
PODIATRISTS REGISTRATION ACT 1974

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PODIATRISTS REGISTRATION

No. 39 of 1974

AN ACT to make provision for the registration of podiatrists (also known as chiropodists) and the regulation of the practice of podiatry (also known as chiropody) and for matters incidental thereto, and to amend the Ladies' Hairdressers and Beauty Culturists Act 1939.

[14 October 1974]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

PART I

PRELIMINARY

1 This Act may be cited as the *Podiatrists Registration Act 1974*. Short title.

Interpretation.

2 In this Act, unless the contrary intention appears—

- “ Board ” means the Podiatrists Registration Board established under section 3;
- “ Director-General ” means the Director-General of Health Services;
- “ medical member ” has the meaning assigned to that expression by section 3 (2) (b);
- “ medical practitioner ” means a legally-qualified medical practitioner;
- “ physiotherapist ” means a person whose name is entered in the register of physiotherapists kept as required by the *Physiotherapists' Registration Act 1951*;
- “ podiatric procedure ” means any procedure that is recognized within the profession of podiatry as a procedure in the course of the practice of podiatry;
- “ podiatrist member ” has the meaning assigned to that expression by section 3 (2) (a);
- “ podiatry ” means the diagnosis and treatment by medical, electrical, mechanical, or manual methods of ailments or abnormal conditions of the human foot, but does not include surgical treatment other than such treatment of the epidermis and epidermal derived tissues for those purposes or either of them;
- “ practice ” means the lawful practice of podiatry;
- “ register ” means the Register of Podiatrists maintained as required by Part III;
- “ registered podiatrist ” means a person whose name is entered in the register.

PART II

ADMINISTRATION

3—(1) There shall be a Podiatrists Registration Board which shall be a body corporate having perpetual succession and a common seal.

(2) Subject to section 4 and this section, the Board shall consist of the Director-General who shall be the chairman and four other members appointed by the Governor, of whom—

- (a) two shall be persons (in this Act referred to as the “ podiatrist members ”) appointed on the nomination of the Tasmanian branch of the Australian Association of Chiropodists; and

(b) two shall be medical practitioners (in this Act referred to as the "medical members") appointed on the nomination of the Minister, one of whom shall be an orthopaedic surgeon.

(3) The Director-General may nominate a medical practitioner who is an officer of the Public Service employed in the Department of Health Services to act, either generally or in any particular case, as the chairman of the Board during any absence from a meeting of the Board of the Director-General, and, notwithstanding subsection (2), the person so nominated shall, during any absence of the Director-General, act as the chairman of the Board.

(4) If the Tasmanian branch of the Australian Association of Chiropodists ceases to exist, or ceases to exist under that name, the Governor may, by order, declare that this section shall have effect as if references therein to that body were references to a body specified in the order, and this section shall, on the coming into force of that order, have effect accordingly.

(5) Where, in the case of the appointment to the Board of a podiatrist member, no nomination is received as required by subsection (2) (a) for that appointment, the Governor may appoint as a member of the Board such person as he considers suitable in the circumstances.

(6) The members of the Board are not, as such, subject to the *Public Service Act 1973*, but an officer of the Public Service may hold office as a member of the Board together with his office in the Public Service.

(7) Subject to subsection (8), the members of the Board are entitled to receive—

(a) such sitting fees or remuneration; and

(b) such travelling and other allowances and expenses, as the Governor may determine.

(8) Notwithstanding subsection (7) (a), an officer of the Public Service who is a member of the Board shall be entitled to receive, by way of fees or remuneration, such sums (if any) as the Public Service Board may determine being sums not exceeding any determined by the Governor under that subsection.

Term of office
and removal of
members of
the Board.

4—(1) This section does not apply to the chairman of the Board.

(2) Subject to this section, a member of the Board, unless he sooner resigns or is removed from office, or otherwise ceases to hold office, continues in office for a period of three years from the date on which he was last appointed a member of the Board.

(3) Where a member of the Board dies or ceases to hold office otherwise than by reason of the effluxion of time, the Governor may, to fill the vacancy, appoint a person to be a podiatrist member or a medical member, as the case may require, and the person so appointed ceases to hold office at the expiration of the unexpired term of office of the member in whose place he is appointed.

