

**CHIROPRACTIC & OSTEOPATHY BOARD  
OF  
SOUTH AUSTRALIA**

**GUIDELINES ON REGISTRATION**

16 Norma Street  
MILE END SA 5031  
PO Box 229  
TORRENSVILLE PLAZA SA 5031

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Telephone: (08) 8443 9669  
Facsimile: (08) 8443 9550  
Email: [cbsa@sboards.com.au](mailto:cbsa@sboards.com.au)  
Web Site: [www.cbsa.sboards.com.au](http://www.cbsa.sboards.com.au)

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## FOREWORD

It is intended that these Guidelines will assist applicants with the formalities of obtaining and continuing registration. It is also intended to explain briefly the role and functions of the Board.

The Chiropractors Board of South Australia was established by the Chiropractors Act, 1979, which was proclaimed on 27 April 1981. The Board continued in existence under the Chiropractors Act, 1991, which was proclaimed on 25 June 1992.

On 27 July 2006 the Chiropractic & Osteopathy Practice Act 2005 ("the Act") was proclaimed and the new Chiropractic & Osteopathy Board of South Australia was established. Under this Act the Board is now responsible for registering chiropractors, osteopaths, chiropractic students and osteopathy students. The Board must also keep a list of chiropractic and osteopathy service providers.

The Board is the Statutory Authority in this State responsible for the administration of the Act, which protects the health and safety of the public by providing for registration of practitioners and students, the regulation of the provision of chiropractic and osteopathy for the purpose of maintaining high standards of competence and conduct by those who provide it, and for other purposes.

In accordance with Section 6 of the Act, the Board consists of nine members appointed by the Governor, and of these:

- four must be registered chiropractors chosen at an election;
- one must be a registered osteopath chosen at an election;
- one must be a legal practitioner nominated by the Minister;
- one must be a medical practitioner nominated by the Minister; and
- two must be persons nominated by the Minister who are not eligible for appointment under any of the preceding provisions (laypersons).

Members of the Board are appointed for a term of office not exceeding three years but are eligible for reappointment upon the expiration of their term of office. However a member may not hold office for consecutive terms that exceed 9 years in total.

The Board meets regularly on the first Wednesday of each month except in January. The agenda closes one week prior to the date set for such meetings.

Pursuant to Section 14 of the Act, the functions of the Board are as follows:

- " (1) The functions of the Board are as follows:*
- (a) to oversee the practice of chiropractic and osteopathy in the public interest;*
  - (b) to approve, after consultation with authorities considered appropriate by the Board, courses of education or training that provide qualifications for registration under this Act;*
  - (c) to determine, after consultation with authorities considered appropriate by the Board, the requirements necessary for registration under this Act;*
  - (d) to establish and maintain the registers contemplated by this Act;*
  - (e) to prepare or endorse, subject to the approval of the Minister, codes of conduct or professional standards for registered persons or codes of conduct for chiropractic or osteopathy services providers;*
  - (f) to prepare or endorse guidelines on continuing chiropractic or osteopathy education for chiropractors and osteopaths;*

- (g) *to establish administrative processes for handling complaints received against registered persons, chiropractic or osteopathy services providers or persons who occupy positions of authority in corporate or trustee chiropractic or osteopathy services providers (which may include processes under which the registered person, provider or person who occupies the position voluntarily enters into an undertaking);*
  - (h) *to provide advice to the Minister as the Board considers appropriate;*
  - (i) *to carry out other functions assigned to the Board by or under this Act, or by the Minister.*
- (2) *The Board must perform its functions under this Act with the object of protecting the health and safety of the public by achieving and maintaining high professional standards both of competence and conduct in the provision of chiropractic and osteopathy in this State. ”*

Registered practitioners are urged to fully acquaint themselves with the Act and Regulations, the Code of Professional Conduct & Practice, and the Board's various guidelines and policies.

Clarification or information relating to any matter may be sought from the office of the Board or by visiting the Board's website [www.cbsa.saboard.com.au](http://www.cbsa.saboard.com.au).

## 1. REGISTRATION

### (a) Natural Persons

The prerequisites for registration of natural persons are defined in Section 27(1) of the Act:

*"Subject to this Act, a natural person is eligible for registration on the register of chiropractors or the register of osteopaths if the person, on application to the Board, satisfies the Board that he or she -*

- (a) has qualifications approved or recognised by the Board for the purposes of registration on that register; and*
- (b) has met the requirements determined by the Board to be necessary for the purposes of registration on that register; and*
- (c) is medically fit to provide chiropractic or osteopathy of the kind authorised by registration on that register; and*
- (d) is, unless exempted by the Board, insured or indemnified in a manner and to an extent approved by the Board against civil liabilities that might be incurred by the person in connection with the provision of chiropractic or osteopathy as a chiropractor or osteopath or proceedings under Part 4 against the person; and*
- (e) is a fit and proper person to be registered on that register."*

An application for registration must be made in the approved form and must be accompanied by the application fee and annual practice fee (refer Schedule of Fees – enclosed) and all requested supporting documentation.

All applicants will be required to undergo a criminal history check (refer Item 4 of these Guidelines) and a 100 point identity check.

Recent graduates who have not been confirmed their degree/diploma must provide a letter from the Head of School or Registrar of the awarding institution certifying that they have successfully completed all requirements for the award of the degree/diploma and are eligible to graduate. A certified copy of the degree parchment certificate OR academic transcript should be provided to the Board as soon as available.

All new registrants, including students, are issued with a Certificate of Registration, Annual Practising Certificate, a copy of the Act & Regulations, and other Board publications. All publications are also available to download and print from the Board's website.

