refused registration and cannot undertake the course of study or provide chiropractic or osteopathy in this State.

Students will be subject to the Board's Code of Professional Conduct & Practice and disciplinary powers.

Criminal History Checks

Under the new legislation:

- all applicants for registration (including students) must be fit and proper persons;
- there will be cause for disciplinary action (besides unprofessional conduct) should a registrant for any reason no longer be a fit and proper person to be registered.

Given these additional requirements and the recent Parliamentary Review Committee's inquiry into the Medical Board and the Nurses Board, criminal history checks will be carried out by the Board on all new applicants and current registrants.

Although the Board cannot compel a person to give consent for the Board to undertake a criminal history check, it can require a National Police Certificate as part of the information to be provided on application for registration and renewal.

Should the Board undertake (upon consent being received) a criminal history check through CrimTrac (a Commonwealth Government Agency) the cost would be minimal and will be built into the registration fee structure, whereas the cost of an individual obtaining the Police Certificate would be \$45-\$50.

Thus, the Board intends to provide an applicant with the option of signing a consent for the Board to obtain a criminal history record check as opposed to the applicant providing a Police Certificate.

Strict codes of conduct and confidentiality will apply.

Offences will most likely be assessed using the following general guidelines:

- Child protection implications, age and vulnerability
- Relevance in a practice environment
- The gravity and nature of convictions
- Circumstances surrounding the offence(s), whether alcohol, drugs or a weapon was involved
- The harm to any victim including injury or loss
- Adverse impact on the profession
- Total criminal history
- Severity of sentence imposed
- Length of time since offence, any rehabilitation
- Age at time of offence(s), eg. adult or juvenile
- Evidence of the applicant's good character since offence committed
- Whether offence has been decriminalised
- Whether found guilty 'without conviction'
- Whether penalty restricted only to a fine
- Personal circumstances at the time of offending

Ongoing Competency / Continuing Education

Under the new Act, one of the functions of the Board will be to prepare or endorse guidelines on continuing education for registrants.

The Board must ensure that all registrants are competent and safe to practise and provide high quality health care to the public. Registrants will be required to provide evidence of ongoing competence on an annual basis (on renewal) and a percentage of registrants will be audited each year against the competency criteria the Board will adopt.

The process being drafted at present is based on a self-assessment, continuing professional development (continuing education) model and will involve the keeping of a professional portfolio including a certificate of compliance of continuing education from a recognised professional association.

Service Providers

A “*chiropractic or osteopathy service provider*” means a person (not being a chiropractor or osteopath) who provides chiropractic or osteopathy through the instrumentality of a chiropractor, osteopath, chiropractic student or osteopathy student, but does not include an exempt provider. An exempt provider is a recognised hospital, incorporated health centre or private hospital within the meaning of the SA Health Commission Act 1976, or any other person declared by the Regulations.

Service providers must give written notice to the Board of their name, address, name and contact details of the registrants (employed or otherwise) and will be subject to the Board’s Code of Professional Conduct & Practice and disciplinary powers.

Should a service provider direct or pressure a chiropractor, osteopath, chiropractic student or osteopathy student to engage in unprofessional conduct the person is guilty of an offence and subject to a maximum penalty of \$75,000.

Professional Indemnity Insurance

A registrant or service provider must not, unless exempted by the Board, provide chiropractic or osteopathy unless insured or indemnified in a manner and to an extent approved by the Board against civil liabilities.

An applicant for registration must also provide evidence of insurance to the Board prior to full registration being granted.

The new Board will be responsible for determining the manner and extent of insurance required.

Offences

Penalties for offences under the new Act will increase markedly. For example, the following “holding out” restrictions will apply:

- A person must not hold out himself or herself as a registered chiropractor, osteopath, chiropractic student or osteopathy student or permit another person to do so unless registered on the appropriate register.
Maximum penalty: \$50,000 or imprisonment for 6 months
- A person who is not registered on the appropriate register must not use a prescribed word, or its derivative, to describe himself or herself or a service that he or she provides.
Maximum penalty: \$50,000
 Prescribed word means
 - registered chiropractic student
 - registered osteopathy student
 - chiropractor
 - osteopath
 - manipulative therapist
 - spinal therapist
 - any other word prescribed by the regulations
- A person whose registration is limited or subject to a condition must not hold himself or herself out as having a registration that is not limited or not subject to a condition or permit another person to do so.
Maximum penalty: \$50,000 or imprisonment for 6 months

- A person must not provide *restricted therapy* unless they are a qualified person, or they provide that therapy through the instrumentality of a qualified person.
Maximum penalty: \$50,000 or imprisonment for 6 months

Restricted therapy means *physical therapy* consisting of or involving the manipulation or adjustment of the spinal column or joints of the human body involving a manoeuvre during which a joint is carried beyond its normal physiological range of motion, or any other therapy declared by the regulations.