(4) A person who is not a medical practitioner shall not, under subsection (3), be appointed as a medical member.

(5) The Governor may remove from office any member of the Board who, he is satisfied—

- (a) has become permanently incapable of carrying out the duties of his office;
- (b) has misconducted himself in the performance of the duties of his office;
- (c) has, without leave of the Board, been absent from three or more consecutive meetings of the Board;
- (d) has applied to take, or takes, advantage of any law relating to bankruptcy, or has compounded, or entered into an arrangement, with his creditors;
- (e) has been convicted (whether in this State or elsewhere) of an offence of such a nature that, in the opinion of the Governor, renders it improper for him to continue to be a member of the Board;
- (f) being a podiatrist member, his registration under this Act is cancelled or suspended or his name is, for any reason, removed from the register kept under this Act; or
- (g) being a medical member, his registration under the *Medical Act 1959* is cancelled or suspended or his name is, for any reason, removed from the register kept under that Act.

(6) A member of the Board shall not be removed from office otherwise than in accordance with this section.

Proceedings
of the Board.

5—(1) The Board shall meet at least quarterly at such times and at such places as the Board shall decide.

(2) The chairman of the Board or his nominee or, if neither is present, such one of the other members present as they choose, shall preside at meetings of the Board.

(3) The chairman or other person presiding at a meeting of the Board has a deliberative vote only and, in the event of an equality of votes on any matter before a meeting of the Board, that matter stands adjourned to the next meeting of the Board.

(4) Three members of the Board constitute a quorum at any meeting of the Board.

(5) Subject to this Act the Board may regulate its own proceedings.

6—(1) The Board may, with the approval of the Minister, appoint a person to be the registrar and secretary of the Board and such other officers as the Board may consider necessary for the purpose of the administration of this Act, and may pay to that secretary and those other officers such remuneration as the Board may, with the approval of the Minister, determine. Secretary and other officers.

(2) If a person is not appointed under subsection (1) to be the registrar and secretary of the Board, the Minister, at the request of the Board, may, with the approval of the Public Service Board, appoint an officer of the Public Service to be the registrar and secretary of the Board, and the person so appointed may hold office as secretary and registrar of the Board together with his office in the Public Service.

(3) For the purpose of the exercise of its functions the Board may, with the approval of the Public Service Board given on the recommendation of the Minister, make use of the services of officers of the Public Service.

7—(1) The Board may appoint persons to be inspectors for the purposes of this Act. Inspectors.

(2) A person appointed by the Board under section 6 (1) may be appointed an inspector under this section.

(3) No officer of the Public Service may be appointed an inspector under this section except with the approval of the Public Service Board given on the recommendation of the Minister but such an officer so appointed may hold office as an inspector together with his office in the Public Service.

(4) An inspector shall carry out such inquiries and investigations as the Board may direct for the purpose of ascertaining in any particular case whether or not the provisions of this Act are being complied with.

Finances of the Board.

8—(1) The fees paid under this Act shall be paid to the Board and shall be applied by it in defraying the expenses incurred by it in the exercise of its functions.

(2) The Board shall keep such accounts as may be prescribed.

(3) The accounts of the Board are subject to the *Audit Act* 1918.

PART III

REGISTRATION OF PODIATRISTS AND CONTROL OF PRACTICE OF PODIATRY

Division I—Registration of podiatrists

Commencement.

9 Except as otherwise provided therein, this Part shall commence on a day to be fixed by proclamation.

Register of podiatrists.

10—(1) The registrar shall maintain a register to be called the Register of Podiatrists in which he shall enter particulars of—

- (a) the grant of registration to any person and the date of that grant;
- (b) the cancellation of the registration of any person and the date of that cancellation;
- (c) the suspension of any registration and the period of that suspension;
- (d) the restoration of any registration and the date of that restoration; and
- (e) the death of any registered podiatrist.

(2) The Board may cause to be entered in the register a note of the qualifications that it is satisfied have been obtained by a registered podiatrist but no matter shall be entered in the register under this subsection except on the application of the person to whom it relates.

