CHIROPRACTORS REGISTRATION BOARD

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14 March 2003

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19 MAR 2003

MRA Review
Productivity Commission
P O Box 80
BELCONNEN ACT 2616

Dear Sir

SUBMISSION ON TTMRA AND MRA

I have been instructed by the above Board to provide a submission in relation to the Trans Tasman Mutual Recognition Arrangement (TTMRA) and the Mutual Recognition Agreement (MRA).

Firstly, Western Australia has not signed the TTMRA. Therefore, an applicant can only apply for registration if he or she is registered in another State of Australia and then applies under MRA. Accordingly the Board's comments have been limited to the MRA.

The present Act only provides for a written notice between Boards about an applicant to state that the applicant is not the subject of disciplinary proceedings. It should include whether the person is the subject of a complaint. In many occasions, disciplinary proceedings may not occur for a number of months after a complaint is received.

As part of the Mutual Recognition Act, it would be appropriate that the level of penalties imposed by various Boards should in some way be standardised. At present, the penalties imposed in one State may result in an applicant not being considered to be subject to any disciplinary matters or penalties. Whereas, in another jurisdiction there may have been a penalty invoked.

There should be a provision that the status of an applicant be required to be obtained from all jurisdictions, not just from the last jurisdiction as shown on the Mutual Recognition form.

Whilst in principle, the philosophy of Mutual Recognition is fine, there are often situations where, collectively jurisdictions have agreed a standard for examination or accreditation. However, due to delay in amendments to legislation being past in those jurisdictions, loopholes can be created where an applicant may be able to be registered in one of those jurisdictions, contrary to the intent of the rest of the Country.

Please contact me if you have any queries.

Yours faithfully

C D EMMOTT
REGISTRAR