

REPORT In relation to the Regulation of Skin Piercing Businesses.

AGENDA ITEM NO.

TAUNTON DEANE BOROUGH COUNCIL

Report of the Licensing Officer

Executive Summary

This report allows for the Council to adopt new legislation and associated new byelaws to allow for the activities of cosmetic piercing and semi-permanent skin-colouring to be included in the statutory control framework for skin piercing activities.

Section 120 of the Local Government Act 2003

1. Purpose of Report

- 1.1 The purpose of this report is to ask members to consider adopting the new legislation and new byelaws to allow cosmetic piercing and semi-permanent skin colouring businesses that are already operating in the district to register and to allow for Officers to be able to regulate these activities effectively by utilising the new byelaws.

2. Background

- 2.1.1 In recent years there has been a significant increase in the popularity of piercing a wide variety of parts of the human body, along with traditional ear piercing by members of the public; so called body piercing, These activities are now collectively known as cosmetic piercing. In addition there now exists a number of new procedures such as micropigmentation, semi-permanent make-up and temporary tattooing, that are collectively termed semi-permanent skin colouring.
- 2.1.2 The procedures of cosmetic piercing and semi-permanent skin colouring, as with all skin piercing activities, carry a potential risk of the transmission of blood borne viruses such as HIV and Hepatitis. This is particularly the case if infection control procedures are not observed (e.g. the use of sterile equipment for each client).
- 2.1.3 Section 120 and Schedule 6 of the Local Government Act 2003 amends the Local Government (Miscellaneous Provisions) Act 1982 to include cosmetic piercing and semi-permanent skin-colouring businesses in the list of those that local authorities have powers to regulate. In addition it allows for local authorities to make byelaws in respect of matters related to the operation of such businesses. The Department of Health have provided model byelaws for local authorities to use, if they so desire, to ensure consistent approach across the country.
- 2.1.4 To avoid duplication and to update existing byelaws in line with the Department of Health's new model byelaws are incorporated into the new ones.

3. Key Changes and Significant Issues in the Report are:

- 3.1.1 In recent years there has been a significant increase in the popularity of cosmetic skin piercing and semi-permanent skin colouring.
- 3.1.2 If adequate hygiene precautions are not taken these procedures present a serious risk of the transmission of blood borne infection.
- 3.1.3 Previously existing legislation related only to tattooing, ear piercing, electrolysis and acupuncture, and did not relate to these new activities.
- 3.1.4 Section 120 of the Local Government Act 2003 amends the Local Government (Miscellaneous Provisions) Act 1982 to include cosmetic piercing and semi-permanent skin-colouring businesses to the list of those which local authorities have powers to regulate.
- 3.1.5 This legislation also allows for local authorities to adopt new model byelaws that are used by local authorities to regulate such activities.
- 3.1.6 In adopting this new legislation all previously existing byelaws relating to skin piercing activities have to be repealed and new byelaws made.

4. Consultation Process/Adoption Process

- 4.1.1 The next steps involve publicising this resolution, and the Council's intention to apply to the Secretary of State for Health for confirmation of the new byelaws in the local newspaper.
- 4.1.2 All skin piercing businesses will be made aware of the new provisions and will be invited to a meeting at the Council Offices to discuss and highlight the changes.
- 4.1.3 The commencement of the new provisions is anticipated to tie in with the renewal of the current registrations (1st April 2008) this will allow for all skin piercing businesses to be issued with amended registrations reflecting the changes and be given copies of the new byelaws.

5. Recommendations

5.1.1 That the Council resolves-

- 1. That the provisions of sections 14, 15, 16 and 17 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by Section 120 of the Local Government Act 2003 (hereinafter referred to as "these sections"), to apply to all of the Council's area and that the resolution shall apply to the following persons
 - (a) those carrying out the business of cosmetic piercing
 - (b) those carrying out the business of electrolysis
 - (c) those carrying out the business of tattooing and semi-permanent skin colouring
 - (d) those carrying out the business of acupuncture.
- 2. These sections to come into force in the area of the Taunton Deane Borough Council on the first day of April 2008.
- 3. To authorise the affixing of the council's common seal to the following byelaws:

- (a) those for the purpose of securing the cleanliness of premises registered under Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of the registered persons and persons assisting them and cleansing and, as far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of cosmetic piercing.
 - (b) Those for the purpose of securing the cleanliness of premises registered under Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of the registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of electrolysis.
 - (c) Those for the purpose of securing the cleanliness of premises registered under section 14 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of the registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of acupuncture.
 - (d) Those for the purpose of securing the cleanliness of premises registered under Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of registered persons and persons assisting them and the cleaning and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of tattooing and semi-permanent skin colouring.
4. To authorise the Head of Legal Services to carry out the necessary procedure and apply to the Secretary of State for confirmation of the new byelaws.