(3) Not later than 31st December in each year, the Board shall furnish the Minister with a copy of the register so far as it relates to persons who were registered podiatrists on that day and the Minister shall forthwith cause that copy to be published in the *Gazette*.

(4) Subject to subsection (5), the production of a copy of the *Gazette* containing a copy of the register is sufficient evidence, unless the contrary is shown, of the subsistence of the registrations indicated therein and that no other registrations subsist.

(5) Production of a document purporting to be a certified copy of an entry in the register signed by the registrar is sufficient evidence, unless the contrary is shown, that that entry was duly made in the register.

11—(1) Subject to this section, a person who applies to be registered under this Act shall be so registered if the Board is satisfied that he—

Persons
entitled to be
registered.

- (a) has been registered as a chiropodist by the Chief Inspector of Factories of the Department of Labour and Industry prior to the commencement of this Part of this Act under the *Ladies' Hairdressers and Beauty Culturists Act 1939*;
- (b) has completed the prescribed course of training and passed the prescribed examination;
- (c) is the holder of a qualification obtained after a course of training undergone outside this State which is recognized by the Board as being substantially equivalent to that prescribed; or
- (d) being the holder of a qualification obtained after a course of training undergone outside this State which is not recognized by the Board as being substantially equivalent to that prescribed, has undergone such supplementary training as the Board considers necessary and has passed the prescribed examination,

and that he would not, if registered, be liable to have that registration cancelled or suspended as provided by this Act.

(2) A person shall not be registered under this Act unless the Board is satisfied that—

- (a) he has sufficient command of the English language to readily communicate with patients who normally use that language;
- (b) he has paid the fees prescribed for registration and examination; and
- (c) if coming to this State from another State, he has a certificate of good standing from the podiatrists' or chiropodists' registration authority of that other State.

Renewal of
registration.

12—(1) The registration or renewal of registration of a person under this Act is effective until and including 31st December of the year in respect of which it is granted.

(2) Where a person who is registered under this Act fails to apply for renewal of registration before 30th November of the year in respect of which he is so registered and in consequence his registration expires, he may, within 12 months of the expiration of his registration and on payment of the fee for renewal together with such additional fee (not exceeding half the prescribed annual registration fee) as the Board directs, be granted a renewal of his registration.

Provisional
registration.

13—(1) For the purpose of allowing a person not registered in accordance with this Act to carry out podiatric procedures, a member of the Board may, if satisfied that the person is entitled to registration under this Act, grant him provisional registration.

(2) On granting provisional registration to any person, the member of the Board so doing shall forthwith give notice thereof to the registrar of the Board.

(3) When granting provisional registration, the member of the Board so doing shall specify an institution or place in relation to which the provisional registration is granted.

(4) A provisional registration under this section shall be effective—

(a) until an application by the person so provisionally registered to be registered under this Act is accepted or rejected by the Board; or

(b) the expiration of the period of 6 months from the day of the grant of the provisional registration,

whichever is the sooner.

Effect of
provisional
registration.

14 A person to whom provisional registration under section 13 is granted may, for so long as it continues effective, notwithstanding any other provisions of this Act, carry out podiatric procedures at the institution or place referred to in the grant of provisional registration.

Division II—Disciplinary and other procedures

Inquiries into
professional
conduct.
Cf. No. 80 of
1959, s. 24.

15—(1) The Board may require a registered podiatrist to appear before it to enable an inquiry to be held with respect to any complaint made to the Board concerning the conduct of that podiatrist in a

professional respect and if, on that inquiry, the Board is satisfied, in respect of any matter, that he has failed to carry out his professional duties adequately or properly to accept his professional responsibilities, it may censure or reprimand him.

(2) Where in the course of an inquiry under this section the Board is of opinion that proceedings should be taken against the podiatrist under any other provision of this Part it shall discontinue the inquiry and institute those proceedings.

(3) Where a registered podiatrist, in accordance with this section, has been required to attend a meeting of the Board held for the purposes of an inquiry under this section with respect to a complaint concerning his conduct, and he fails, without good and sufficient reason, to attend that meeting, the Board may charge to him the costs of that meeting and may suspend his registration until such time as those costs are paid.

