

1971/195



THE PHYSIOTHERAPY REGULATIONS 1953,  
AMENDMENT NO. 4

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 20th day of September 1971

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Physiotherapy Act 1949, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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|---|-------------------------------|
| 1. Title and commencement                 | 7. Appeals                    |
| 2. Course of training                     | 8. Fees                       |
| 3. Notifications from training school     | 9. Schedules                  |
| 4. The State Examination in Physiotherapy | 10. Consequential revocations |
| 5. Interruption of training               | 11. Saving of existing rights |
| 6. Registration                           | Schedule                      |

REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Physiotherapy Regulations 1953, Amendment No. 4, and shall be read together with and deemed part of the Physiotherapy Regulations 1953\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the seventh day after the date of their notification in the *Gazette*.

**2. Course of training**—(1) Regulation 4 of the principal regulations is hereby amended by adding to subclause (3) the following proviso:

“Provided that the Board may, generally or in relation to any particular case or class of cases, permit persons who do not hold such teaching qualifications and are not so approved to deliver lectures and instruction in such circumstances and subject to such conditions, including conditions regarding the qualifications which those persons shall hold and the subject or subjects that they may teach, as the Board may from time to time determine”.

\*S.R. 1953/151

Amendment No. 1: S.R. 1961/143

Amendment No. 2: S.R. 1966/6

Amendment No. 3: S.R. 1968/163

(2) The said regulation 4 (as amended by regulation 2 of the Physiotherapy Regulations 1953, Amendment No. 1) is hereby further amended by revoking subclauses (4) to (6) and substituting the following subclauses:

“(4) For the purpose of giving effect to the course of training required by these regulations, the Board may from time to time issue supplementary instructions for use in training schools in such form as it sees fit and any such instructions shall be deemed to be part of such course.

“(5) Every student physiotherapist shall, as part of his training, sit examinations to be known as training school examinations in such parts of his training as he shall have completed since, in the case of the first such examination, he commenced training, or since, in every other case, he sat his last training school examination. Training school examinations shall be conducted by the governing body of the training school at such intervals as the Board may from time to time determine.

“(6) Any student physiotherapist who sits but fails to pass a training school examination, and is not otherwise awarded a pass in that examination by the governing body of his training school whether he sits the examination or not, shall be deemed not to have completed that part of the course of training to which the examination relates:

“Provided that the governing body of a training school may, with the approval of the Board, which may be given generally or in relation to particular stages of training or in relation to other particular cases or classes of cases, permit the student physiotherapist to sit another examination in the same subjects, or in the subjects which he failed to pass, without repeating the whole of that part of the course of training or re-sitting the whole of that examination, as the case may require.

“(7) The Board may attach to any approval granted under subclause (6) of this regulation such conditions as it sees fit to impose.

“(8) This regulation shall be construed subject to the provisions of section 20 of the Act.”

**3. Notifications from training school**—Regulation 5 of the principal regulations is hereby amended by inserting, after the word “physiotherapists”, the words “and on any other matter relating to the conduct of the course of training”.

**4. The State Examination in Physiotherapy**—(1) Regulation 6 of the principal regulations is hereby amended by omitting from subclause (1) the words “and shall consist of Part I and Part II as appearing in that Schedule.”

(2) Regulation 6 of the principal regulations is hereby further amended by revoking subclauses (2) to (4), and substituting the following subclause:

“(2) No student physiotherapist shall be eligible to present himself for the State Examination unless at the date of the commencement of the examination he has completed the prescribed course of training and instruction.”

(3) The said regulation 6 is hereby further amended by revoking subclause (6), and substituting the following subclause:

“(6) Every candidate for the State Examination shall make application on a form to be provided by the Board so that the application is received by the Secretary at least 6 weeks before the date of the commencement of the examination or within such shorter period as the Board may in any particular case allow.”

(4) The said regulation 6 is hereby further amended by omitting from subclause (7) the word “with”, and substituting the words “in respect of”:

(5) The said regulation 6 is hereby further amended by revoking paragraph (b) of subclause (7), and substituting the following paragraph:

“(b) A confidential report in a form to be provided by the Board and signed by the said principal.”

(6) The said regulation 6 (as amended by regulation 3 of the Physiotherapy Regulations 1953, Amendment No. 1) is hereby further amended by revoking paragraphs (a) and (b) of subclause (8), and substituting the following paragraphs:

“(a) Permit any student physiotherapist to sit the State Examination after he has completed the prescribed period of training notwithstanding that he has not passed every training school examination:

“(b) Subject to payment of the fee for re-examination as prescribed in regulation 16 of these regulations, permit any candidate failing in the State Examination to sit such examination again at such time as the Board may decide, subject to such further training of the candidate, if any, as the Board may determine.”

**5. Interruption of training**—(1) Regulation 7 of the principal regulations is hereby amended by omitting from subclause (1) the words “the Preliminary Examination and Parts I and II of”.

(2) The said regulation 7 is hereby further amended by revoking subclause (2), and substituting the following subclause:

“(2) If any person sits the State Examination pursuant to subclause (1) of this regulation, regulation 6 shall apply as if his training had not been interrupted, and if that person passes the State Examination, he shall not be required to undergo any further training.”

**6. Registration**—Regulation 8 of the principal regulations is hereby amended by revoking subclauses (3) and (4), and substituting the following subclauses:

“(3) There shall be submitted in respect of every application for registration under paragraph (b) of section 10 of the Act such certificates and documents as the Board may require as evidence of the qualifications of the applicant.