In addition, the Council approves the repeal of the following byelaws made by the Council on 19th December 1984 –

- (a) those relating to ear piercing and electrolysis
- (b) those relating to tattooing
- (c) those relating to acupuncture

If members authorise the making of the new byelaws then the existing byelaws will be repealed when the new byelaws mentioned in resolution 3 come into operation.

Please refer to appendix 1 for the old byelaws and Appendix 2 for the proposed byelaws.

Contact Officer:

Amy Hunt Licensing Officer ext 2890

BYELAWS

IN RESPECT OF

ACUPUNCTURE

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

PURSUANCE OF SECTION 14(7) OF

THE LOCAL GOVERNMENT

(MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

IN RESPECT OF

ACUPUNCTURE

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

PURSUANCE OF SECTION 14(7) OF

THE LOCAL GOVERNMENT

(MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

ACUPUNCTURE

Byelaws for the purpose of securing the cleanliness of registered premises and fittings therein and registered persons and persons assisting them and the cleansing and so far as appropriate sterilisation of instruments, materials and equipment used in connection with the practice of acupuncture made by Taunton Deane Borough Council in pursuance of section 14(7) of the Local Government (Miscellaneous Provisions) Act 1982.

1. Interpretation:

a. In these byelaws, unless the context otherwise requires –

“ The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means the person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in the practice of acupuncture;

“The treatment area” ,means any part of the premises where treatment is given to clients.

b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purposes of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –

a) All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;

b) The treatment area is used solely for giving treatment;

c) All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leak proof, or use a leak proof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;

- d) All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
- e) All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down at least daily with suitable disinfectant;
- f) Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
- g) A notice or notices reading " No Smoking" are prominently displayed within the treatment area.

3. For the purpose of securing the cleansing and, so far as appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment -

- a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –
 - i. Is clean and in good repair, and, so far as is appropriate, is sterile;
 - ii. Has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;
- b. An operator shall ensure that any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
- c. A proprietor shall provide –
 - i. Adequate facilities and equipment for the purpose of sterilisation (unless pre – sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
 - ii. Sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
 - iii. An adequate constant supply of clean hot and cold water readily available at all times on the premises;
 - iv. Adequate storage for all the items mentioned in byelaw 3a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.

4. For the purpose of securing the cleanliness of operators –

a. An operator whilst giving treatment shall ensure that –

- i. His hands and nails are clean and nails kept short;
- ii. He is wearing clean and washable clothing, or alternatively a disposable covering that has not previously been used in connection with any other client;
- iii. He keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
- iv. He does not smoke or consume food or drink

b. A proprietor shall provide:

Suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nailbrush;

Suitable and sufficient sanitary accommodation for operators.

SEALED with the COMMON SEAL
Of the TAUNTON DEANE BOROUGH
COUNCIL this Nineteenth day of December 1984
By order and Direction of the
Council at a meeting held on
The eighteenth day of December
In the presence of: -

J. J. THORNBERRY

Secretary and Solicitor

The foregoing byelaws are hereby
Confirmed by the Secretary of State
For Social Services on 16th April, 1985
And shall come into operation on
1st June, 1985

A. B. BARTON
Assistant Secretary
Department of health and
Social Security

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16 (9) of the Act lays down that a registered person shall cause to be predominantly displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.

Section 16 (2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16 (11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

Nothing in these byelaws shall extend to the practice of acupuncture by or under the supervision of a person who is registered as a medical practitioner or dentist or to premises on which the practice of acupuncture is carried on by or under the supervision of such a person.

BYELAWS

IN RESPECT OF

EAR PIERCING & ELECTROLYSIS

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

IN PURSUANCE OF SECTION 15(7) OF
THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

IN RESPECT OF

EAR PIERCING & ELECTROLYSIS

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

IN PURSUANCE OF SECTION 15(7) OF

THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

EAR PIERCING AND ELECTROLYSIS

Byelaws for the purposes of securing cleanliness of registered premises and fittings therein and registered persons and persons assisting them and the cleansing and so far as appropriate sterilisation of instruments, materials and equipment used in connection with the business of ear piercing and electrolysis made by Taunton Deane Borough Council in pursuance of section 15(7) of Local Government (Miscellaneous Provisions) Act 1982.