Physical therapy means physical treatment applied to the human body for the purpose of preventing, curing or alleviating any abnormality of movement or posture or any other sign associated with physical disability.

General Regulations

The General Regulations are expected to be released for comment shortly and will cover matters such as:

- Further Exempt Providers
- Representative Bodies
- Annual Report information
- Information required when reporting medical unfitness or unprofessional conduct
- Declaration of health service and health products
- Information required to be given to the Board by registered persons who have an interest in a prescribed business
- Information required to be provided to the Board in relation to a claim against a registered person
- Fees

It is expected that the new Board will conduct information seminars for the profession once the Regulations are finalised and the Act proclaimed, to ensure that practitioners are aware of all requirements and changes under the new legislation. Further information will be provided (via the website) in due course.

20 AUSTRALASIAN CONFERENCES OF CHIROPRACTORS & OSTEOPATHS REGISTRATION BOARDS (ACCRB & ACORB)

The Australasian Conferences of Chiropractors & Osteopaths Registration Boards were held in Darwin, Northern Territory on 10 and 11 September 2005, with representation from all State and Territory Registration Boards and New Zealand.

The Chairperson and Registrar attended ACCRB and the Registrar attended ACORB.

Some of the major issues discussed were:

ACCRB:

- Waiting List Practices/Open Plan Practices
- Care Plans/Frequency & Duration of Care
- Chiropractic Assistants
- Establishment of National Board Exams
- Standards of Practice/Continuing Professional Development

ACORB:

- National Examination and Accreditation Taskforce Committees
- Ongoing Competence
- Professional Indemnity Insurance
- Temporary Registration
- Informed Consent

Since 1982 the South Australian Board has prepared and maintained a Resolution book of Conference decisions for ACCRB.

A meeting of Registrars of both professions was held to consider the follow up action from the Conferences and to discuss general administrative issues.

The next ACCRB and ACORB meetings are planned to be held in Adelaide, South Australia on 23 and 24 September 2006 with a National Registrars meeting to be held afterwards.

21 MUTUAL RECOGNITION (MIR) / TRANS TASMAN MUTUAL RECOGNITION (TTMR)

Under the provisions of the Mutual Recognition (SA) Act, 1993 and the Trans Tasman Mutual Recognition (SA) Act, 1999, a person who holds current registration and is in good standing in another participating jurisdiction of Australia or New Zealand is entitled to be registered to practise as a chiropractor or osteopath in South Australia upon making due application.

Mutual recognition applies between all States/Territories of Australia. TTMR applies between New Zealand and all registered States/Territories of Australia with the exception of Western Australia.

Applicants receive a certificate of deemed registration until the Board determines the application (must be within one month of lodgement). The Board grants substantive registration or registration under the Act on such conditions (if any) imposed by the first registering authority. Substantive registration may be postponed or refused in cases where, for example, statements made in the application/notice are found to be materially false or misleading.

22 ASSESSMENT OF OVERSEAS QUALIFICATIONS

Chiropractors

Overseas trained chiropractors wishing to obtain registration or seeking migration under the Skilled Migration Category must firstly undertake an assessment of their qualifications and competency conducted by the Council on Chiropractic Education Australasia (CCEA).

The assessment process involves 2 stages:

- a) Stage I – Desktop Audit
- b) Stage II – Competency Board Screening Examination

Full details of the assessment process can be obtained from the Council on Chiropractic Education Australasia's web site www.ccea.com.au.

Osteopaths

The South Australian Board does not recognise any overseas osteopathic qualifications for registration and has no assessment process in place.

However, the Board recognises successful completion of the skills assessment conducted by the Osteopaths Registration Board of Victoria for registration purposes.

Full details of the assessment process can be obtained from the website www.osteoboard.vic.gov.au.