“(4) Every person applying for registration under paragraph (b) of section 10 of the Act shall furnish such evidence as the Board may require of the nature of the training, examination, and experience on which the applicant relies, and, if so required by the Board, shall supply the Board with satisfactory proof of his identity.”

**7. Appeals**—(1) Regulation 15 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) If the Board makes a decision in respect of any person from which the person has a right of appeal under the Act, the Registrar shall forthwith inform the person of the Board’s decision and of the reason for it.”

(2) The said regulation 15 is hereby further amended by adding the following subclauses:

“(9) Notwithstanding anything in the preceding provisions of this regulation, if any person appointed to be an assessor on a Board of Appeal dies, or if the Minister is satisfied that by reason of any incapacity that person is unable to attend, or that he is unwilling to attend, any hearing or adjourned hearing of the appeal, the Minister may revoke the appointment of that person and appoint another person in his stead. Every assessor appointed under this subclause shall represent the same party to the appeal as that represented by his predecessor in office, but he need not be specified by, nor need his appointment be desired by, the party whom he shall represent:

“Provided that nothing in this subclause shall prevent the hearing of any appeal from being adjourned from time to time, or from place to place, or sine die, for the purpose of procuring the attendance of any assessor.

“(10) If any person is appointed to be an assessor pursuant to subclause (9) of this regulation after the hearing of an appeal has begun, the appeal may, at the discretion of the Magistrate, proceed from the point at which it was adjourned before the appointment, or may be reheard in whole or in part as the Magistrate shall direct.”

**8. Fees**—The principal regulations are hereby amended by revoking regulation 16 (as amended by regulation 4 of the Physiotherapy Regulations 1953, Amendment No. 1, regulation 3 of the Physiotherapy Regulations 1953, Amendment No. 2, and regulation 2 of the Physiotherapy Regulations 1953, Amendment No. 3), and substituting the following regulation:

“(1) The fee for admission to the State Examination, whether to be examined or re-examined, shall be \$35.

“(2) The fee payable on an application for registration shall be \$10.

“(3) The fee for the issue of a certificate of registration shall be \$3.

“(4) The fee for the issue of an annual practising certificate shall be \$3.

“(5) The fee for the restoration of a name to the register, pursuant to an application under section 16 (4) of the Act, shall be \$3.

“(6) The fee for a certificate of temporary registration shall be \$5.

“(7) All fees shall be paid at the time of application, or as soon thereafter as may be convenient but, in the case of a fee prescribed in subclause (1) of this regulation, before the candidate presents himself for examination or re-examination, and in any other case, before action is completed on the application.”

**9. Schedules**—The principal regulations are hereby further amended by revoking the First and Second Schedules (as substituted by regulation 5 of the Physiotherapy Regulations 1953, Amendment No. 1), and substituting the First and Second Schedules set out in the Schedule to these regulations.

**10. Consequential revocations**—The following regulations are hereby consequentially revoked:

- (a) The Physiotherapy Regulations 1953, Amendment No. 1:
- (b) Regulation 3 of the Physiotherapy Regulations 1953, Amendment No. 2:
- (c) The Physiotherapy Regulations 1953, Amendment No. 3.

**11. Saving of existing rights**—Notwithstanding anything in these regulations—

- (a) Subclauses (5) and (6) of regulation 4 of the principal regulations, as substituted by subclause (2) of regulation 2 of these regulations, shall have no application in respect of a student physiotherapist who has passed Part I of the State Examination in Physiotherapy before the commencement of these regulations:
  - (b) Any student physiotherapist who has been granted a partial pass in Part I of the State Examination in Physiotherapy before the commencement of these regulations may, at the discretion of the Board, be re-examined before the 1st day of July 1972 in any subject which he has failed to pass, and, if he passes the whole of that Part before that date, paragraph (a) of this regulation shall apply in his case as if he had passed that Part before such commencement:
  - (c) Any student physiotherapist who has been granted a partial pass in Part II of the State Examination in Physiotherapy before the commencement of these regulations may, at the discretion of the Board, be re-examined before the 1st day of July 1972 in any subject which he has failed to pass, and, if he passes the whole of that Part before that date, he shall be deemed to have passed the State Examination prescribed in the principal regulations as amended by these regulations:
  - (d) For the purposes of the preceding paragraphs of this regulation, subclause (8) of regulation 6, and subclauses (1) and (2) of regulation 16, of the principal regulations shall continue to have effect as if these regulations had not been made.
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SCHEDULE

Reg. 9

NEW SCHEDULES TO THE PRINCIPAL REGULATIONS

"FIRST SCHEDULE

Reg. 4 (1)

COURSE OF INSTRUCTION FOR PHYSIOTHERAPY STUDENTS

Anatomy and Physiology.  
 Psychology.  
 Kinesiology.  
 Kinesitherapy.  
 Manual Therapy.  
 Electrotherapy, including Ultrasonic Therapy.  
 Hydrotherapy.  
 Medicine and Surgery.  
 Clinical Practice.  
 History of Physiotherapy.  
 Professional Ethics.  
 Principles of Administration.  
 Principles of Teaching.  
 Integration with Allied Disciplines.

"SECOND SCHEDULE

Reg. 6 (1)

STATE EXAMINATION IN PHYSIOTHERAPY

The State Examination shall consist of—

- (a) Two written papers in the Practice of Physiotherapy
- (b) One practical examination in the Practice of Physiotherapy."

P. J. BROOKS,

Clerk of the Executive Council.

EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the Physiotherapy Regulations 1953, principally to change the form of the State Examination in Physiotherapy and the course of instruction for student physiotherapists.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 September 1971.

These regulations are administered in the Department of Health.