(4) Where a registered podiatrist, in accordance with this section, has been twice required to attend such a meeting of the Board as is referred to in subsection (3), the Board, without prejudice to the exercise of its powers under that subsection, may carry out the inquiry in his absence.

(5) For the purposes of this section, a requirement made of a registered podiatrist to attend a meeting of the Board shall be made by a notice in writing served on him at least fourteen days before the date of the meeting in like manner as a summons may be served under section 25.

16—(1) On a charge against a registered podiatrist of professional misconduct in respect of any matter the Board—

Professional
misconduct.
Ibid., s. 25.

- (a) if it finds that the conduct to which the charge relates is infamous conduct in a professional respect, may remove his name from the register; or
- (b) if it finds that that conduct is improper conduct in a professional respect, may deal with his case under section 24.

(2) A charge under this section may be made by the Board either on its own motion or upon a complaint made by a person who is aggrieved by any conduct of the registered podiatrist against whom the complaint is made.

(3) Where the Board receives such a complaint as is referred to in subsection (2) it may require the person making the complaint—

(a) to give further particulars of the grounds of the complaint; and

(b) to verify by statutory declaration the complaint or those particulars.

(4) Where on consideration of such a complaint as is referred to in subsection (2) made in respect of a registered podiatrist and any further particulars that may have been furnished in relation thereto the Board is of opinion that there has been established against him a *prima facie* case of infamous conduct or improper conduct in a professional respect it shall charge him under this section.

(5) Nothing in this section shall be construed as preventing the Board from taking action under any of the following provisions of this Division in any case in which it considers it appropriate so to do.

(6) Without prejudice to the generality of the expression “improper conduct in a professional respect”—

(a) negligence or incompetency in practice amounts to improper conduct in a professional respect; and

(b) subject to the following provisions of this section, it is improper conduct in a professional respect for a registered podiatrist to put on his plate or stationery or use in any other way in connection with his practice any qualifications related to competency in practice that is not shown as his in the register.

(7) Nothing in this section affects the use in an academic or scholastic connection of a degree, diploma, or academic title conferred by a university, college, or society, having power to do so by the law of the jurisdiction within which it is situated.

Crimes and
drug offences.
Ibid., s. 26.

17—(1) Where a registered podiatrist has at any time been convicted in this State or elsewhere of—

(a) a crime, or of any offence that, if it had been committed in this State, would have been a crime; or

(b) an offence under a law prohibiting or regulating the possession, sale, use, supply, prescription, or other dealing in or with any poison, drug, or similar substance,

the Board may remove his name from the register or deal with his case under section 24 (otherwise than by the imposition of a fine).

(2) Where before a person is granted registration he gives the Board full particulars of his conviction for any offence this section does not apply in relation to that conviction.

18 Where the Board is satisfied that a registered podiatrist has taken alcohol or drugs to excess and has thereby, either generally or at certain times, been rendered incapable of adequately performing the functions of a podiatrist or of assuming the full responsibilities of a podiatrist, it may remove his name from the register or deal with his case under section 24. Taking of alcohol or drugs. *Ibid.*, s. 27.

19—(1) Where the Board is satisfied that a registered podiatrist is suffering from mental disorder of such a nature or degree as to render him incapable of adequately performing the functions of a podiatrist or assuming the full responsibilities of a podiatrist, it may suspend his registration for such period as it thinks proper or remove his name from the register. Mental disorder. *Ibid.*, s. 28.

(2) Where it appears to the Board that grounds may exist for the exercise of the powers conferred on it by this section, or it receives information from any person from which it appears that those grounds may exist, it shall serve notice on the Medical Commissioner of Mental Health Services stating that it proposes to inquire into the matter.

(3) Where notice is served on the Medical Commissioner of Mental Health Services under subsection (2), he shall take such steps as he considers necessary or desirable to protect the interests of the registered podiatrist and, in particular, the Board shall not exercise the powers conferred on it by this section in relation to the matters specified in the notice unless it has heard the Commissioner thereon or some other medical practitioner authorized by him in that behalf.

