

BYE-LAWS

The Control of Tattooing, Acupuncture, Cosmetic Piercing, Electrolysis and Semi-Permanent Skin Colouring

Provided by Lisburn and Castlereagh under Articles 13(7) and 14(7) of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 and Article 90(c) of the Local Government Act (Northern Ireland) 1972

2018



LISBURN AND CASTLEREAGH CITY COUNCIL

THE CONTROL OF TATTOOING, ACUPUNCTURE, COSMETIC PIERCING, ELECTROLYSIS AND SEMI-PERMANENT SKIN COLOURING

Bye-laws made by Lisburn and Castlereagh City Council under Articles 13(7) and 14(7) of The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 and Article 90(c) of the Local Government Act (Northern Ireland) 1972 at a meeting of Council held on 24 April 2018.

CITATION AND COMMENCEMENT

- 1 These bye-laws may be cited as The Control of Tattooing, Acupuncture, Cosmetic Piercing, Electrolysis and Semi-Permanent Skin Colouring bye-laws (Northern Ireland) 2017.

INTERPRETATION

- 2 In these bye-laws –

“The 1985 Order” means the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985;

“The 1997 Order” means the Waste and Contaminated Land (Northern Ireland) Order 1997;

“client” means any person undergoing treatment;

“operator” means any person giving treatment;

“premises” means any premises which are registered under Article 13 or 14 of the 1985 Order;

“proprietor” means any person who is registered under Article 13 of the 1985 Order to carry on the practice of acupuncture, or under Article 14 of that Order to carry on the business of tattooing, semi-permanent skin-colouring, cosmetic piercing, or electrolysis;

“treatment” means any operation in effecting tattooing, semi-permanent skin-colouring, cosmetic piercing, electrolysis or, acupuncture;

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

PROVISIONS RELATING TO CLEANLINESS, CLEANSING AND STERILISATION

- 3 No proprietor, operator or any other person shall carry out any treatment in relation to tattooing, semi-permanent skin-colouring, cosmetic piercing, electrolysis or acupuncture without adhering to the provisions detailed in Schedule 1 to these bye-laws.

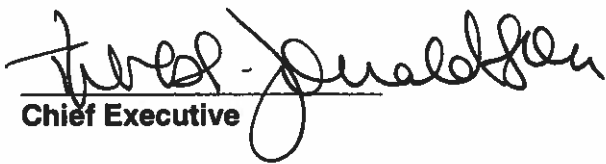
REVOCATION

- 4 The bye-laws specified in Schedule 2 to these bye-laws are hereby revoked.

SEALED with the Corporate Seal of
LISBURN AND CASTLEREAGH CITY COUNCIL

In the presence of: -


Mayor


Chief Executive



The foregoing bye-laws are hereby confirmed by the Department of Health on this 15TH day of AUGUST 2018.


Signed: _____
A Senior Officer of the Department of Health

Note: Every person who shall offend against any of the foregoing bye-laws shall be liable on summary conviction to a fine not exceeding £500.

LISBURN AND CASTLEREAGH CITY COUNCIL

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ELECTROLYSIS AND SEMI-PERMANENT SKIN COLOURING**

SCHEDULE 1

Cleanliness of Premises

1. For the purpose of securing the cleanliness of premises and fittings in such premises 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 materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with the relevant provisions of the 1997 Order and any instruments made under that Order.
 - (e) All needles used in treatment are single-use, never re-used, and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant provisions of the 1997 Order and any instruments made under that Order.
 - (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 are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day.
 - (h) Where tables and couches are used, they are covered by a disposable paper sheet which is 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 there.

Cleansing and Sterilisation of equipment

2. 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 article used in the treatment:
 - (i) is clean and in good repair and, so far as is appropriate, sterile; and
 - (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:
- (i) any needle, metal instrument, or other item of equipment used in treatment or for handling instruments and needles used in the treatment is in a sterile condition and kept sterile until it is used;
 - (ii) all dyes used for permanent or 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 each session of treatment, or are cleaned and 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 bye-laws;
 - (ii) sufficient and safe power points to enable compliance with these bye-laws;
 - (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 bye-law 3a and b, so that those items are properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.

Personal Hygiene

3. For the purpose of securing the cleanliness of operators:

- (a) A proprietor shall ensure that:
- (i) any operator keeps his/her hands and nails clean and his/her nails short;
 - (ii) any operator wears disposable surgical gloves that have not previously been used with any other client;
 - (iii) any operator of the premises 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) any operator keeps any open boil, sore, cut or open wound on an exposed part of his/ her body effectively covered by an impermeable dressing;
 - (v) any operator does not smoke or consume food or drink in the treatment area.
- (b) A proprietor shall provide:
- (i) suitable and sufficient washing facilities for the sole use of operators, including hot and cold water, sanitising soap or detergent;
 - (ii) suitable and sufficient sanitary accommodation for operators.

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SCHEDULE 2

1. (a) Borough of Lisburn – Control of Business of Tattooing bye-law 1991.
- (b) Borough of Lisburn – Control of the Practice of Acupuncture bye-law 1991.
- (c) Lisburn City Council – Electrolysis bye-law 2008.
- (d) Lisburn City Council – Semi-Permanent Skin Colouring bye-law 2008.
- (e) Lisburn City Council – Cosmetic Piercing bye-law 2008; and
- (f) Castlereagh Borough Council bye-laws for the control of the business of ear-piercing, electrolysis, tattooing and acupuncture.

NOTE:

- A Proprietors shall take all reasonable steps to ensure compliance with these bye-laws by persons working on the premises. Article 15(9) of the 1985 Order provides that a registered person shall cause to be prominently displayed on the premises a copy of these bye-laws and a copy of any certificates of registration issued to him under Part V of the 1985 Order.
- B Article 15(2) of the 1985 Order provides that any person who contravenes any of these bye-laws shall be guilty of an offence and liable on summary conviction to a fine not exceeding Level 3 on the standard scale. If a person registered under Part V of the 1985 Order is found guilty of contravening these bye-laws, 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 found guilty of the offence. It shall be a defence for the person charged under paragraphs (1), (2), (8) or (10) of Article 15 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.
- C Nothing in these bye-laws extends to any practice of skin piercing carried out by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of skin piercing is carried on by or under the supervision of such a person.