**Note:** *If an x-ray license is required application must be made to the Department of Health, Radiation Section, PO Box 6, Rundle Mall, Adelaide SA 5000, Telephone (08) 8130 0700.*

**(b) Students**

Section 28 of the Act states that:

*“(1) A person is not entitled to—*

- (a) undertake a course of study that provides qualifications for registration on the register of chiropractors; or*
- (b) provide chiropractic as part of a course of study related to chiropractic being undertaken by the person in a place outside the State,*

*unless the person is registered under this section as a chiropractic student.*

*(2) A person is not entitled to—*

- (a) undertake a course of study that provides qualifications for registration on the register of osteopaths; or*
- (b) provide osteopathy as part of a course of study related to osteopathy being undertaken by the person in a place outside the State,*

*unless the person is registered under this section as a osteopathy student.*

*(3) A person is eligible for registration as a chiropractic student on the chiropractic student register, or as an osteopathy student on the osteopathy student register, if the person, on application to the Board, satisfies the Board that he or she—*

- (a) genuinely requires registration on that register—*
  - (i) to enable the person to undertake a course of study that provides qualifications for registration on the register of chiropractors or register of osteopaths, as the case may be; or*
  - (ii) to enable the person to provide chiropractic or osteopathy as part of a course of study related to chiropractic or osteopathy, as the case may be, being undertaken by the person in a place outside the State; and*
- (b) is medically fit to provide chiropractic or osteopathy of the kind authorised by registration on the register to which the application relates; and*
- (c) is a fit and proper person to be registered on the register to which the application relates.*

*(4) If a person who applies for registration, or reinstatement of registration, on the chiropractic student register or osteopathy student register is not, in the opinion of the Board, medically fit to provide chiropractic or osteopathy of the kind authorised by registration on that register, the Board may register the person on that register in pursuance of this subsection (limited student registration) and impose 1 or more of the following conditions on the registration:*

- (a) a condition limiting the kind of chiropractic or osteopathy that the person may provide;*
- (b) a condition limiting the period during which the registration will have effect;*
- (c) a condition requiring that the person be supervised in the provision of chiropractic or osteopathy by a particular person or by a person of a particular class;*
- (d) such other conditions as the Board thinks fit.”*

An application for registration must be made in the approved form and must be accompanied by all requested supporting documentation. Applicants for student registration must provide evidence of offer of enrolment in their course of study.

There is no registration fee payable.

All applicants will be required to undergo a criminal history check (refer Item 4 of these Guidelines) and a 100 point identity check.

Students who fail to register or remain registered will have their enrolment cancelled by the University (if the University is located in South Australia). Students will be subject to the Board's Code of Professional Conduct & Practice and disciplinary powers.

**(c) Mutual Recognition / Trans Tasman Mutual Recognition**

The Mutual Recognition (SA) Act, 1993, adopts the Mutual Recognition Act, 1992, of the Commonwealth and the Trans Tasman Mutual Recognition (SA) Act, 1999 adopts the Trans Tasman Mutual Recognition Act, 1997, of the Commonwealth, as a law of the State and provides that a person who is registered in one State/Territory or New Zealand for an occupation is, by virtue of the Commonwealth Act, entitled after notifying the local registration authority of another State/Territory or New Zealand for the equivalent occupation -

- to be registered in that other State/Territory or New Zealand for the equivalent occupation; and
- pending such registration, to carry on the equivalent occupation in that other State/Territory or New Zealand.

The manner of carrying on an occupation and the continuance of registration is subject to the laws of the other State/Territory or New Zealand.

A person who lodges a duly completed notice/application under Mutual Recognition or Trans Tasman Mutual Recognition with a local registration authority of a State/Territory or New Zealand is, pending the grant or refusal of registration, taken to be registered. Such registration is called "deemed registration" and the Board is required to determine the application within one month from the "lodgement date". Deemed registration in one State/ Territory or New Zealand does not itself provide a basis for registration in another jurisdiction.

Once considered, the Board may grant what is called "substantive registration" which is registration under the law of the relevant State/ Territory or New Zealand. Conditions may be applied to a person's registration.

Should a person's registration in any State/Territory or New Zealand -

- (a) be cancelled or suspended; or
- (b) be subject to a condition

on disciplinary grounds, or as a result of, or in anticipation of, criminal, civil or disciplinary procedures, then the person's registration in the other jurisdiction(s) is affected in the same way. The Board however, does have discretion given the circumstances of the matter.

An application for registration under Mutual Recognition or Trans Tasman Mutual Recognition must be made on the relevant form for this purpose.

The application form can be obtained from the Board's website or by contacting the office of the Board, in which case it will be forwarded without delay together with the Board's Guidelines on Registration and Code of Professional Conduct & Practice.

The application fees are the same as for natural persons (refer Schedule of Fees – enclosed). Payment of both the application fee and annual practice fee is a condition of registration and non-payment will result in refusal to grant registration or deemed registration.

The Board must give the person who lodges an application for registration, a notice in writing of its decision to grant registration, or to postpone or refuse the grant of registration, or to impose conditions on registration. Applicants must give consent to the making of inquiries or, and the exchange of information with, the authorities of any State/Territory or New Zealand regarding his or her activities in the practice of the profession or matters relevant to the notice. Deemed registration or substantive registration may be refused if any of the information supplied on the application form or accompanying documents is materially false or misleading.

Applicants must provide with their application, an original or certified copy of a document evidencing current registration in another State/Territory or New Zealand and proof of identity. From the moment a person is deemed registered that person will be subject to all the requirements of the Chiropractic & Osteopathy Practice Act 2005, and Regulations, and the Board's Code of Professional Conduct & Practice, with respect to the practice of chiropractic or osteopathy in this State. Persons are therefore urged to fully acquaint themselves with these documents.