(4) The expenses reasonably incurred by the Medical Commissioner of Mental Health Services under this section in relation to a registered podiatrist may be recovered by the Minister as a debt due to the Crown by that podiatrist.

(5) Section 25 (5) and (6) apply where a podiatrist is liable to suffer removal from the register, or suspension, under this section.

Practising
outside
limitations.
Ibid., s. 29.

20 Where a registered podiatrist who holds a provisional registration has, without reasonable justification (proof whereof lies on him), practised otherwise than in accordance with the limitations imposed on his registration, the Board may deal with his case under section 24.

Practitioners
removed from
register or
suspended in
other
jurisdictions.
Ibid., s. 29A.

21—(1) Where a registered podiatrist has, at any time, as a result of any proceedings against him, been excluded from practice in any jurisdiction outside this State (otherwise than for a specified period) the Board may remove his name from the register.

(2) Where, as a result of any proceedings against him, a registered podiatrist is excluded from practice in any jurisdiction outside the State for a specified period the Board may suspend his registration for the like period.

(3) This section does not apply to the exclusion of a registered podiatrist from practice unless that exclusion arises from a matter that relates to his conduct in a professional respect or would, in this State, afford grounds for his removal from the register or the suspension of his registration, and, in particular, does not apply where the exclusion was imposed for political reasons or on account of the religious views of the podiatrist.

Withdrawal,
&c., of
qualifications.
Ibid., s. 29B.

22—(1) Where any qualification that is held by a registered podiatrist that is registered, or may be registered, has been withdrawn, cancelled, or revoked by the body or authority by which it was conferred, the Board may make a note of the fact in the register.

(2) Where the qualification referred to in subsection (1) is a recognized qualification for the purposes of section 11 the Board may remove the name of the registered podiatrist from the register or deal with his case under section 24 (otherwise than by the imposition of a fine).

(3) Subsection (2) of this section does not apply where the qualification was withdrawn, cancelled, or revoked for political reasons or on account of the religious views of the podiatrist.

Removal from
register on
grounds of
fraud or error.
Ibid., s. 29C.

23—(1) If it is proved to the satisfaction of the Board that an entry in the register has been fraudulently or incorrectly made, the Board may cause the entry to be erased from the register.

(2) A person may be registered in pursuance of any provision of this Act notwithstanding that his name has been erased under subsection (1) but, if it was so erased on the grounds of fraud,

the Board may, if it thinks fit, decide that he shall not be restored or shall not be registered until the expiration of such period as it may specify.

24—(1) Where the Board may deal with the case of a registered podiatrist under this section, it may—

Subsidiary
disciplinary
powers.
Ibid., s.29b.

- (a) suspend his registration for such period as it thinks proper;
- (b) order him to pay a fine of such amount, not exceeding \$400, as it thinks proper;
- (c) require him to give to the Board an undertaking under this section; or
- (d) reprimand him.

(2) An undertaking given to the Board under this section is an undertaking to comply, during such period as the Board specifies, with such conditions as it may specify and, at any time within that period, to appear before the Board when required by it so to do.

(3) A condition referred to in subsection (2) may be a condition requiring the podiatrist to be of good behaviour or any other condition that the Board may consider it necessary or desirable to impose in the public interest.

(4) Where the Board is satisfied that a registered podiatrist has failed to comply with an undertaking given by him under this section it may exercise, in relation to him, any of the powers it could have exercised if it had not required him to enter into the undertaking or may require the terms of the undertaking to be varied.

(5) Where the Board requires a registered podiatrist to enter into an undertaking under this section, or requires the terms of such an undertaking to be varied, and, within such time as the Board may allow, that undertaking is not given or so varied, the Board may exercise, in relation to him, any of the powers that it could have exercised if it had not required the undertaking to be entered into or varied.

25—(1) Where the Board charges a person with professional misconduct it shall summon that person to appear before it by means of a summons stating that he is so charged and specifying the matters in respect of which he is so charged.

Procedure on
charges, &c.
Ibid., s. 29g.

(2) Except in a case to which subsection (1) applies, where the Board proceeds to determine whether, in pursuance of any provision

of this Division (other than section 15), it should exercise any of the powers conferred on it by this Division in respect of any person, it shall summon him to appear before it by means of a summons stating that it intends so to proceed and specifying—

- (a) the provision pursuant to which it so intends to proceed; and
- (b) the matters in relation to which it so intends to proceed.