23 FINANCES

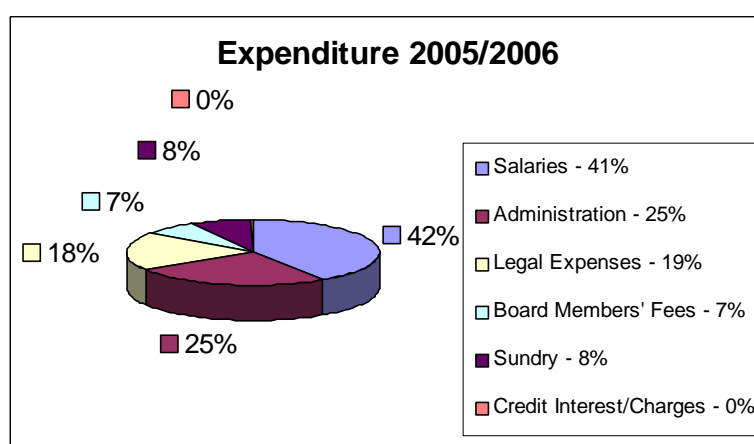
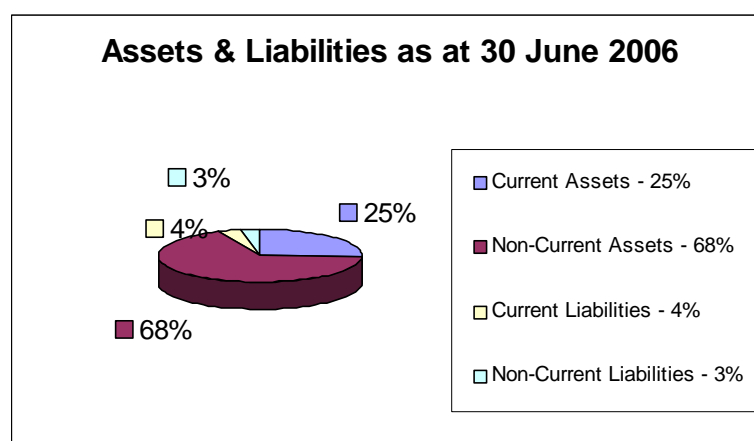
The Board recorded an operating surplus of \$66,269 for the 2005/2006 financial year and as at 30 June 2006 the Board had total equity of \$559,227.

The Board is not considered to be a "controlled entity" for the purposes of inclusion in the whole of Government reporting.

The Board has adopted a Financial Management Plan which provides a framework for:

- (i) the financial management of the Board which is clear, transparent and meets statutory obligations;
- (ii) the management of risk by the systematic identification of opportunities and threats to resources and the development of strategies which maximise opportunities and minimise adverse effects.

The following pie charts show the assets and liabilities of the Board as at 30 June 2006 and the expenditure of the Board during the 2005/2006 financial year.



The accounts of the Board have been audited and the financial statements for the year ended 30 June 2006, together with accompanying notes and the independent audit report of the Auditor-General appears as follows.

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA

INCOME STATEMENT

FOR YEAR ENDED 30 JUNE 2006

	Note	2006 \$	2005 \$
INCOME			
Registration Fees	3	184,610	176,570
Rent Received	4	20,160	19,160
Other	5	10,950	10,370
Interest		5,551	2,503
		<hr/>	<hr/>
Total Income		221,271	208,603
		<hr/>	<hr/>
EXPENSES			
Employee Benefits Costs	6	63,353	62,672
Administrative Expenses	7	39,322	45,183
Legal, Investigative & Inquiry Expenses	8	28,541	52,360
Sundry	9	12,410	14,227
Board & Committee Member's Fees	10	11,126	9,175
Line of Credit interest and charges	11	250	250
		<hr/>	<hr/>
Total Expenses		155,002	183,867
		<hr/>	<hr/>
NET RESULT		66,269	24,736
		<hr/> <hr/>	<hr/> <hr/>

The above Statement should be read in conjunction with the accompanying notes.

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA

BALANCE SHEET

AS AT 30 JUNE 2006

	Note	2006 \$	2005 \$
CURRENT ASSETS			
Investments	12	154,798	84,248
Prepayments		4,585	1,270
Receivables		3,473	4,692
Cash at Bank and on Hand	12	405	2,028
Total Current Assets		163,261	92,238
NON-CURRENT ASSETS			
Property, Furniture & Equipment	13	439,376	443,988
Total Non-Current Assets		439,376	443,988
TOTAL ASSETS		602,637	536,226
CURRENT LIABILITIES			
Payables		15,704	13,864
Employee Benefits - Annual Leave	14	5,521	6,504
Leases	15	2,674	2,378
Total Current Liabilities		23,899	22,746
NON-CURRENT LIABILITIES			
Employee Benefits - Long Service Leave	14	12,105	10,302
Leases	15	6,993	9,667
Payables		413	553
Total Non-Current Liabilities		19,511	20,522
TOTAL LIABILITIES		43,410	43,268
NET ASSETS		559,227	492,958
EQUITY			
Retained Earnings		348,633	282,364
Asset Revaluation Reserve		210,594	210,594
TOTAL EQUITY		559,227	492,958

The above Statement should be read in conjunction with the accompanying notes.

