

Report to the Council

Committee: Cabinet

Date: 19 February 2008

Portfolio Holder: Councillor Mrs M Sartin

Item: 10(a)

1. BYELAWS FOR ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN COLOURING, COSMETIC PIERCING AND ELECTROLYSIS

Recommending:

(1) That the Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis byelaws attached as an Appendix to this report be adopted; and

(2) That the Council's common seal be affixed to the byelaws and that following advertisement, the byelaws be submitted to the Secretary of State for Health for approval.

- ...
- 1.1 In accordance with the Local Government (Miscellaneous Provisions) Act 1982, Sections 14 and 15, the Council previously adopted the provisions requiring those carrying on the business of tattooing, acupuncture, ear piercing or electrolysis to be registered.
 - 1.2 At that time those carrying on the practice of cosmetic (body) piercing, other than of the ears, or semi-permanent skin colouring, such as micro-pigmentation, semi-permanent make up or temporary tattooing, could not be included within the provisions and have therefore been outside of the Council's regulatory control.
 - 1.3 These treatments have become more popular but pose the same, or in some cases, greater risks than those already subject to regulation. Following extensive lobbying by environmental health professionals, the Government introduced provisions in the Local Government Act 2003, amending the provisions contained within the 1982 Act, to include the activities of cosmetic piercing and semi-permanent skin colouring.
 - 1.4 The new provisions are adoptive and require businesses to:
 - (a) register the operators and their premises; and
 - (b) observe byelaws relating to the cleanliness and hygiene of premises, practitioners and equipment.
 - 1.5 The measures are intended to increase health protection and reduce the risk of transmission of blood-borne virus infections such as Hepatitis B, Hepatitis C and other infections.
 - 1.6 We consider it essential that the protection offered to those receiving a tattoo, acupuncture or electrolysis treatment be extended to those undergoing a cosmetic piercing or semi-permanent skin colouring. The requirement to register the business and the subsequent application of the byelaws will offer greater protection to those undergoing these treatments by ensuring that businesses operate hygienically and in

a manner which will minimise the risk of infection to their customers.

- 1.7 The Council may levy a fee for registration and it is proposed that the current fee for special treatments operations (premises registration £98, personal registration £50) be applied.
- 1.8 The adoption of byelaws is a function reserved to the full Council. Following adoption it is necessary for the byelaws to be advertised in the local press for two consecutive weeks. Following a period of one month from the start of the period of advertisement it is then necessary to submit the byelaws to the Secretary of State for Health for approval.
- 1.9 We recommend as set out at the commencement of this report.