(3) A summons under this section requiring a person to appear before the Board shall be served at least fourteen days before the day on which he is required by the summons so to appear.

(4) A summons under this section shall be sealed with the common seal of the Board and may be served on the person on whom it is required to be served—

- (a) by delivering it to him personally; or
- (b) by sending it by registered post addressed to him at his usual or last known place of abode or practice.

(5) If a person duly served with a summons under this section fails to appear in accordance with the summons or, having so appeared, absents himself from the hearing of the charge or other matter to which the summons relates, the Board may proceed as if he were present.

(6) In any proceedings to which this section relates the Board may have counsel to appear before it to assist it in any matter arising in the course of those proceedings and any person appearing before the Board in those proceedings may be represented by counsel.

(7) Where the Board exercises in respect of a registered podiatrist—

- (a) its power under this Division to remove his name from the register or to suspend his registration; or
- (b) any of its powers under section 24,

it shall express its decision in the form of an order which shall be served on, or notified to, him in the same way as a summons under this section.

(8) Except as otherwise provided in section 19, this section does not apply to proceedings under that section.

26—(1) Any finding of fact relating to the conduct of a registered podiatrist made in any proceedings in a court (whether in this State or elsewhere) to which he is a party is, in any proceedings under this Division, *prima facie* evidence of that fact.

(2) Where a qualification held by a registered podiatrist is withdrawn, cancelled, or revoked by the body or authority by whom it was awarded or granted, any finding of fact relating to the conduct of that practitioner made in the proceedings as a consequence of which that qualification was so withdrawn, cancelled, or revoked that is notified to the Board by that body or authority is, in any proceedings under this Division, sufficient evidence of that fact.

27—(1) A person who is aggrieved by a decision of the Board under this Division—

Appeals to
Supreme Court.
Ibid., s. 29g.

(a) removing his name from the register or suspending his registration; or

(b) exercising any of its powers under section 24, may appeal to the Supreme Court and, on any such appeal the Court, unless it dismisses the appeal, may, by order, quash or vary the decision of the Board, or make such decision in the case as the Board could have done.

(2) A decision made by the Board in respect of which an appeal is brought under this section has effect subject to any order made by the Court on that appeal, and any such order has the like effect as if it were made by the Board.

(3) This section applies to a decision of the Board under section 15 (1) as it applies to a decision referred to in subsection (1).

28—(1) Where the name of a person has been removed from the register under this Division the Board may, on the application of that person, restore his name to the register if it considers it proper to do so.

Restoration to
the register.
Ibid., s. 29h.

(2) An application for the restoration of a name to the register shall not be made to the Board—

(a) before the expiration of twelve months from the date of removal; or

(b) before the expiration of twelve months from the date on which such an application was previously made.

(3) Subsection (2) does not apply where the name of the person has been removed from the register under section 19.

(4) The Board may require any person applying for the restoration of his name to the register to attend personally before the Board for the purpose of proving facts on which his application depends.

Effect of
removal from
register or
suspension.
Ibid., s. 29j.

29—(1) Where the name of any person is removed from the register any registration granted to him that was in force immediately before his name was so removed ceases to be of effect, but again becomes of effect if and when his name is restored to the register.

(2) Where the registration of any person is suspended for a period any registration granted to him that was in force immediately before the date on which the registration was suspended ceases to be of any effect during that period.

Notification of
removal from
register, &c.,
to other
authorities.
Ibid., s. 29k.

30 Where a registered podiatrist has had—

- (a) his name removed from the register; or
- (b) his registration suspended,

under this Division, the Board may notify the removal or suspension, and the cause thereof, to any authority outside the State by whom he is registered as a podiatrist and to any body that has granted him a qualification that may be registered under this Act.

Division III—Control of practice of podiatry

Offences in
relation to
practice of
podiatry.

31—(1) No person, other than a registered podiatrist, shall take or use the description “podiatrist” or “chiropracist”, either alone or in conjunction with any other name, title, or description, unless it is taken or used in such circumstances as to indicate that that person does not carry out, and does not purport to be qualified to carry out, podiatric procedures.