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA

CASH FLOW STATEMENT

FOR YEAR ENDED 30 JUNE 2006

	Note	2006 \$	2005 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash Inflows			
Registration Fees		184,610	176,570
Rent Received		20,160	19,160
GST Received from Taxation Authority		12,339	16,087
Other Income		10,950	12,385
Interest		5,551	2,503
GST Collected on Sales		1,025	2,820
		234,635	229,525
Cash generated from operations			
Cash Outflows			
Employee Benefits		58,901	59,187
Administrative Expenses		42,346	44,124
Legal, Investigative & Inquiry Expenses		27,813	54,721
GST Paid on Purchases		12,986	15,768
Board Member's Fees		11,295	9,000
GST Paid to Taxation Authority		1,941	1,966
Sundry		1,484	1,795
Interest on line of credit		250	250
		157,016	186,811
Cash used in operations			
Net cash provided by Operating Activities	16	77,619	42,714
CASH FLOWS FROM INVESTING ACTIVITIES			
Cash Outflows			
Asset Purchases		6,314	1,354
Building Improvements		-	1,029
		6,314	2,383
Cash used in investing activities			
Net cash used in investing activities		6,314	2,383
CASH FLOWS FROM FINANCING ACTIVITIES			
Cash Outflows			
Repayment of Lease Liability		2,378	1,915
		2,378	1,915
Cash used in financing activities			
Net cash used in financing activities		2,378	1,915
NET INCREASE IN CASH HELD		68,927	38,416
CASH AT 1 JULY		86,276	47,860
CASH AT 30 JUNE	12	155,203	86,276

The above Statement should be read in conjunction with the accompanying notes.

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA
STATEMENT OF CHANGES IN EQUITY
FOR YEAR ENDED 30 JUNE 2006

	ASSET REVALUATION RESERVE \$	RETAINED EARNINGS \$	TOTAL \$
Balance 1 July 2004	99,623	257,628	357,251
Gain on Revaluation of Property 2004-05	110,971		110,971
Net Result 2004/2005	-	24,736	24,736
	<hr/>	<hr/>	<hr/>
Balance 30 June 2005	210,594	282,364	492,958
Net Result 2005/2006	-	66,269	66,269
	<hr/>	<hr/>	<hr/>
Balance 30 June 2006	210,594	348,633	559,227
	<hr/> <hr/>	<hr/> <hr/>	<hr/> <hr/>

The above Statement should be read in conjunction with the accompanying notes.

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA

NOTES TO & FORMING PART OF THE FINANCIAL STATEMENTS

1 BOARD OBJECTIVES & FUNDING

The Board exercises its functions under the Chiropractors Act 1991 with a view to achieving and maintaining professional standards of competence and conduct in the practice of chiropractic.

The Board's principal source of funds consists of monies paid by registered chiropractors as registration renewal fees.

2 STATEMENT OF ACCOUNTING POLICIES

The financial report is general purpose financial report. The accounts have been prepared in accordance with applicable Australian Accounting Standards, Treasurer's Instructions and Accounting Policy Statements promulgated under the provision of the Public Finance and Audit Act 1987 (PFAA).

These financial statements are the first statements to be prepared in accordance with Australian equivalents to International Financial Reporting Standards (AIFRS).

The Income Statement, Balance Sheet and Statement of Changes in Equity have been prepared on an accrual basis and are in accordance with historical cost convention.

The Cash Flow Statement has been prepared on a cash basis.

The financial report has been prepared based on a twelve month operating cycle and is presented in Australian currency.

Accounting policies for "Registration Fees", "Property, Furniture & Equipment" and "Employee Benefits - Liabilities" appear under those headings.

Administrative Arrangements

The Chiropractors Board provides administrative services to a number of entities. The Board administers the payment of certain expenses incurred by the entities and recharges the entities, while other expenses are shared between the entities.

Salaries, accommodation outgoings and other administrative costs are shared between the entities according to the following percentages:

	From 1/12/2004
Chiropractors Board of South Australia	27%
South Australian Psychological Board	46%
Occupational Therapists Registration Board of SA	17%
Podiatry Board of South Australia	10%

Taxation

The Board is exempt from Income Tax.

Good and Services Tax

Income, expenses and assets are recognised net of the amount of GST except where the amount of GST incurred by the Board as a purchaser is not recoverable from the Australian Taxation Office.

Receivables and payables are stated exclusive of GST.