A certificate of full registration together with other Board publications will be forwarded to the registrant upon the grant of substantive registration.

**(d) Recognised Qualifications**

Pursuant to Section 27(1)(a) of the Act, the Board has prepared a list of qualifications which are recognised for the purposes of registration, and this list is enclosed.

**(e) Provisional Registration**

Section 29 of the Act states:

- “ (4) If it appears likely to the Registrar that the Board will grant an application for registration, the Registrar may provisionally register the applicant (provisional registration).*
- (5) Provisional registration remains in force until the Board determines the application.*
- (6) The registration by the Board under this Act of a person who was provisionally registered has effect from the commencement of the provisional registration. ”*

Provisional registration enables a practitioner to commence practise prior to full registration being granted and carries with it all rights and privileges of full registration.

**(f) Limited Registration**

Section 27 of the Act states:

- “ (2) *If a person who applies for registration, or reinstatement of registration, on the register of chiropractors or the register of osteopaths—*
- (a) does not, in the opinion of the Board, have the necessary qualifications or experience required for registration on that register; or*
  - (b) is not, in the opinion of the Board, medically fit to provide chiropractic or osteopathy of the kind authorised by registration on that register; or*
  - (c) is not, in the opinion of the Board, a fit and proper person to be registered on that register,*
- the Board may register the person on the register in pursuance of this subsection (limited registration)—*
- (d) in order to enable the person—*
    - (i) to do whatever is necessary to become eligible for full registration under this Act; or*
    - (ii) to teach or to undertake research or study in this State; or*
    - (iii) in the case of an applicant who has obtained qualifications for the practice of chiropractic or osteopathy under the law of a place outside of Australia—to practise in a part of the State or at a place that the Minister and the Board consider is in urgent need of the services of a chiropractor or osteopath; or*
  - (e) if, in its opinion, it would otherwise be in the public interest to do so.*
- (3) *In registering a person under subsection (2) the Board may impose 1 or more of the following conditions on the registration:*
- (a) a condition restricting the places or times at which the person may provide chiropractic or osteopathy;*
  - (b) a condition limiting the kind of chiropractic or osteopathy that the person may provide;*
  - (c) a condition limiting the period during which the registration will have effect;*
  - (d) a condition requiring that the person be supervised in the provision of chiropractic or osteopathy by a particular person or by a person of a particular class;*
  - (e) such other conditions as the Board thinks fit. ”*

Limited registration for example may be granted to a person wishing to re-enter the workforce to upgrade his or her skills.

**(g) Temporary Registration**

Temporary registration is available to chiropractors or osteopaths wishing to undertake a locum position in South Australia. Temporary registration in these circumstances is granted for a period not exceeding two (2) calendar months and applicants should nominate the date from which they require their registration to commence.

Temporary registration is at a reduced fee (refer Schedule of Fees – enclosed) and carries with it all rights and privileges of full registration.

**(h) Overseas Applicants**

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.

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 website [www.ccea.com.au](http://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](http://www.osteoboard.vic.gov.au).

**(i) Certification of Documents**

All required documents must be either originals or certified copies. Each document submitted for certification must be in the form of a photocopy with the original document available for sighting.

A certified copy means that copies of your original documents must be certified as a true and accurate record of the original by either a Justice of the Peace, Notary Public, Commissioner for Taking Affidavits (Solicitor, Barrister), Proclaimed Police Officer, or Proclaimed Manager of ADI (Authorised Depositing Institution, eg. Credit Union, Bank).

Each page of each document must be marked as follows:

*"I have sighted the original document and certify this to be a true copy of the original",*

followed by the title, name, address, licence number and signature of the certifier, and the date of certification.

If all documents have not been correctly certified your application cannot be processed and it will be returned to you.

Please note that Justices of the Peace are available at the offices of the Board.

**(j) Medical Examination or Report**

Section 71 of the Act states:

- “ (1) *The Board may, for any purpose associated with the administration or operation of this Act, require a registered person or a person who is applying for registration or reinstatement of registration to—*
- (a) *submit to an examination by a health professional, or by a health professional of a class, specified by the Board; or*
  - (b) *provide a medical report from a health professional, or from a health professional of a class, specified by the Board,*  
*(including an examination or report that will require the person to undergo some form of medically invasive procedure).*
- (2) *If a person fails to comply with a requirement made under subsection (1), the Board may suspend the person's registration until further order of the Board.*
- (3) *In this section—*
- health professional** *means—*
- (a) *a medical practitioner; or*
  - (b) *a psychologist; or*
  - (c) *any other person who belongs to a profession, or who has an occupation, declared by the Board, by notice in the Gazette, to be a profession or occupation within the ambit of this definition. ”*

**2. PROFESSIONAL INDEMNITY INSURANCE**

Section 64 of the Act states that:

- " (1) *A registered person or chiropractic or osteopathy services provider must not, unless exempted by the Board, provide chiropractic or osteopathy, as the case may be, unless insured or indemnified in a manner and to an extent approved by the Board against civil liabilities that might be incurred by the person or provider, as the case may be, in connection with the provision of chiropractic or osteopathy.*
- (2) *The Board may, subject to such conditions as it thinks fit, exempt a person, or a class of persons, from the requirements of this section and may, whenever it thinks fit, revoke an exemption or revoke or vary the conditions under which an exemption operates."*

The Board has determined that registered chiropractors, osteopaths and service providers must possess a minimum level of \$10,000,000 professional indemnity insurance cover for any one claim.

Breaches of this section may incur a maximum \$10,000 fine.

In considering which person or class of persons the Board may exempt under clause 64(2) of the Act, the Board has ruled that a chiropractor or osteopath who conducts a practice and attends members of the public (including partners and family members) shall not be eligible for exemption.