(2) No person shall take or use any name, title, addition or description falsely implying, or shall otherwise pretend, that he is a registered podiatrist.

(3) Subject to this section, no person other than a medical practitioner, a physiotherapist, a registered nurse in the normal course of her duty, or a registered podiatrist shall carry out for a fee or reward any podiatric procedure.

(4) Subsection (3) does not prohibit the carrying out of a podiatric procedure by a person undergoing a course of training prescribed for the purposes of section 11 (1) if that procedure is carried out under the direction of a person who is not, under the foregoing provisions of this section, prohibited from himself carrying out that procedure.

(5) No registered podiatrist shall carry on the practice of podiatry under any name (whether or not a company or firm name) other than his own unless he has the approval of the Board to do so (which approval the Board is hereby authorized to give).

(6) A person who contravenes any provision of this section is guilty of an offence and liable to a penalty of \$100.

(7) This section shall commence at the expiration of a period of three months from the commencement of this Part.

PART IV

MISCELLANEOUS

32 This Part shall commence on a day to be fixed by proclamation. Commencement of Part.

33 A person who procures or attempts to procure the grant or restoration of registration under this Act by wilfully making or producing or causing to be made or produced, either orally or in writing, any declaration, certificate, or representation which he knows to be false or fraudulent is, in addition to any other offence he may thereby commit, guilty of an offence against this Act and is liable to a penalty of \$100. Misrepresentations in relation to registration.

34 Where a notice is required to be served on any person for the purposes of this Act that notice may be so served— Service of notices.

(a) by delivering to him personally; or

(b) by sending it by certified mail addressed to him at his usual or last known place of abode or at any institution or other place at which he holds any employment or appointment.

35—(1) The Board, with the approval of the Governor, may formulate rules governing the practice of podiatry, failure to comply with which on the part of a registered podiatrist shall be deemed to constitute improper conduct in a professional respect. Ethical standards.

(2) Nothing in this section prevents any matter not dealt with in the rules formulated under this section from being treated for the purposes of this Act as improper conduct in a professional respect.

36—(1) The Governor may make regulations for the purposes of this Act. Regulations.

(2) Without derogating from subsection (1), the regulations may prescribe—

- (a) the procedure to be adopted by the Board when conducting, and for the purposes of, an inquiry under section 15;
- (b) the circumstances in which the Board may approve of a registered podiatrist carrying on practice in a name other than his own;
- (c) conditions (not inconsistent with this Act) to be complied with before registration, or renewal of registration, under this Act may be granted;
- (d) the course of training to be completed by persons, not otherwise qualified to be registered under this Act, before such registration can be granted;
- (e) the supervision and conduct, and standards, of examinations for the purposes of this Act;
- (f) the manner in which a person registered under this Act may advertise the practice of his profession and the content of such advertisements;
- (g) the methods of diagnosis or treatment, and restrictions on the methods of diagnosis and treatment, used in the practice of podiatry;
- (h) the circumstances in which persons engaged in the practice of podiatry at the commencement of this Act may, without further qualification, be granted registration under this Act;
- (i) fees for the purposes of this Act;
- (j) entry to and inspection of any premises in which a registered podiatrist carries on the practice of his profession, and inspection of any equipment therein, and examination of any podiatric practices carried out therein; and
- (k) penalties, not exceeding \$100, for breach of, or failure to observe, any regulation made under this Act together with a daily penalty of \$20.

Amendment of
Ladies'
Hairdressers
and Beauty
Culturists Act
1939.

37 The *Ladies' Hairdressers and Beauty Culturists Act 1939* is amended—

- (a) by omitting from the title thereof the word “ chiropodists,”;
- (b) by inserting, at the end of section 3 (b), the word “ or ”;
- (c) by omitting section 3 (c);
- (d) by omitting, from section 4 (1), the word “ chiropodist,”;

- (e) by inserting, at the end of section 8 (b), the word “ or ”;
- (f) by omitting section 8 (c); and
- (g) by omitting, from section 8A (2), the word “ chiropodist,”.