The net GST receivable from the Australian Taxation Office has been recognised as a receivable in the Balance Sheet. The accounting method for GST is on a cash basis.

Registration fees are exempt from GST under section 81-5 of Goods & Services Tax Act 1999.

The Board prepares a Business Activity Statement on behalf of the South Australian Psychological Board, the Occupational Therapists Registration Board of SA and the Podiatry (Chiropody) Board of SA under the grouping provisions of the GST legislation.

Income and Expenses

Income and expenses are recognised in the Income Statement when and only when it is probable that the flow of economic benefits to or from the entity can be reliably measured.

Income and expenses have been classified according to their nature in accordance with the Department of Treasury and Finance Accounting Policy Framework II General Purpose Financial Reporting Framework APS 3.5 and have not been offset unless required or permitted by a specific accounting standard.

Financial Instruments

The Board's accounting policies, including the terms and conditions of each class of financial asset and financial liability recognised at 30 June 2006, are as follows:

Financial Assets

Financial assets are recognised when control over future economic benefits is established and the amount of the benefit can be reliably measured.

Cash comprises cash on hand and at the bank and deposits at call. Cash is recorded at nominal amounts. Interest on cash is credited to revenue as it accrues.

Receivables are recognised at the nominal amounts due less provision for bad or doubtful debts.

Credit terms, other than those specified in contractual agreements, are net 14 days.

Financial Liabilities

Financial liabilities are recognised when a present obligation to another party is entered into and the amount of the liability can be measured.

Payables

Payables include creditors, accrued expenses and employment on-costs.

Creditors represent the amounts owing for goods and services received prior to the end of the reporting period that are unpaid at the end of the reporting period. Creditors include all unpaid invoices received relating to the normal operations of Board.

Accrued expenses represent goods and services provided by other parties during the period that are unpaid at the end of the reporting period and where an invoice has not been received.

All payables are measured at their nominal amount and are normally settled within 30 days from the date of the invoice or date the invoice is first received in accordance with Treasurer's Instruction 11 Payment of Creditor's Accounts.

Employment on-costs include superannuation contributions with respect to outstanding liabilities for salaries and wages, long service leave and annual leave.

Financial Risk Management

Interest Rate Risk

The Board's only exposure to interest rate risk relates to cash and investments. The variable interest rate on cash deposits is 0.01% p.a. and investments 4.75% p.a. The variable rate of interest on the \$50,000 (\$100,000) overdraft facility is 8.92%.

Credit Risk

The Board does not have any significant credit risk exposure to any single debtor.

The carrying amount of financial assets recorded in the Financial Statements, net of provisions for doubtful debts, represent the Board's maximum exposure to credit risk.

Insurance

The Board has arranged, through SA Government Captive Insurance Corporation (SAICORP), to insure all major risk of the Board. The excess payable under this arrangement for each claim is \$1,000.

Investments

Investments comprises of a Portfolio Cash Management account earning interest at 4.75% p.a. calculated daily and paid monthly, funds are available "at call".

Current and Non-Current Classification

Assets and liabilities are characterised as either current or non-current in nature. The Board has a clearly identifiable operating cycle of twelve months. Assets and liabilities that are sold, consumed or realised as part of the normal operating cycle even when they are not expected to be realised within twelve months after the reporting date have been classified as current assets or current liabilities. All other assets and liabilities are classified as non-current.

Non-Current Assets Acquisition and Recognition

In accordance with the Accounting Policy Statements contained in the Accounting Policy Framework IV Financial Asset and Liability Framework, the Authority measures financial assets at historical cost, except for derivatives (measured at market value).

Assets are initially recorded at cost or at the value of any liabilities assumed, plus any incidental cost involved with the acquisition. Assets with purchase price less than \$300 are expensed and not capitalised.

Australian Equivalent to International Financial Reporting Standards (AIFRS)

AASB 1 First time adoption of AIFRS has been applied in preparing these statements. Previous financial statements were prepared in accordance with Australian Generally Accepted Accounting Principles. The adoption has not resulted in any material adjustments.

Employee Benefits payable later than 12 months from year end have been measured at present value as required by AASB 119 Employee Benefits.

In addition, a number of new or amended Australian Accounting Standards are applicable to the Board but are not yet effective. The Board has assessed the impact of the new and amended Standards and there will be no impact on the accounting policies of the Board.

3 REGISTRATION FEES

As registration fees apply to the registration year, and as no liability arises to refund fees paid in the event of loss or surrender of registration, fees are recognised as income in the year that they are received.