Non-practising chiropractors or osteopaths will however be exempt from the requirements of this section (refer Item 6 of these Guidelines).

In addition, it is a requirement under Section 27(1)(d) of the Act that applicants for registration must provide evidence of insurance cover prior to registration being granted (certificate of currency/compliance from the insurer/broker).

This requirement will also apply to applicants for renewal of registration.

### 3. ENGLISH LANGUAGE PROFICIENCY

A high level of English language proficiency is essential to enable chiropractors and osteopaths to communicate with patients, other chiropractors/osteopaths and other professionals, to write reports that often deal with complex matters and to maintain professional standards.

Applicants for registration (under the Chiropractic & Osteopathy Practice Act 2005) as a chiropractor, osteopath, chiropractic student or osteopathy student in South Australia, for whom English is not the first or native language, need to submit evidence to the Board of competency in both oral and written communication in English, as demonstrated by the following:

- Achieved a minimum score of seven (7) in each of the four components (Listening, Reading, Writing and Speaking) in the International English Language Testing System (IELTS) examination (Academic Module).
- Obtained an overall pass in the Occupational English Test (OET) administered by the Centre for Adult Education with grades A or B only in each of the four components.

Results of these tests must have been obtained within two (2) years prior to applying for registration.

An IELTS or OET Report more than two years old will be accepted as evidence of present level of ability if accompanied by proof that an applicant has actively maintained employment as a chiropractor or osteopath in a country where English is the native or first language.

An exemption may apply when the applicant can provide evidence of:

- (a) completion of all components of their qualification for registration at a tertiary institution where programs and assessments are conducted in English; and/or
- (b) at least three years practice of the profession as a registered Chiropractor or Osteopath (or its equivalent in the country of practice) using English as the primary means of communication; and/or
- (c) successful completion of the overseas qualifications assessment process carried out by the Council on Chiropractic Education Australasia (CCEA).

**NOTE:**

1. The applicant is responsible for the cost of the English tests.
2. Pass results in each component of either the IELTS or OET must be obtained at the one sitting, ie. pass results in a module from a previous attempt at either examination cannot be carried forward to a subsequent sitting which, when combined, would give an overall pass in the examination.
3. Specific details regarding the English language testing systems are available at:  
IELTS - [www.ielts.org](http://www.ielts.org)  
OET - [www.oet.com.au](http://www.oet.com.au)

#### **4. CRIMINAL HISTORY RECORD CHECK**

All applicants for registration with the Chiropractic & Osteopathy Board of South Australia must either provide the Board with consent to undertake a criminal history record check (utilising the Commonwealth agency, CrimTrac) or provide the Board with a National Police Certificate.

The Board's costs in obtaining the criminal history check for persons applying for registration as a chiropractor or osteopath are subsidised by the Board.

There is no legal requirement for an applicant to give their consent for the Board to conduct a criminal history record check. However if the applicant does not provide consent for the Board to undertake a criminal history check then a National Police Certificate must be enclosed with the application for registration. The applicant's costs in obtaining this National Police Certificate will be their own responsibility. Applications are available at local Police Stations.

Full details regarding the criminal history record check are set out in Appendix B of the relevant application form.

Offences will 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

#### **5. RENEWAL OF REGISTRATION**

Section 32 of the Act, provides for an application for renewal of registration to be made to the Board by registered chiropractors, osteopaths, chiropractic students and osteopathy students by 30 November each year (dated fixed by Board).

Notices of renewal are forwarded to the postal address of all registrants at the beginning of October every year. Reminder notices are sent to those applicants who do not pay on time.

Upon receipt of a duly completed application form, requested supporting documentation and annual practice fee (refer Schedule of Fees – enclosed) the Board will renew a registrant's registration for a period of twelve months expiring on the last day of December in the following year. A receipt and an annual practising certificate are issued. Students are not required to pay the annual practice fee.

If renewal of registration is not effected by the 30 November (date fixed by Board) in the given year, the registrant's name may be removed from the appropriate Register pursuant to Section 32(3) of the Act and the person concerned would no longer be entitled to practise as or hold out as a chiropractor or osteopath (refer Item 12 "Offences and Definitions" of these Guidelines). Renewal of registration is not possible once registration has lapsed and the name removed from the Register. Once registration has lapsed it is necessary for persons to apply for reinstatement of registration (refer Item 8 of these Guidelines).

Should either the renewal form, supporting documents or annual practice fee not be received by the due date, the application for renewal will not be processed and the person will be removed from the Register.

## 6. NON-PRACTISING CHIROPRACTORS AND OSTEOPATHS

At the time of annual renewal, chiropractors and osteopaths will have the option to renew as "non-practising". It should be noted that it is not possible for a registrant to change their status to "non-practising" during the year, this option is only available at renewal time.

Chiropractors or osteopaths who wish to remain on the register but who are non-practising within the State of South Australia will be exempt from the requirement to provide evidence of professional indemnity insurance and the requirement to engage in continuing education (ongoing competency).

The Board has determined that the definition of a non-practising chiropractor or osteopath is as follows:

*"Chiropractors or osteopaths who are not engaging in any form of chiropractic or osteopathy practice including but not limited to remunerated or unremunerated consultations or procedures, writing referrals and signing documents requiring the exercise of knowledge and skills of a chiropractor or osteopath, within the State of South Australia."*

Therefore any practitioners involved in the practice of chiropractic or osteopathy for any purpose (including for partners and family members) must be registered and suitably insured. Practitioners who are not practising within the State of South Australia may remain on the register once paying the appropriate fee but will be exempt from providing evidence of insurance and continuing professional development. Such practitioners may include:

- Those currently interstate or overseas who are not practising within South Australia;
- Retirees who are not engaging in any of the above chiropractic or osteopathy practices.