1. Interpretation

a) In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in effecting ear – piercing or electrolysis;

“The treatment area” means any part of the premises where treatment is given to clients.

b) The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –

- a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators

are kept clean and in such good repair as to enable them to be cleaned effectively;

- b. All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leak proof, or use a leak proof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;
- c. All needles used in treatment are placed after use in separate covered and leak proof re-useable boxes, or disposable needle boxes designed for the purpose. When re-useable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
- d. All furniture and fittings in the treatment area are to be kept clean and in such good repair as to enable them to be cleaned effectively;
- e. All tables, couches and seats used by clients in the treatment area and any surface on which the items specified in 3b below are placed immediately prior to treatment have a smooth impervious surface which is wiped down regularly with a suitable disinfectant;
- f. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
- g. A notice or notices reading "No Smoking" are prominently displayed within the treatment area.

3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment –

a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –

- i. is clean and in good repair and, so far as is appropriate, is sterile;
- ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as appropriate, sterilised;

b. An operator shall ensure that any needle, metal instrument, or other item of equipment used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;

c. A proprietor shall provide –

- i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
- ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
- iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
- iv. adequate storage for all items mentioned in byelaw 3a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible the risk of contamination.

4. For the purpose of securing the cleanliness of operators –

a. An operator whilst giving treatment shall ensure that –

- i. His hands are clean;
- ii. He is wearing clean clothing;
- iii. He keeps any open boil, sore cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
- iv. He does not smoke or consume food or drink;

b. A proprietor shall provide:

- i. Suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
- ii. Suitable and sufficient sanitary accommodation for operators.

SEALED with the COMMON SEAL

Of the TAUNTON DEANE BOROUGH

COUNCIL this day of December 1984

By Order and Direction of the

Council at a meeting held on

The eighteenth day of December

In the presence of:-

Secretary and Solicitor

The foregoing byelaws are hereby
Confirmed by the Secretary of State
For Social Services on
And shall come into operation on

A. B. BARTON
Assistant Secretary
Department of Health and
Social Security

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors shall take all reasonable steps to ensure compliance with the byelaws by persons working on the premises. Section 16 (9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any Certificate of Registration issued to him under Part VIII of the Act.
- B. Section 16(2) of the Local Government (miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16 (11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws shall extend to the carrying on of the business of ear piercing or of electrolysis as the case may be by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

BYELAWS

IN RESPECT OF

TATTOOING

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

IN PURSUANCE OF SECTION 15 (7) OF

THE LOCAL GOVERNMENT

(MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

IN RESPECT OF

TATTOOING

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

IN PURSUANCE OF SECTION 15 (7) OF

THE LOCAL GOVERNMENT

(MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

TATTOOING

Byelaws for the purpose of securing the cleanliness of registered premises and fittings therein and the registered persons and persons assisting them and the cleansing and so far as appropriate sterilisation of instruments, materials and equipment used in connection with the business of tattooing, made by the Taunton Deane Borough Council in pursuance of section 15 (7) of the Local Government (Miscellaneous Provisions) Act 1982.

1. Interpretation:

- a. In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in effecting tattooing;

“The Treatment area” means any part of the premises where treatment is given to clients.

- b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –

- a) All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
- b) The treatment area is solely used for giving treatment;
- c) The floor of the treatment area is provided with a smooth impervious surface;
- d) All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leak proof, or use a leakproof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the

material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;

- e) All needles used in treatment are placed after use in separate covered and leakproof re-useable boxes, or disposable needle boxes designed for the purpose. Where re-usable boxes are used they should be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
- f) All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
- g) All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down with a suitable disinfectant between the treatment of different clients, and thoroughly cleaned at the end of each working day;
- h) Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
- i) A notice or notices reading "No Smoking" are prominently displayed within the treatment area.

3. For the purpose of securing the cleansing and, so far as appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment –

- a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel cloth or other such articles used in the treatment –
 - i. Is clean and in good repair, and, so far as is appropriate, is sterile;
 - ii. Has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;
- b. An operator shall ensure –
 - i. Any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
 - ii. All dyes used for tattooing are bacteriologically clean and inert;

- iii. The containers used to hold the dyes for each customer are either disposed of at the end of each session of treatments, or are sterilised before re-use

c. A proprietor shall provide –

- i. Adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing as required in pursuance of these byelaws
- ii. Sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
- iii. An adequate constant supply of hot and cold water readily available at all times on the premises;
- iv. Adequate storage for all items mentioned in byelaw 3a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.