	2006	2005
	\$	\$
Annual Practice Fee (including companies)	168,650	164,185
Initial Registrations (including companies)	12,350	10,225
Re-registrations	3,610	2,160
	<u>184,610</u>	<u>176,570</u>

4 RENT RECEIVED

Represents 12 months rent received from the South Australian Psychological Board, Occupational Therapists Registration Board of South Australia and the Podiatry Board of South Australia.

5 OTHER INCOME

	2006	2005
	\$	\$
Computer & Office Equipment Services	7,800	7,200
COTRB* Facilities fee	3,000	3,000
Miscellaneous	150	170
	<u>10,950</u>	<u>10,370</u>

* Council of Occupational Therapists Registration Boards (Aust & NZ) Inc.

6 EMPLOYEE BENEFITS COSTS

	2006	2005
	\$	\$
Salaries and Wages	57,810	52,499
Employment on-costs Superannuation	4,950	4,619
Long Service Leave	1,664	4,734
Annual Leave	(1,071)	820
	<u>63,353</u>	<u>62,672</u>

Board Members fees are listed separately refer Note 10.

The number of employees whose total remuneration received or receivable falls within the following band is:

	2006	2005
\$100,000 to \$109,999	-	1
\$110,000 to \$119,999	1	-

The Chiropractors Board takes responsibility for the contractual arrangements of staff, who are employed by, and remuneration shared between, the Chiropractors Board of South Australia, South Australian Psychological Board, Occupational Therapists Registration Board and Podiatry Board of South Australia. Refer note 2 - Administrative Arrangements.

Related Party Disclosure

The Registrar and an employee have entered into an arrangement with the Chiropractors Board to use its facilities from 1/1/2004 to provide administrative services to COTRB. Under the arrangement COTRB pays the Board for the use of its facilities. The Registrar and employee provide the services to COTRB outside of their full-time duties. COTRB also pay the Registrar for his services.

7 ADMINISTRATIVE EXPENSES

	2006	2005
	\$	\$
Computer and Office Equipment Maintenance	6,364	6,907
Accommodation Outgoings	4,221	6,767
Sundries	2,714	6,759
Contributions / Membership fees*	7,583	6,588
Audit Fees - Payable to Auditor-General's Dept	3,800	3,800
Conferences	~ 4,861	3,333
Telephone	1,868	1,943
Bank fees and charges	2,054	1,913
Insurance - Indemnity	1,721	1,748
Postage	693	1,711
Board & Committee Meeting Expenses	1,541	1,478
Printing	1,113	1,194
Consultancy Fees	500	675
Stationery	289	367
	<hr/>	<hr/>
	39,322	45,183
	<hr/> <hr/>	<hr/> <hr/>

* Represents amounts paid to the Council on Chiropractic Education Australasia \$7,238 (\$6,588), the Council of Australasian Tribunals \$260 and the Osteopaths Reg'n Board Vic National Taskforce \$85.

~ Includes \$455 (\$280) paid to Board Member for attendance at National Conference. Refer Note 10.

8 LEGAL, INVESTIGATIVE & INQUIRY EXPENSES

	2006	2005
	\$	\$
Inquiry Expenses*	7,655	38,539
Investigative Services	15,873	11,355
Legal Services provided	5,013	2,466
	<hr/>	<hr/>
	28,541	52,360
	<hr/> <hr/>	<hr/> <hr/>

* Includes all costs relating to inquiries i.e. legal costs, Board members fees, court reporting fees, expert opinions, witness costs, security costs, meeting expenses and courier costs.

Board member fees relating to inquiries was \$435 (\$5,825). Refer Note 10.

Legal Services are provided by the Crown Solicitor's Office and Investigative Services by either the Crown Solicitors Office or by Quark and Associates.

9 SUNDRY EXPENSES

	2006	2005
	\$	\$
Depreciation Expense	8,135	8,922
Amortisation Expense	2,792	2,327
Interest Finance Leases	1,296	1,147
Asset Purchases under \$300	187	462
Asset Write Off	-	1,369
	<hr/>	<hr/>
	12,410	14,227
	<hr/> <hr/>	<hr/> <hr/>

10A REMUNERATION OF BOARD MEMBERS

The Board members for the 2005/2006 year were:

C R Christie
P R Donato
N Forest
D R Furniss
K W Leembruggen
A J Shelley
C F Williamson

The total amount paid or payable to members of the Board:

	2006	2005
	\$	\$
Board Sitting Fees and Committee Meetings	11,126	9,175
Inquiries *	435	5,825
Conferences ~	455	280
	<hr/>	<hr/>
	12,016	15,280
	<hr/> <hr/>	<hr/> <hr/>

* Included in Inquiries Refer Note 8.