Non-practising chiropractors or osteopaths must sign a declaration which is available from the Board's website under "Registration".

Practitioners who wish to return to practice within a period of 5 years must apply to the Board to change their registration status and provide evidence of their appropriate insurance cover. These practitioners must also pay the balance between the non-practising fee that has already been paid, and the appropriate annual practice fee applicable at that time of year.

Practitioners who have not practised for a period of 5 years or more must apply to the Board as above (including payment of the appropriate fee) and must also comply with Section 38 of the Act which states:

*" (1) A registered person who has not provided chiropractic or osteopathy of the kind authorised by his or her registration for a period of 5 years or more must not provide any such chiropractic or osteopathy without first obtaining the approval of the Board.  
Maximum penalty: \$20,000*

(2) *The Board –*

- (a) *may, before granting its approval under subsection (1), require the applicant to obtain qualifications or experience specified by the Board and for that purpose may require the applicant to undertake a specified course of instruction or training in chiropractic or osteopathy, as the case may require; and*
- (b) *may impose 1 or more of the following conditions on the applicant's registration:*
  - (i) *a condition restricting the places and times at which the applicant may provide chiropractic or osteopathy;*
  - (ii) *a condition limiting the kind of chiropractic or osteopathy that the applicant may provide;*
  - (iii) *a condition requiring that the applicant be supervised in the provision of chiropractic or osteopathy by a particular person or by a person of a particular class;*
  - (iv) *such other conditions as the Board thinks fit. ”*

Also refer to Item 12 “Offences and Definitions” of these Guidelines in relation to restrictions on the provision of chiropractic and osteopathy.

## **7. REMOVAL FROM THE REGISTER**

Section 30 of the Act states:

- “ (1) *The Registrar must, on application by a registered person, remove the person from the register to which the application relates.*
- (2) *The Registrar must remove from the appropriate register a person—*
- (a) *who dies; or*
  - (b) *who ceases to hold a qualification required for registration on that register; or*
  - (c) *who ceases for any other reason to be entitled to be registered on that register; or*
  - (d) *who completes, or ceases to be enrolled in, the course of study that formed the basis for the person's registration on the chiropractic student register or osteopathy student register; or*
  - (e) *whose registration on the appropriate register has been suspended or cancelled under this Act.*
- (3) *The Registrar may act under subsection (2) without giving prior notice to the relevant person. ”*

## **8. REINSTATEMENT TO THE REGISTER / RE-REGISTRATION**

If registration is allowed to lapse for any reason persons must re-apply for registration using the same forms, fees and procedure as for initial registration.

It is not necessary to resubmit evidence of qualifications which is already held on file. Current copies of all other information/documents requested on the application form must be provided.

Section 31 of the Act states:

- “(1) A person who has been removed from a register under this Act—*
- (a) on his or her application; or*
  - (b) on account of failure to pay the annual practice fee or to furnish the return required under section 32; or*
  - (c) on account of failure to pay a fine imposed on the person by the Board under this Act; or*
  - (d) on account of the person—*
    - (i) ceasing to hold a qualification required for registration on that register or otherwise ceasing to be entitled to be registered on that register; or*
    - (ii) ceasing to be enrolled in the course of study that formed the basis for the person's registration on the chiropractic student register or osteopathy student register,*
- may apply to the Board at any time for reinstatement on that register.*
- (2) A person whose registration on a register has been suspended may apply to the Board for reinstatement on that register (but not, in the case of an order for suspension for a specified period, until after the expiry of that period).*
- (3) A person who has been disqualified from being registered on a register under this Act may, subject to the terms of the order for disqualification, apply to the Board for reinstatement on that register.*
- (4) An application for reinstatement must—*
- (a) be made to the Board in the manner and form approved by the Board; and*
  - (b) be accompanied by the reinstatement fee fixed under this Act.*
- (5) An applicant for reinstatement must, if the Board so requires provide the Board with specified information to enable the Board to determine the application.*
- (6) The Board may require an applicant for reinstatement of registration—*
- (a) to submit a medical report or other evidence acceptable to the Board as to the applicant's medical fitness to provide chiropractic or osteopathy of the kind authorised by registration on the register to which the application relates; or*
  - (b) to obtain additional qualifications or experience specified by the Board before the Board determines the application.*
- (7) Subject to this section, the Board must reinstate on the appropriate register an applicant under this section if satisfied that the applicant is eligible for registration on that register.*
- (8) The Board may refuse to reinstate the applicant on the appropriate register until all complaints (if any) laid against the applicant under this Act have been finally disposed of. ”*

## **9. CHANGE OF NAME AND ADDRESS**

In accordance with Section 25(3) of the Act, a registered person must, within 1 month after changing his or her name or nominated contact address, inform the Registrar in writing of the change. The corresponding penalty for breaches of this Section is a maximum penalty of \$250.

Registered persons are also asked to ensure that the Board is always advised of any change of postal, employment or residential addresses, email and phone numbers. This may be done by telephone provided proof of identity can be established.

## 10. ADDITIONAL QUALIFICATIONS

At any time a registered chiropractor or osteopath may apply to have additional qualifications entered on the Register.

These qualifications will be assessed by the Board on an individual basis in accordance with the following policy:

### 1. **Australian Qualifications**

*The Board will recognise for entry on the Register qualifications from institutions listed and accredited by the Australian Qualifications Framework under “Universities and Other Self-Accrediting Higher Education Institutions” and “Non Self-Accrediting Higher Education Institutions”.*

### 2. **Overseas Qualifications**

*The Board will recognise for entry on the Register qualifications from institutions listed and recognised by Australian Education International, National Office of Overseas Skills Recognition (AEI-NOOSR) under “Higher Education” in their Country Education Profiles at the level of Bachelor Degree or above.*

A new certificate of registration may be requested.

