



DIETITIANS BOARD

Te Mana Mātanga Mātai Kai

Registered Practitioners:
Requirement to hold Annual Practising Certificate

May 2020

REQUIREMENT TO HOLD ANNUAL PRACTISING CERTIFICATE

This policy is an amalgamation of:

Policy name	Approved
Holding an APC	April 2017

Guidelines/Statements	Approved
Registration & APC Guidelines	April 2017

This policy should be read in conjunction with the following associated policy documents:

Policy name	Approved
Late renewal of Annual Practising Certificate	September 2016
Deadlines for Registration/First APC – NZ Trained	May 2017
Deadlines for Registration/First APC - Overseas Trained	May 2017
Registration as a Dietitian	Published 2017
Practising legally as a Dietitian in New Zealand	Published 2017

Revision Schedule

Version	Date Approved	Next Review
1	13 May 2020	2022

Policy Statement

Every registered dietitian must hold an annual practising certificate in order to practise any aspect of dietetics as described in the dietitian scope of practice. It is a disciplinary offence not to do so.

In every case where the Board becomes aware that a registered dietitian has practised, or is practising, dietetics without a current annual practising certificate, it will consider whether disciplinary action is required.

Health Practitioners Competence Assurance Act 2003 ('the Act')

Gazetted Section 8(1) of the Act provides that "Every health practitioner who practises the profession in respect of which he or she is registered must have a current practising certificate issued by the responsible authority."

"Practising a profession" is defined under section 5 of the Act as "to perform services that fall within the description of a health profession."

Under section 11 of the Act¹, the Board has described the practice of dietetics in New Zealand in the [Scope of Practice: Dietitian](#) (gazetted on 1 April 2017) as:

Dietitians are registered health practitioners who evaluate scientific evidence about food and nutrition and translate it into practical strategies. Dietitians work in partnership with individuals, whānau, communities and populations, in states of health and disease, to support optimal health and well-being.

Dietitians use their dietetic knowledge, skills, and judgement in a variety of contexts, which includes promoting and protecting public health, directing and delivering medical nutrition therapy services, and managing food and health systems. They may perform a variety of functions, including policy development, leadership, management, research, education, and communication roles.

Dietitians with a prescribing endorsement are able to prescribe [Special Foods](#) and approved nutrition-related medicines.

Dietitians are accountable for ensuring that their practice is consistent with the Dietitians Board's competency requirements, Code of Ethics and Conduct, and relevant legislation.

Registration and Annual Practising Certificates

A dietitian must be both registered and hold an annual practising certificate in order to lawfully practise dietetics in New Zealand. It is important to understand the difference.

Registration is the process of applying to be registered as a health practitioner of a particular kind (in this case, a dietitian) under the Act. The Board may register an applicant if she or he has the appropriate qualification; is fit for registration; and is competent to practise (sections 15 and 16 of the Act). It is usually a one-off process (unless at any time a practitioner's name is removed from the Register).

By itself, registration does not entitle a dietitian to practise the profession.

An **annual practising certificate** (APC) certifies a registered dietitian's *current* authority to practise dietetics. An APC is issued annually by the Board to a registered practitioner, on application, and subject to the applicant meeting certain legal requirements relating to competence and fitness to practise at the time of application. Dietitians do not 'register' annually - they apply for an annual practising certificate.

Circumstances in which a registered dietitian must hold an annual practising certificate

The requirement to hold an annual practising certificate is not restricted to provision of direct clinical care. It applies to any role performed by a registered dietitian that involves the safe, effective, delivery of dietetic services impacting on the public. This includes part-time and voluntary work.

As a registered dietitian you **must** hold an annual practising certificate if any one of the following applies:

- You are performing any task that falls within the *Scope of Practice: Dietitian*; or
- You are using dietetic knowledge and skills in your employment²; or
- You are using dietetic knowledge and skills in the delivery of information or services about food and/or nutrition to the public; or

¹ Section 11: Authorities must specify scopes of practice

² 'Dietetic knowledge and skills' are described in the Dietitians Board's *Professional Standards & Competencies for Dietitians*.

-
- The position in which you are employed requires you to be a registered health practitioner; or
 - Your job description requires that the position holder is a dietitian; or
 - You are calling yourself a dietitian, or representing in any manner that you are authorised to practise dietetics.

Without limitation, an annual practising certificate is typically required if you are a **registered dietitian** employed or engaged in any way (paid or unpaid):

- in public health, food services systems management or a clinical setting; or
- as a dietetic service manager/advisor or leader working in a healthcare environment; or
- as a dietetic (or food/nutrition) educator/lecturer/researcher; or
- as a policy advisor applying dietetic skills and knowledge; or
- in media or communications (including social media), and using dietetic skills and knowledge in the production and/or delivery of information or services about food and/or nutrition; or
- as a consultant, or as part of a multi-disciplinary team, providing dietetic services to individuals or groups in areas such as elite sport/personal training and health/wellness coaching; or
- as a health promoter or nutritionist producing and/or providing information or services about food and/or nutrition; or
- working for a commercial company using dietetic skills and knowledge.

Registered dietitians are encouraged to seek advice from the Registrar at the earliest possible opportunity if they have any questions regarding whether or not they should hold an APC.

Use of alternative job titles

A **registered dietitian** cannot avoid the legal requirement to hold an annual practising certificate by using a different title, including the titles: 'nutritionist', 'health coach', 'health promoter', 'policy advisor' or 'food advisor'.

Regardless of the title used, if a registered dietitian is practising the profession as set out in the *Scope of Practice: Dietitian*, including in any role referred to above, she or he must hold a current annual practising certificate.³ Failure to do so may result in disciplinary action as set out below.

Practising without an annual practising certificate

It is a disciplinary offence under section 100(1)(d) of the Act⁴ for a registered dietitian to practise without a current annual practising certificate.

It is the practitioner's responsibility to ensure that their practising certificate is current; it is not the responsibility of an employer or anyone else.

Disciplinary action

In every case where the Board becomes aware a registered dietitian has practised, or is practising, dietetics without a current annual practising certificate, it will consider whether disciplinary action is required.⁵

The Board is likely to refer a dietitian to a Professional Conduct Committee for investigation in the following circumstances:

- Where the dietitian has practised without an annual practising certificate for more than 5 working days; **and**
- Where the dietitian has previously practised without an annual practising certificate or has previously received a warning for practising without an annual practising certificate; or
- Where the dietitian has been advised, either verbally and/or in writing, that they do not hold a practising certificate and that they cannot practise, but they continue or commence practise; or
- Where the dietitian has no valid explanation for believing they were entitled to practise. For the avoidance of doubt, ignorance of the expiry of an annual practising certificate or absence of a reminder to renew it do not constitute valid explanations.

Further information

All registered dietitians should be familiar with the provisions of the Health Practitioners Competence Assurance Act 2003.

³ A registered dietitian may request cancellation from the Register of Dietitians at any time, section 142 Health Practitioners Competence Assurance Act 2003

⁴ Section 100: Grounds in which a health practitioner may be disciplined.

⁵ Referral to a Professional Conduct Committee under section 68(1) Health Practitioners Competence Assurance Act 2003.