~ Included in Conferences Refer Note 7.

The number of members whose income from the Chiropractors Board of South Australia falls within the following band was:

	2006	2005
\$1 - \$9,999	7	8

10B RELATED PARTY TRANSACTIONS

The Board paid membership fees of \$7,238 (\$6,588) to the Council on Chiropractic Education Australasia. (An organisation in which the Board is a member and has nominated P R Donato to represent it.)

11 LINE OF CREDIT INTEREST AND CHARGES

Interest on an unused overdraft facility charged monthly at rate of 0.25%. This limit was reduced from \$100,000 to \$50,000 in June 2006.

12 RECONCILIATION OF CASH

For the purposes of the Cash Flow Statement, cash includes cash on hand and deposits at call with banks. Cash held at 30 June as shown in the Cash Flow Statement is reconciled to the relevant items in the Balance Sheet as follows:

	2006	2005
	\$	\$
Investments	154,798	84,248
Cash at Bank and on hand	405	2,028
	<u>155,203</u>	<u>86,276</u>

13A PROPERTY, FURNITURE & EQUIPMENT

Assets are depreciated or amortised over their estimated lives using the straight line method of depreciation. The estimated life of all classes of assets is 5 years, except for building and refurbishment where useful life is 40 years. The land and building will be subject to valuation on a cyclical basis every three years.

	Note	2006	2005
		\$	\$
Land - At Independent Valuation		265,000	265,000
Building & Refurbishment - At Independent Valuation		155,000	155,000
Less Accumulated depreciation on building		3,875	-
		<u>151,125</u>	<u>155,000</u>
Computer Hardware - At cost		16,001	12,570
Less Accumulated depreciation		9,611	7,523
		<u>6,390</u>	<u>5,047</u>
Communications Equipment - At cost fully depreciated		-	-
Equipment Under Lease	16	13,960	13,960
Less Accumulated amortisation		5,119	2,327
		<u>8,841</u>	<u>11,633</u>
Office Equipment - At cost fully depreciated		-	-
Office Furniture & Fittings - At cost		23,721	20,838
Less Accumulated depreciation		15,701	13,530
		<u>8,020</u>	<u>7,308</u>
Total Property, Furniture & Equipment		439,376	443,988

The revaluation at fair market value of the land, building and refurbishment was undertaken by A K Dreyer B App Sc (Val), AAPI, CREIV, Certified Practising Valuer of Egan National Valuers (SA) in June 2005.

13B MOVEMENTS IN PROPERTY, FURNITURE & EQUIPMENT

	Land	Building	Computer Hardware	Leased Equip	Office Furniture & Fittings	Office Total
Balance at the beginning of the year	265,000	155,000	5,047	11,633	7,308	443,988
Additions / Improvements	-	-	3,431	-	2,883	6,314
Depreciation Expense	-	(3,875)	(2,088)	-	(2,171)	(8,134)
Amortisation Expense	-	-	-	(2,792)	-	(2,792)
Carrying amount at end of year	265,000	151,125	6,390	8,841	8,020	439,376

14 EMPLOYEE BENEFITS - LIABILITIES

These benefits accrue for employees as a result of services provided up to the reporting date that remain unpaid. Long-term employee benefits are measured at present value and short-term employee benefits are measured at nominal amounts.

Sick Leave

No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees is estimated to be less than the annual entitlement of sick leave.

Long Service Leave

The liability for long service leave is recognised after an employee has completed 7 years of service in accordance with Accounting Policy Framework IV Financial Asset and Liability Framework. The liability has been calculated at nominal amounts based on current pay rates using the shorthand estimation of long service leave liability.

	2006	2005
Current Aggregate Employee Benefits	\$	\$
Annual Leave Provision	5,521	6,504
Annual Leave On-costs included in Payables	482	570
	<hr/>	<hr/>
Total Current Aggregate Employee Benefits	6,003	7,074
	<hr/>	<hr/>
Non-Current Aggregate Employee Benefits		
Long Service Leave	12,105	10,302
On-costs included in Payables - non-current	413	553
	<hr/>	<hr/>
Total Non-Current Aggregate Employee Benefits	12,518	10,855
	<hr/>	<hr/>
Total Aggregate Employee Benefits Liabilities	18,521	17,929
	<hr/> <hr/>	<hr/> <hr/>

These liabilities reflect the net liability after taking into account the employee entitlement liability of the South Australian Psychological Board, Occupational Therapists Registration Board of South Australia. and Podiatry Board of South Australia.