The fees for such applications and duplicate certificates appear in the enclosed Schedule of Fees.

## 11. CHIROPRACTIC AND OSTEOPATHY SERVICE PROVIDERS

Section 33 of the Act states:

“ (1) *A chiropractic or osteopathy services provider must—*

*(a) in the case of a person who was such a provider immediately before the commencement of this section—within 60 days of that commencement; and*

*(b) in any other case—within 60 days of becoming such a provider,*

*give written notice to the Board of—*

*(c) the provider's full name and business or (in the case of a corporation) registered address; and*

*(d) the address of the premises at which the provider provides chiropractic or osteopathy; and*

*(e) the full names and nominated contact addresses of the chiropractors or osteopaths through the instrumentality of whom the provider is providing chiropractic or osteopathy; and*

*(f) in the case of a corporate or trustee chiropractic or osteopathy services provider—the full names and addresses of all persons who occupy a position of authority in the provider.*

*(2) The provider must, within 30 days of any change occurring in the particulars required to be given under subsection (1), inform the Board in writing of the change.*

*(3) A person who contravenes or fails to comply with this section is guilty of an offence. Maximum penalty: \$10 000.*

- (4) *The Board must keep a record of information provided to the Board under this section available for inspection, on payment of the prescribed fee, by any person during ordinary office hours at the office of the Board and may make the record available to the public by electronic means. ”*

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.

Under the Act, an exempt provider means:

- “ (a) *a recognised hospital, incorporated health centre or private hospital within the meaning of the South Australian Health Commission Act 1976; or*
- (b) *any other person declared by the regulations to be an exempt provider for the purposes of this Act.”*

No other persons have been declared by the regulations to be an exempt provider.

Section 3 of the Act states:

- “ (5) *For the purposes of this Act:*
- (a) *a corporate chiropractic or osteopathy services provider is a chiropractic or osteopathy services provider that is a body corporate and a person occupies a position of authority in such a provider if the person—*
- (i) *is a director of the body corporate; or*
- (ii) *exercises, or is in a position to exercise, control or substantial influence over the body corporate in the conduct of its affairs; or*
- (iii) *manages, or is to manage, the business of the body corporate that consists of the provision of chiropractic or osteopathy; or*
- (iv) *where the body corporate is a proprietary company—is a shareholder in the body corporate; and*
- (b) *a trustee chiropractic or osteopathy services provider is a person acting as a chiropractic or osteopathy services provider in the capacity of trustee of a trust and a person occupies a position of authority in such a provider if the person is a trustee or beneficiary of the trust.*
- (6) *For the purposes of this Act, a person occupies a position of authority in a body corporate other than a corporate chiropractic or osteopathy services provider if the person—*
- (a) *is a director of the body corporate; or*
- (b) *exercises, or is in a position to exercise, control or substantial influence over the body corporate in the conduct of its affairs; or*
- (c) *where the body corporate is a proprietary company—is a shareholder in the body corporate.*
- (7) *However—*
- (a) *a minor who is a shareholder in a proprietary company, or a beneficiary under a trust, is not, for that reason, to be regarded as a person occupying a position of authority; and*
- (b) *a charitable organisation that is a beneficiary of a trust is not, for that reason, to be regarded as occupying a position of authority.*

- (8) *For the purposes of this Act, a person who holds more than 10 per cent of the issued share capital of a public company will be regarded as a person occupying a position of authority in that company. ”*

A service provider must possess a minimum level of \$10 million professional indemnity insurance cover for any one claim (refer Item 2 of these Guidelines).

Service providers will be subject to the Board’s Code of Professional Conduct & Practice and disciplinary powers.

## 12. OFFENCES AND DEFINITIONS

(Also refer to Items 2, 5, 6, 9, and 11 of these Guidelines for information relating to offences under the Act.)

The Act sets out the following definitions:

“ **chiropractic** means—

- (a) *restricted therapy; and*
- (b) *all diagnostic, therapeutic, health or other services or advice not referred to in paragraph (a) provided in the course of practice by a chiropractor or a person who holds himself or herself out, or is held out by another, as a chiropractor; ”*

“ **osteopathy** means—

- (a) *restricted therapy; and*
- (b) *all diagnostic, therapeutic, health or other services or advice not referred to in paragraph (a) provided in the course of practice by an osteopath or a person who holds himself or herself out, or is held out by another, as an osteopath; ”*

“ **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; ”*

“ **restricted therapy** means *physical therapy consisting of or involving—*

- (a) *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*
- (b) *any other therapy declared by the regulations to be restricted therapy; ”*

### (a) **Illegal Holding Out as a Registered Person**

Section 34 of the Act states:

- “ (1) *A person must not hold himself or herself out as a registered chiropractic student, registered osteopathy student, chiropractor or osteopath or permit another person to do so unless registered on the appropriate register.*

*Maximum penalty: \$50 000 or imprisonment for 6 months.*

- (2) *A person must not hold out another as a registered chiropractic student, registered osteopathy student, chiropractor or osteopath unless the other person is registered on the appropriate register.*

*Maximum penalty: \$50 000 or imprisonment for 6 months. ”*

**(b) Illegal Holding Out Concerning Limitations or Conditions**

Section 35 of the Act states:

“ (1) *A person whose registration is limited or subject to a condition under this Act 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.*

(2) *A person must not hold out another whose registration is limited or subject to a condition under this Act as having a registration that is not limited or not subject to a condition.*

