



Criminal offences form

Complaints about practice and title protections and advertising

Health Practitioner Regulation National Law (the National Law)

This form is for making a complaint about the use of protected titles, protected practices and advertising.

If you have a complaint about the health, conduct or performance of a registered health practitioner, you need to fill out a notification form. More information about notifications is published on the Australian Health Practitioner Regulation Agency's (Ahpra) [website](#).

Please note that under the Health Practitioner Regulation National Law as in force in each state and territory (the National Law), National Boards and Ahpra are only able to assess and take action on complaints relating to practitioners registered with one of the [15 National Boards](#).

Protected titles

National Boards have [listed all titles](#) which are protected. If you are concerned that an individual is using a [protected](#) or [specialist](#) title or pretending to be a registered practitioner when they are not, complete this form.

Protected practices

Certain practices are restricted to individuals with necessary qualifications or registration under the National Law.

Advertising

Under the National Law, you may not advertise a regulated health service or a business providing a regulated health service in a way that is false, misleading or deceptive. If you are not sure if an advertisement is within the National Law, you can find out more about National Boards' advertising guidelines, see the [advertising resources](#) section of the Ahpra website.

For definitions and more information about protected titles, protected practices and advertising, refer to *Section D: Definitions* on page 5 of this form.

You can view the relevant sections of the National Law on the [Ahpra website](#).

Privacy and confidentiality

The National Boards and Ahpra are committed to protecting your personal information in accordance with the *Privacy Act 1988* (Cth). The ways the National Boards and Ahpra may collect, use and disclose your information are set out in the collection statement relevant to this form, available at [www.ahpra.gov.au/privacy](#).

We will not share your name with the person or commercial entity who is the subject of your complaint without your consent, unless we are required by law. The circumstances where we may be required to provide your name are outlined in the Ahpra privacy policy.

By lodging this form, you confirm that you have read and understood the privacy collection statement. *Ahpra's privacy policy* explains how you may access and seek correction of your personal information held by Ahpra and the National Boards, how to complain to Ahpra about a breach of your privacy and how your complaint will be dealt with. This policy can be accessed at [www.ahpra.gov.au/privacy](#).

Completing this form

- If required, attach additional pages with information that does not fit in the space provided.
- Use a black or blue pen only.
- Print clearly in block letters.
- Place X in all applicable boxes.

Please send this form with required attachments to:

By mail

Attention: Offence Assessment Team
Ahpra
GPO Box 9958
Melbourne VIC 3001

By email

offence.complaints@ahpra.gov.au

You can call Ahpra on 1300 419 495 or lodge an enquiry at [www.ahpra.gov.au](#)

SECTION A: Your details

1. What is your role in this complaint?

- The patient
 Friend of the patient
 Relative of the patient
 Lawyer of the patient
 Education provider
 Employer
 Carer
 A health practitioner – *specify profession below*

- Other – *specify below*

If you are a colleague, please indicate your relationship to the health practitioner/student:

- Senior
 Peer
 Junior

**2. What is your name?**

Title MR MRS MISS MS DR Other – *specify*:

Family name

First given name

 I wish to remain anonymous**3. What are your contact details?**

Provide your current contact details below – place an next to your preferred contact phone number.

Business hours

After hours

Mobile

Email

4. What is your mailing address?

Address (e.g. 123 JAMES AVENUE; or UNIT 1A, 30 JAMES STREET; or PO BOX 1234)

City/Suburb/Town

State or territory (e.g. VIC, ACT)/International province

Postcode/ZIP

Country (if other than Australia)

SECTION B: I want to complain about**5. Who is the individual/organisation that this complaint is about?**

Family name/organisation name

First given name

Middle name(s)

Previous names known by (optional) (e.g. maiden name)

Profession/specialty (if known) (e.g. nurse, podiatrist)

Registration number (if known)

Place of employment (e.g. clinic, health service)

Site/building and/or position/department (if applicable)

Address (e.g. 123 JAMES AVENUE; or UNIT 1A, 30 JAMES STREET; or PO BOX 1234)

City/Suburb/Town

State or territory (e.g. VIC, ACT)/International province

Postcode/ZIP

Country (if other than Australia)

6. If we need to speak to you, will you require an interpreter? No Yes – *specify language*



SECTION C: My complaint

7. What is your complaint about?

Refer to *Section D* for definitions.

- Someone using a protected title when they should not, or presenting themselves as being a registered health practitioner when they are not.
- Someone using a specialist title when they should not, or presenting themselves as being a specialist health practitioner when they are not.
- Advertising – *go to question 10*
- Someone performing a restricted practice including:
- dental acts
 - prescription of optical appliances, or
 - spinal manipulation.

Other – *specify*

8. When (dates and times) did the offence or action occur?

Instance 1: Time

Date

Instance 2: Time

Date

Instance 3: Time

Date

9. Please describe what happened and what you are concerned about.

10. Is your complaint or concern about an advertisement?

- Yes – *Complete details below* No – *Go to question 11*

Where was it published/broadcast?

Please provide information about the services being advertised, including what practice is being advertised (such as psychology or chiropractic) and the titles (such as doctor, occupational therapist, etc) used by the practitioner/s

11. Please provide evidence of the offence.

- If online, provide:
 - URL (website, Facebook page, Twitter profile or other), and/or
 - screen shot of advertisement*.
- If print or post, provide scan or photo file*.
- If radio or television, specify the time and date of broadcast and broadcast station.
- If other, please provide information that will help us assess your complaint or concern.