4. For the purpose of securing the cleanliness of operators –

a. An operator whilst giving treatment shall ensure that –

- i. His hand and nails are clean, and nails kept short;
- ii. He is wearing clean and washable clothing, or alternatively a disposable covering that has not previously been used in connection with any other client;
- iii. He keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
- iv. He does not smoke or consume food or drink;

b. A proprietor shall provide –

Suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water sanitising soap or detergent, and a nail brush;

Suitable and sufficient sanitary accommodation for operators.

SEALED with the COMMON SEAL
Of the TAUNTON DEANE BOROUGH
COUNCIL this Nineteenth
day of December 1984
by Order and Direction of the
Council at a meeting held on
The eighteenth day of December 1984

In the presence of : -

J. J. THORNBERRY

Secretary and Solicitor

The foregoing byelaws are hereby
Confirmed by the Secretary of State
For Social Services on 16th April 1985
And shall come into operation on
1st June, 1985

A.B. BARTON
Assistant Secretary
Department of Health and
Social Security

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. A proprietor shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16 (9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16 (2) of the local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act , the court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16 (11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.
- C. Nothing in these byelaws shall extend to the carrying on of the business of tattooing by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

BYELAWS

IN RESPECT OF

COSMETIC PIERCINGS

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

IN PURSUANCE OF SECTION 15(7) OF
THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

IN RESPECT OF

COSMETIC PIERCING

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

IN PURSUANCE OF SECTION 15(7) OF
THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

COSMETIC PIERCING

Byelaws for the purposes of securing cleanliness of registered premises and fittings therein and registered persons and persons assisting them and the cleansing and so far as appropriate sterilisation of instruments, materials and equipment used in connection with the business of ear piercing and electrolysis made by Taunton Deane Borough Council in pursuance of section 15(7) of Local Government (Miscellaneous Provisions) Act 1982.

1. Interpretation

a) In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in effecting ear – piercing or electrolysis;

“The treatment area” means any part of the premises where treatment is given to clients.

b) The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –

a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators

are kept clean and in such good repair as to enable them to be cleaned effectively;

- b. All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leak proof, or use a leak proof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;
- c. All needles used in treatment are placed after use in separate covered and leak proof re-useable boxes, or disposable needle boxes designed for the purpose. When re-useable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
- d. All furniture and fittings in the treatment area are to be kept clean and in such good repair as to enable them to be cleaned effectively;
- e. All tables, couches and seats used by clients in the treatment area and any surface on which the items specified in 3b below are placed immediately prior to treatment have a smooth impervious surface which is wiped down regularly with a suitable disinfectant;
- f. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
- g. A notice or notices reading "No Smoking", "No Eating or Drinking" are prominently displayed within the treatment area.

3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment –

a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –

- i. is clean and in good repair and, so far as is appropriate, is sterile;
- ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as appropriate, sterilised;

b. An operator shall ensure that any needle, metal instrument, or other item of equipment used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;

c. A proprietor shall provide –

- i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
- ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
- iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
- iv. adequate storage for all items mentioned in byelaw 3a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible the risk of contamination.

4. For the purpose of securing the cleanliness of operators –

a. An operator whilst giving treatment shall ensure that –

- i. His hands and nails are clean and his nail are short;
- ii. He wears disposable surgical gloves that have not previously been used with any other client;
- iii. He is wearing clean clothing, a gown, wrap or protective clothing that is clean and washable or alternatively a disposable covering that has not previously been used in connection with any other client;
- iv. He keeps any open boil, sore cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
- v. He does not smoke or consume food or drink;

b. A proprietor shall provide:

- i. Suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
- ii. Suitable and sufficient sanitary accommodation for operators.

5. The Byelaws relating to ear piercing and electrolysis which were made by the Taunton Deane Borough Council on 18th day of December 1984 and which

were confirmed by the Secretary of State for Social Services on the 16th day of April 1985 are hereby repealed.