*Maximum penalty: \$50 000 or imprisonment for 6 months. ”*

**(c) Use of Certain Titles or Descriptions Permitted**

Section 36 of the Act states:

“ (1) *A person who is not registered on the appropriate register must not use a prescribed word, or its derivatives, to describe himself or herself or a service that he or she provides.*

*Maximum penalty: \$50 000.*

(2) *A person must not, in the course of advertising or promoting a service that he or she provides, use a prescribed word, or its derivatives, to describe a person who is engaged in the provision of the service but is not registered on the appropriate register.*

*Maximum penalty: \$50 000.*

(3) *In this section—*

*prescribed word means—*

(a) *in relation to registration on the chiropractic student register—registered chiropractic student;*

(b) *in relation to registration on the osteopathy student register—registered osteopathy student;*

(c) *in relation to registration on the register of chiropractors—*

- (i) chiropractor; or*
- (ii) manipulative therapist; or*
- (iii) spinal therapist; or*

(d) *in relation to registration on the register of osteopaths—*

- (i) osteopath; or*
- (ii) manipulative therapist; or*
- (iii) spinal therapist; or*

(e) *any other word or expression prescribed by the regulations.*

(4) *However, this section does not prevent the title "manipulative therapist" or "spinal therapist" being used by or in relation to a person registered as a physiotherapist under the Physiotherapy Practice Act 2005. ”*

Regulation 7 under the Act states:

- “ (1) *For the purposes of paragraph (e) of the definition of prescribed word in section 36(3) of the Act, the following words and expressions are prescribed in relation to registration on the register of chiropractors or register of osteopaths:*
- (a) *subluxation;*
  - (b) *spinal manipulation;*
  - (c) *spinal adjustment;*
  - (d) *spinal specialist;*
  - (e) *manipulative specialist.*
- (2) *Section 36(1) of the Act does not apply in relation to the use of an expression prescribed by subregulation (1) (other than paragraph (a)) by a person registered as a physiotherapist under the Physiotherapy Practice Act 2005 to describe himself or herself or a service that he or she provides.*
- (3) *Section 36(2) of the Act does not apply in relation to the use of an expression prescribed by subregulation (1) (other than paragraph (a)) by a person, in advertising or promoting a service that he or she provides, if the person uses that expression to describe a person who is registered as a physiotherapist under the Physiotherapy Practice Act 2005. ”*

**(d) Restrictions on Provision of Chiropractic or Osteopathy by Unqualified Persons**

Section 37 of the Act states:

- “(1) *A person must not provide restricted therapy unless—*
- (a) *the person is a qualified person; or*
  - (b) *the person provides that therapy through the instrumentality of a qualified person.*
- Maximum penalty: \$50 000 or imprisonment for 6 months.*
- (2) *Subsection (1) does not apply in relation to restricted therapy provided by an unqualified person in prescribed circumstances or pursuant to an exemption under subsection (3).*
- (3) *The Governor may, by proclamation, exempt a person from subsection (1) if of the opinion that good reason exists for doing so in the particular circumstances of the case.*
- (4) *An exemption under subsection (3) may be subject to such conditions as the Governor thinks fit and specifies in the proclamation.*
- (5) *A person who contravenes, or fails to comply with, a condition of an exemption under this section is guilty of an offence.*
- Maximum penalty: \$50 000.*
- (6) *The Governor may, by proclamation, vary or revoke a proclamation under this section.*
- (7) *In this section—*  
*qualified person, in relation to restricted therapy, means a person authorised by or under this Act or any other Act to provide such therapy. ”*

**(e) Offence to Contravene Conditions of Registration**

Section 55 of the Act states:

*“A person who contravenes, or fails to comply with, a condition imposed under this Act on the person’s registration is guilty of an offence.*

*Maximum penalty: \$75 000 or imprisonment for 6 months. ”*

**(f) Improper Directions to Chiropractors, Osteopaths, Chiropractic Students or Osteopathy Students**

Section 58 of the Act states:

*“ (1) If a person who provides chiropractic or osteopathy through the instrumentality of a chiropractor, osteopath, chiropractic student or osteopathy student directs or pressures the chiropractor, osteopath, chiropractic student or osteopathy student to engage in unprofessional conduct, the person is guilty of an offence.”*

*Maximum penalty: \$75 000.*

*“ (2) If a person who occupies a position of authority in a corporate or trustee chiropractic or osteopathy services provider directs or pressures a chiropractor, osteopath, chiropractic student or osteopathy student through whom the provider provides chiropractic or osteopathy to engage in unprofessional conduct, the person and the provider are each guilty of an offence.”*

*Maximum penalty: \$75 000.*

**(g) Procurement of Registration by Fraud**

Section 59 of the Act states:

*“A person who, by fraud or any other dishonest means, procures registration or reinstatement of registration under this Act (whether for himself or herself or for another person) is guilty of an offence.*

*Maximum penalty: \$20 000 or imprisonment for 6 months. ”*

**(h) False or Misleading Statement**

Section 61 of the Act states:

*“A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided under this Act.*

*Maximum penalty: \$20 000. ”*

**(i) Report to Board of Cessation of Status as Student**

Section 63 of the Act states:

*“ (1) The person in charge of an educational institution must, if a chiropractic student or osteopathy student completes, or ceases to be enrolled in, a course of study at that institution providing qualifications for registration on the register of chiropractors or register of osteopaths, cause written notice of that fact to be given to the Board.*

*Maximum penalty: \$5 000.*

*(2) A person registered on the chiropractic student register or the osteopathy student register who completes, or ceases to be enrolled in, the course of study that formed the basis for that registration must cause written notice of that fact to be given to the Board.*

*Maximum penalty: \$1 250. ”*

# CHIROPRACTIC & OSTEOPATHY BOARD OF SOUTH AUSTRALIA

## Guidelines For Fieldwork Programs in South Australia

The Chiropractic & Osteopathy Board of South Australia believes that the period of fieldwork following completion of the academic component of the chiropractic and osteopathy undergraduate course is extremely important. It should be a challenging and stimulating period that introduces the student to clinical practice and refines practical skills.