15 LEASE COMMITMENTS

Commitments in relation to a finance lease for a photocopier are payable as follows:

	2006	2005
	\$	\$
Not later than one year	3,674	3,674
Later than one year and not later than five years	7,961	11,636
	<hr/>	<hr/>
Minimum lease payments	11,635	15,310
Deduct future finance payments	1,968	3,265
	<hr/>	<hr/>
	9,667	12,045
	<hr/> <hr/>	<hr/> <hr/>
Classified in the Financial Statements as:		
Current	2,674	2,378
Non current	6,993	9,667
	<hr/>	<hr/>
	9,667	12,045
	<hr/> <hr/>	<hr/> <hr/>

16 RECONCILIATION OF NET RESULT TO NET CASH PROVIDED BY OPERATING ACTIVITIES

	2005	2004
	\$	\$
Net Result	66,269	24,736
Non cash items		
Depreciation	8,135	8,922
Amortisation	2,792	2,327
Loss on Disposals	-	1,369
Changes in Assets and Liabilities		
(Increase) in Prepayments	(3,315)	(33)
Increase (Decrease) in Payables	1,699	(492)
Decrease in Receivables	1,219	406
Increase in Employee Benefits	820	5,479
	<hr/>	<hr/>
Net Cash provided by Operating Activities	77,619	42,714
	<hr/> <hr/>	<hr/> <hr/>

17 ADMINISTERED ITEMS

As part of the Board's administrative responsibilities it pays certain expenses which are shared between the South Australian Psychological Board, Occupational Therapist Registration Board of South Australia and the Podiatry Board of South Australia. These expenses amounted to \$237,451 (\$217,335) and were recovered in full during the financial year.

These administered transactions do not represent controlled transactions of the Board. As such they are not recognised in the financial statements of the Board.

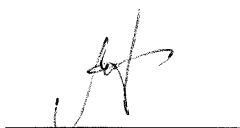
CERTIFICATION OF THE FINANCIAL REPORT

We certify that:

- the attached financial statements are in accordance with the accounts and records of the Chiropractors Board of South Australia and give an accurate indication of the financial transactions of the Board for the year then ended;
- as presenting fairly, in accordance with the Treasurer's Instructions promulgated under the provisions of the Public Finance and Audit Act 1987, applicable Accounting Standards and other mandatory professional reporting requirements in Australia, the financial position of the Board as at 30 June 2006 and the result of its operations and its cash flows for the year then ended; and
- that internal controls over financial reporting have been effective throughout the reporting period and there are reasonable grounds to believe the Board will be able to pay its debts as and when they become due and payable.



P.R. DONATO
CHAIRPERSON



P J MARTIN
REGISTRAR/CEO



L M GIROLAMO
FINANCE OFFICER

INDEPENDENT AUDIT REPORT



Government of South Australia
Auditor-General's Department

9th Floor
State Administration Centre
200 Victoria Square
Adelaide SA 5000
DX 56208
Victoria Square
Tel +618 8226 9640
Fax +618 8226 9688
ABN 53 327 061 410
audgensa@audit.sa.gov.au
www.audit.sa.gov.au

**TO THE CHAIRPERSON
CHIROPRACTORS BOARD OF SOUTH AUSTRALIA**

SCOPE

As required by section 31 of the *Public Finance and Audit Act 1987*, I have audited the financial report of the Chiropractors Board of South Australia for the financial year ended 30 June 2006. The financial report comprises:

- An Income Statement;
- A Balance Sheet;
- A Cash Flow Statement;
- Notes to the Financial Statements;
- A Certificate by the Chairperson, the Registrar and the Finance Officer.

The members of the Chiropractors Board of South Australia are responsible for the financial report. I have conducted an independent audit of the financial report in order to express an opinion on it to the Chairperson.

The audit has been conducted in accordance with the requirements of the *Public Finance and Audit Act 1987* and Australian Auditing and Assurance Standards to provide reasonable assurance whether the financial report is free of material misstatement.

Audit procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987*, Accounting Standards and other mandatory professional reporting requirements in Australia so as to present a view which is consistent with my understanding of the Chiropractors Board of South Australia's financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

AUDIT OPINION

In my opinion, the financial report presents fairly in accordance with the Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987*, applicable Accounting Standards and other mandatory professional reporting requirements in Australia, the financial position of the Chiropractors Board of South Australia as at 30 June 2006, the results of its operations and its cash flows for the year then ended.

A handwritten signature in black ink, appearing to read 'K I MacPherson'.

K I MacPherson
Auditor-General
10 October 2006