Please attach file when submitting this form, either by post or electronically attached to email.



12. Have you discussed your concerns with the practitioner/individual/organisation?

Yes – *Provide details below* No – *Go to question 13*

13. Have you made a complaint to another organisation about this matter?

Yes – *Provide details below* No

SECTION D: Definitions

Practice protections

Restricted dental acts

Restricted dental acts include irreversible procedures on the teeth, jaw and associated structures.

Under the National Law, restricted dental acts can only be carried out by individuals who are:

- a registered dental or medical practitioner
- a dental or medical student performing the procedure as part of an approved program of study
- ordered to do so by a dentist or dental prosthetist in the course of carrying out technical work, or
- authorised to carry out the act generally.

Section 121 of the National Law outlines more details about restricted dental acts and who may carry out the restricted dental acts.

Restriction on prescription of optical appliances

Optical appliances are those that are designed to correct, remedy or relieve any refractive abnormality or sight defect, including:

- spectacle lenses, and
- contact lenses (whether or not they are designed to correct, remedy or relieve).

Under the National Law, an optical appliance can only be prescribed by individuals who are:

- a registered optometrist or medical practitioner
- an orthoptist (whose name is recorded in the Register of Orthoptists and if the appliance is spectacles) who prescribes the spectacles according to the requirements set out in the National Law, or
- authorised to prescribe optical appliances generally.

Section 122 of the National Law outlines more details about the prescription of optical appliances and who may carry out these acts.

Restriction on spinal manipulation

Manipulation of the cervical spine means moving the joints of the cervical spine beyond a person's usual physiological range of motion using a high velocity, low amplitude thrust.

Under the National Law, manipulation of the cervical spine can only be performed by individuals who are:

- registered in an appropriate health profession
- a student performing the manipulation as part of an approved program of study, or
- authorised to perform manipulation of the cervical spine.

The National Law defines 'appropriate health profession' as:

- chiropractic
- osteopathy
- medical, and
- physiotherapy.

Section 123 of the National Law outlines more details about the restriction on spinal manipulation and who may carry out these acts.

Protected titles

The National Law restricts the use of protected titles. This means that it is unlawful for someone to knowingly or recklessly take or use a protected title in a way that could be reasonably expected to make someone believe they are registered in one of the health professions listed in the table on the right. It is also unlawful for a person to knowingly or recklessly take or use a specialist title when the person does not have specialist registration.

Further, it is unlawful for someone to take or use a protected title in a way that could be reasonably expected to make someone believe another person is registered, or use a specialist title in relation to another person unless they hold that registration.

Section 113 and 115 of the National Law outlines more details on protected titles.

Profession	Title
Aboriginal and Torres Strait Islander health practice	Aboriginal and Torres Strait Islander health practitioner, Aboriginal health practitioner, Torres Strait Islander health practitioner
Chinese medicine	Chinese medicine practitioner, Chinese herbal dispenser, Chinese herbal medicine practitioner, Oriental medicine practitioner, acupuncturist
Chiropractic	chiropractor
Dental	dentist, dental therapist, dental hygienist, dental prosthetist, oral health therapist
Medical	medical practitioner
Medical radiation practice	medical radiation practitioner, diagnostic radiographer, medical imaging technologist, radiographer, nuclear medicine scientist, nuclear medicine technologist, radiation therapist
Nursing and midwifery	nurse, registered nurse, nurse practitioner, enrolled nurse, midwife, midwife practitioner
Occupational therapy	occupational therapist
Optometry	optometrist, optician
Osteopathy	osteopath
Paramedicine	paramedic
Pharmacy	pharmacist, pharmaceutical chemist
Physiotherapy	physiotherapist, physical therapist
Podiatry	podiatrist, chiropodist
Psychology	psychologist



Claims by persons as to registration and holding out

Under the National Law, it is an offence to knowingly or recklessly claim to be a registered health practitioner if they are not registered.

This can include using a title, name, initial, symbol, word or description which could be reasonably understood to indicate that an individual is a health practitioner or qualified to practise in a health profession, claiming to be registered or holding out as a registered health practitioner.

The National Law also states that a person must not claim that another individual is a registered health practitioner if they are not.

Under section 118 of the National Law, it is an offence for a person to claim to be a specialist health practitioner, if the person is not registered in that recognised specialty.

It is also an offence to claim someone else is registered in a particular profession or division or holds specialist registration, when they do not.

Sections 116-119 of the National Law outline more details about claims as to registration and holding out.

Advertising

Under the National Law, it is an offence to advertise a regulated health service or a business providing a regulated health service in a way that:

- is false, misleading, deceptive or is likely to be misleading or deceptive
- uses gifts, discounts or inducements without the terms and conditions of the offer
- uses a testimonial or purported testimonial
- creates an unreasonable expectation of beneficial treatment, or
- directly or indirectly encourages the indiscriminate or unnecessary use of regulated health services.

National Boards have published guidelines about this section of the National Law. These are available on each National Board's website in an accessible format. General information about advertising is available in a [fact sheet](#).

It is important to note that it is not an offence for a person, as part of their business, to print or publish an advertisement for another person. The National Law also covers other requirements, which you can read about in the [FAQ](#).