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing byelaws are hereby confirmed by the Secretary of State for Health on

And shall come into operation on

Member of the Senior Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors shall take all reasonable steps to ensure compliance with the byelaws by persons working on the premises. Section 16 (9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any Certificate of Registration issued to him under Part VIII of the Act.
- B. Section 16(2) of the Local Government (miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16 (11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws shall extend to the carrying on of the business of ear piercing or of electrolysis as the case may be by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

BYELAWS

IN RESPECT OF

ELECTROLYSIS

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

IN PURSUANCE OF SECTION 15(7) OF
THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

IN RESPECT OF

ELECTROLYSIS

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

IN PURSUANCE OF SECTION 15(7) OF
THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

ELECTROLYSIS

Byelaws for the purpose of securing the cleanliness of premises registered under Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of the registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of electrolysis made by Taunton Deane Borough Council in pursuance of Section 15(7) of the Act.

1. Interpretation

a) In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in effecting ear – piercing or electrolysis;

“The treatment area” means any part of the premises where treatment is given to clients.

b) The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –

- a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators are kept clean and in such good repair as to enable them to be cleaned effectively;
- b. All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leak proof, or use a leak proof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;
- c. All needles used in treatment are placed after use in separate covered and leak proof re-useable boxes, or disposable needle boxes designed for the purpose. When re-useable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
- d. All furniture and fittings in the treatment area are to be kept clean and in such good repair as to enable them to be cleaned effectively;
- e. All tables, couches and seats used by clients in the treatment area and any surface on which the items specified in 3b below are placed immediately prior to treatment have a smooth impervious surface which is wiped down regularly with a suitable disinfectant;
- f. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
- g. No eating, drinking or smoking is permitted in the treatment area and a notice or notices reading "No Smoking", "No Eating or Drinking" are prominently displayed there.

3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment –

a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –

- i. is clean and in good repair and, so far as is appropriate, is sterile;
- ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as appropriate, sterilised;

b. An operator shall ensure that any needle, metal instrument, or other item of equipment used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;

c. A proprietor shall provide –

- i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
- ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
- iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
- iv. adequate storage for all items mentioned in byelaw 3a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible the risk of contamination.

4. For the purpose of securing the cleanliness of operators –

a. An operator whilst giving treatment shall ensure that –

- i. His hands and nails are clean and his nails short;
- ii. He is wearing disposable surgical gloves that have not previously been used with any other client;
- iii. He wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with any other client;
- iv. He keeps any open boil, sore cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
- v. He does not smoke or consume food or drink;

b. A proprietor shall provide:

- i. Suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
- ii. Suitable and sufficient sanitary accommodation for operators.

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing byelaws are hereby confirmed by the Secretary of State for
Health on
And shall come into operation on

Member of the Senior Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors shall take all reasonable steps to ensure compliance with the byelaws by persons working on the premises. Section 16 (9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any Certificate of Registration issued to him under Part VIII of the Act.

- B. Section 16(2) of the Local Government (miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16 (11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

- C. Nothing in these byelaws shall extend to the carrying on of the business of ear piercing or of electrolysis as the case may be by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

BYELAWS

IN RESPECT OF

ACUPUNCTURE

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

PURSUANCE OF SECTION 14(7) OF

THE LOCAL GOVERNMENT

(MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

ACUPUNCTURE

Byelaws for the purpose of securing the cleanliness of premises registered under Section 14 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of the registered persons and persons assisting them and the cleansing and so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of acupuncture made by Bristol City Council in pursuance made by Bristol City Council in pursuance of Section 14(7) of the Act.

1. Interpretation:

a. In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means the person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in the practice of acupuncture;

“The treatment area” ,means any part of the premises where treatment is given to clients.

b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purposes of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –

- a) All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
- b) The treatment area is used solely for giving treatment;
- c) The floor of the treatment area is provided with a smooth impervious surface;
- d) All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leak proof, or use a leak proof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the

contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;

- e) All needles used in the treatment are single use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;
- f) All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
- g) All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down at least daily with suitable disinfectant;
- h) Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
- i) No eating, drinking or smoking is permitted in the treatment area and a notice or notices reading " No Smoking", "No Eating or Drinking" are prominently displayed.

3. For the purpose of securing the cleansing and, so far as appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment -

- a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –
 - i. Is clean and in good repair, and, so far as is appropriate, is sterile;
 - ii. Has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;
- b. An operator shall ensure that any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
- c. A proprietor shall provide –
 - i. Adequate facilities and equipment for the purpose of sterilisation (unless pre – sterilised items are used) and of cleansing, as required in pursuance of these byelaws;

- ii. Sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
- iii. An adequate constant supply of clean hot and cold water readily available at all times on the premises;
- iv. Adequate storage for all the items mentioned in byelaw 3a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.