To ensure that the period of fieldwork is undertaken with clear understanding, the Board believes it is necessary to provide these guidelines to students and supervising practitioners. They are designed to establish the minimum standards expected by the Board and to make clear any relevant sections of the Chiropractic & Osteopathy Practice Act 2005 that may apply to this program. Failure to comply with these guidelines may make the student and/or the supervising practitioner liable to disciplinary action by the Board.

### **1. Aim of the Fieldwork Program**

The Board believes that the aims of the fieldwork programme should be to:

- provide chiropractic or osteopathy care under supervision;
- develop skills in interpersonal relationships;
- develop skills in record keeping and associated administrative procedures;
- reinforce professional ethics and responsibility;
- develop commitment to continuing professional education;
- develop patient management and treatment skills.

### **2. Entrance Requirements**

The fieldwork program is available to students in the final year of the course who have completed all aspects of an accredited chiropractic or osteopathy course, including the Clinical Proficiency Assessment, with the exception of the final examinations.

Pursuant to the Chiropractic & Osteopathy Practice Act 2005, these students must also be registered with the Board on either the Chiropractic Student Register or the Osteopathy Student Register. Information on registration is available in the "Guidelines on Registration" booklet which can be downloaded from the Board's website ([www.cbsa.saboard.com.au](http://www.cbsa.saboard.com.au)) under "Publications" or requested from the office of the Board (08 8443 9669). There is no fee applicable for student registration.

### **3. Approval**

The Board expects that the institution at which the student is studying ("the institution") request, in writing, approval from the Board of the clinic and supervising practitioner for the fieldwork placement. This will allow the Board to perform an inspection of the premises on behalf of the institution, if necessary, and thus ensure an appropriate learning environment for the student.

It is expected that the fieldwork placement will be for a finite period, defined in the approval request from the institution. The placement may be extended only with written permission from the Board and the institution.

#### **4. Notification**

The Board will, on approval of the placement request, inform both student and supervisor of their respective responsibilities in relation to this program.

The Board would expect to be notified if a placement is terminated prior to the pre-arranged expiry date, if another practitioner is to become responsible for the student's supervision or if the location of the placement is to be changed.

#### **5. Supervision**

The Board requires that the student be under the direct supervision of the practitioner approved for the fieldwork placement. This means that the approved supervisor is physically on the same premises and is generally aware of the activities of the student, but is not necessarily in the same room at all times. The supervisor retains overall responsibility for patient care and ensures that patient records are maintained in an acceptable manner.

#### **6. Approved Supervisor**

The role of supervisor is extremely important. Approval ensures a professional relationship of accountability for the student's work is established.

It is the supervisor's role to:

- Provide the student with systematic, high level instruction in both the basic sciences and practical service.
- Demonstrate skills in the assessment, treatment and management of patients to the student.
- Reinforce appropriate protocols for record keeping and clinic administration.
- Discuss legal responsibilities and relevant legislation with the student.
- Discuss the ethical issues surrounding the practice of chiropractic or osteopathy with the student.
- Discuss the models of chiropractic or osteopathy care with the student.
- Instruct the student on the etiquette of relationships with patients, other chiropractors or osteopaths, and other health professionals.
- Observe the student practising in the clinic setting.
- Provide the student with regular feedback on performance.
- Identify themselves to the patient in the initial consultation.
- Ensure their availability for consultation with student and/or patient if required.

The student's institution should be informed immediately in the following circumstances:

- If the supervisor wishes to terminate the placement or their involvement in the fieldwork program.
- If there is to be a change of supervisor.
- If there is to be a change of location of the placement.
- If the supervisor believes that the student's skill level is inadequate, to the point of jeopardising patient care.

#### **7. Informed Consent**

Each patient observed and/or treated by a fieldwork student should provide informed consent. For this to be given, patients should be clearly informed of the presence and status of the student. This is particularly important if the student is to adjust the patient. Consent should be recorded in the case notes and preferably signed by the patient.

## 8. Insurance

It is a requirement of the Board that the institution at which the student is studying provides professional indemnity insurance cover for the student, covering anything that arises from the period of the specified approved placement.

The student should keep a record of the names and details of all patients who have been under his/her care during a placement and make that record available to the institution and its insurer to the extent necessary for insurance purposes.

The student is expected to advise the institution immediately if there is any incident involving the care of a patient.

It is also advisable that the supervising practitioner notify his/her insurer of the presence of a fieldwork student in the clinic.

## 9. Payment

Payment to the fieldwork student is to be at the discretion of the approved supervisor.

## 10. Titles

A number of restrictions of title apply to the fieldwork student. They are as follows:

- The student or supervisor must not imply in any way that the student is a registered chiropractor or registered osteopath or holds a qualification which has not been conferred.
- The student or supervisor must not use the words “*chiropractor*”, “*osteopath*”, “*manipulative therapist*” or “*spinal therapist*” or any of their derivatives to describe the student or the services they provide.
- The student must not use the title “Dr”.
- The student may use either the title “*chiropractic student*” or “*osteopathy student*”.

## 11. General Restrictions

Students should not provide care to WorkCover, SGIC Third Party or DVA patients as these bodies insist that a registered chiropractor or osteopath provides care to the patient.

Services provided by students only will not be recognised for benefit purposes from the health funds.