



Podiatrists Board of Queensland

Statement on Advertising by Podiatrists

Podiatrists advertising professional services must comply with the advertising provisions of the *Podiatrists Registration Act 2001*. If a podiatrist is uncertain if their advertising complies with the legislation, they should seek their own legal advice.

Set out below is the advertising provision in the Act.

Division 3 – Advertising

128 Obligations of advertisers

(1) A person must not advertise a professional service, or a business providing professional services, in a way that –

- (a) is false, misleading or deceptive or is likely to be misleading or deceptive; or

Example for paragraph (a) –

An advertisement that contains a false claim about the beneficial outcome of a professional service.

- (b) offers a discount, gift or other inducement to attract a person to use the service or the business, unless the advertisement also states the terms of the offer; or
- (c) refers to, uses or cites actual or purported endorsements or testimonials about the service or business, or a registrant; or
- (d) is disparaging of –
- i. a professional service provided by another person; or
 - ii. a business providing professional services; or
 - iii. a registrant

Maximum penalty – 200 penalty units.



(2) A person must not advertise a professional service that the person knows or ought reasonably to know will, or is likely to, harm a person to whom it is provided.

Maximum penalty – 200 penalty units.

(3) A person must not advertise a registrant's expertise in a field of practice of the profession unless the registrant has the skills, knowledge, training or qualifications necessary to practise in the field.

(4) A printer or publisher does not commit an offence against subsection (1), (2) or (3) merely by, as part of his or her business, printing or publishing an advertisement for another person.

129. Information to appear in advertisements

(1) A person must not advertise a professional service, or a business providing professional services, unless –

- (a) if a registrant provides the service, or carries on the business, under a business name that is the registrant's own name – the registrant's name is stated in the advertisement; or
- (b) otherwise – the business name of the business (whether or not the name is registered under the *Business Names Act 1962*) is stated in the advertisement.

Maximum penalty – 50 penalty units

(2) A printer or publisher does not commit an offence against subsection (1) merely by, as part of his or her business, printing or publishing an advertisement for another person.

Note: A penalty unit = \$75.00