4. For the purpose of securing the cleanliness of operators –

a. An operator whilst giving treatment shall ensure that –

- i. His hands and nails are clean and nails kept short;
- ii. He wears disposable surgical gloves that have not previously been used with any other client;
- iii. He is wearing clean and washable clothing, or alternatively a disposable covering that has not previously been used in connection with any other client;
- iv. He keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
- v. He does not smoke or consume food or drink

b. A proprietor shall provide:

- i. Suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nailbrush;
- ii. Suitable and sufficient sanitary accommodation for operators.

5. The Byelaws relating to acupuncture which were made by Taunton Deane Borough Council on 19th day of December 1984 and which were confirmed by the Secretary of State for Social Services on 16th day of April 1985 are hereby repealed.

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing byelaws are hereby confirmed by the Secretary of State for Health
On
And shall come into operation on

Member of the Senior Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16 (9) of the Act lays down that a registered person shall cause to be predominantly displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.

Section 16 (2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16 (11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

Nothing in these byelaws shall extend to the practice of acupuncture by or under the supervision of a person who is registered as a medical practitioner or dentist or to premises on which the practice of acupuncture is carried on by or under the supervision of such a person.

BYELAWS

IN RESPECT OF

TATTOOING AND SEMI PERMANENT SKIN- COLOURING

MADE BY THE

TAUNTON DEANE BOROUGH COUNCIL

IN PURSUANCE OF SECTION 15(7) OF
THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982

BYELAWS

TATTOOING AND SEMI-PERMANENT SKIN COLOURING

Byelaws for the purpose of securing cleanliness of premises registered under Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of the registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of tattooing and semi permanent skin colouring made by Taunton Deane Borough Council in pursuance of Section 15(7) of the Act.

1. Interpretation

a) In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in effecting ear – piercing or electrolysis;

“The treatment area” means any part of the premises where treatment is given to clients.

b) The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –

- a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators are kept clean and in such good repair as to enable them to be cleaned effectively;
- b. The treatment area is used solely for giving treatment;
- c. The floor of the treatment area is provided with a smooth impervious surface;
- d. All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leak proof, or use a leak proof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;
- e. All needles used in treatment are placed after use in separate covered and leak proof re-useable boxes, or disposable needle boxes designed for the purpose. When re-useable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
- f. All furniture and fittings in the treatment area are to be kept clean and in such good repair as to enable them to be cleaned effectively;
- g. All tables, couches and seats used by clients in the treatment area and any surface on which the items specified in 3b below are placed immediately prior to treatment have a smooth impervious surface which is wiped down regularly with a suitable disinfectant;
- h. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
- i. A notice or notices reading "No Smoking", "No Eating or Drinking" are prominently displayed within the treatment area.

3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment –

a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –

- i. is clean and in good repair and, so far as is appropriate, is sterile;
- ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as appropriate, sterilised;

b. An operator shall ensure that:-

- i. any needle, metal instrument, or other item of equipment used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
- ii. all dyes used for tattooing and semi-permanent skin-colouring are sterile and inert;
- iii. the containers used to hold the dyes for each customer are either disposed of at the end of such session of treatment, or are cleaned and sterilized before re-use;

c. A proprietor shall provide –

- i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;

- ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
- iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
- iv. adequate storage for all items mentioned in byelaw 3a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible the risk of contamination.

4. For the purpose of securing the cleanliness of operators –

a. An operator whilst giving treatment shall ensure that –

- i. His hands and nails are clean and his nail are short;
- ii. He wears disposable surgical gloves that have not previously been used with any other client;
- iii. He is wearing clean clothing, a gown, wrap or protective clothing that is clean and washable or alternatively a disposable covering that has not previously been used in connection with any other client;
- iv. He keeps any open boil, sore cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
- v. He does not smoke or consume food or drink;

b. A proprietor shall provide:

- i. Suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
- ii. Suitable and sufficient sanitary accommodation for operators.

5. The Byelaws relating to tattooing which were made by Taunton Deane Borough Council on the 18th day of December 1984 and which were confirmed by the Secretary of State for Social Services on the 16th April 1985 are hereby repealed.

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing byelaws are hereby confirmed by the Secretary of State for Health on

And shall come into operation on

Member of the Senior Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors shall take all reasonable steps to ensure compliance with the byelaws by persons working on the premises. Section 16 (9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any Certificate of Registration issued to him under Part VIII of the Act.
- B. Section 16(2) of the Local Government (miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16 (11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws shall extend to the carrying on of the business of ear piercing or of electrolysis as the case may be by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.