ACUPUNCTURE BYELAWS

Byelaws for the purposes 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 the North Dorset District 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 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 the practice of acupuncture;

      "The treatment area" means any part of 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 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 leakproof, 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;

d. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable 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;

e. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;

f. 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 a suitable disinfectant;

g. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;

h. 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 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 items mentioned in byelaw 3 a 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:

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

Given under the Common Seal of the North Dorset District Council this 8th day of January 1986

The foregoing byelaws are hereby confirmed by the Secretary of State for Social Services on 29 May 1986 and shall come into operation on 1 July 1986.

DATED 8th January 1986

BYELAWS

for Acupuncture made by North Dorset District Council in pursuance of section 14(7) of the Local Government (Miscellaneous Provisions) Act 1982.

TATTOOING BYELAWS

Byelaws for the purposes 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 business of tattooing, made by North Dorset District 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 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 leakproof, 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-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable 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 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 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 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 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 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 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 -

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

Given under the Common Seal of the North Dorset District Council this

8th day of January 1986

The foregoing byelaws are hereby confirmed by the Secretary of State for Social Services on 29 May 1986 and shall come into operation on 1 July 1986

DATED 8th January 1986

BYELAWS

for Tattooing made by North Dorset District Council in pursuance of section 15(7) of the Local Government (Miscellaneous Provisions) Act 1982.

EAR PIERCING AND ELECTROLYSIS BYELAWS

Byelaws for the purposes 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 business of ear piercing and electrolysis made by North Dorset District 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 ear-piercing or electrolysis;

      "The treatment area" means any part of 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 leakproof, 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;

c. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. When re-usable 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 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 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 items mentioned in byelaw 3 a 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 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

Given under the Common Seal of the North Dorset District Council this

8th day of January 1986

The foregoing byelaws are hereby confirmed by the Secretary of State for Social Services on 29 May 1986 and shall come into operation on 1 July 1986.

DATED 8th January 1986

BYELAWS

for ear piercing and electrolysis made by North Dorset District Council in pursuance of Section 15(7) of the Local Government (Miscellaneous Provisions) Act 1982.

WEYMOUTH AND PORTLAND BOROUGH COUNCIL

BYELAWS FOR THE REGULATION OF COSMETIC PIERCING AND SKIN COLOURING BUSINESSES

IN PURSUANCE OF SECTIONS 14(7) AND/OR 15(7) OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

I HEREBY CERTIFY THAT
THIS IS A TRUE COPY

SIGNED.. .....

WEYMOUTH AND PORTLAND BOROUGH COUNCIL

BYELAWS FOR THE REGULATION OF COSMETIC PIERCING AND SKIN COLOURING BUSINESSES

Byelaws for the purposes of securing the cleanliness of premises registered under sections 14(2) or 15(2) or both of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and of persons registered under sections 14(1) or 15(1) or both of the Act and persons assisting them and of securing the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the practice of acupuncture or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis, or any two or more of such practice and businesses made by the Borough Council of Weymouth and Portland in pursuance of section 14(7) or 15(7) or both of the Act.

Interpretation

1. (1) In these byelaws, unless the context otherwise requires -

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

"client" means any person undergoing treatment;

"hygienic piercing instrument" means an instrument such that any part of the instrument that touches a client is made for use in respect of a single client, is sterile, disposable and is fitted with piercing jewellery supplied in packaging that indicates the part of the body for which it is intended, and that is designed to pierce either:-

(a) the lobe or upper flat cartilage of the ear, or

(b) either side of the nose in the mid-crease area above the nostril;

"operator" means any person giving treatment, including a proprietor;

"premises" means any premises registered under sections 14(2) or 1592) of the Act;

"proprietor" means any person registered under sections 14(1) or 15(1) of the Act;

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

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

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

2. (1) For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that -

(a) any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;

(b) any waste material, or other litter arising from treatment is handled and disposed of in accordance with relevant legislation and guidance as advised by the local authority;

(c) any needle used in treatment is single-use and disposable, as far as is practicable or otherwise is sterilized for each treatment, is suitably stored after treatment and is disposed of in accordance with relevant legislation and guidance as advised by the local authority;

(d) any furniture or fittings in premises is kept clean and in such good repair as to enable it to be cleaned effectively;

(e) any table, couch or seat used by a client in the treatment area which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument or equipment is placed immediately prior to treatment has a smooth impervious surface which is disinfected:-

(i) immediately after use; and

(ii) at the end of each working day.

(f) any table, couch or other item of furniture used in treatment is covered by a disposable paper sheet which is changed for each client;

(g) no eating, drinking or smoking is permitted in the treatment area and a notice or notices reading "No Smoking" and "No Eating or Drinking" is prominently displayed there.

(2) (a) Subject to sub paragraph (b), where premises are registered under section 14(2) (acupuncture) or 15(2) (tattooing, semi permanent skin colouring, cosmetic piercing and electrolysis) of the 1982 Act, a proprietor shall ensure that treatment is given in a treatment area used solely for giving treatment;

(b) sub paragraph (a) shall not apply if the only treatment to be given in such premises is ear piercing or nose piercing using a hygienic piercing instrument;

(3) (a) Subject to sub paragraph (b), where premises are registered under Section 15(2) (tattooing, semi permanent skin colouring and cosmetic piercing) of the 1982 Act, a proprietor shall ensure that the floor of the treatment area is provided with a smooth impervious surface;

(b) sub paragraph (a) shall not apply if the only treatment to be given in such premises is ear piercing or nose piercing using a hygienic piercing instrument.

3. (1) For the purpose of securing the cleansing and so far as is appropriate, the sterilization of needles, instruments, jewellery, materials and equipment used in connection with treatment:-

(a) An operator shall ensure that:-

(i) any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in the treatment:-

(aa) is clean and in good repair and, so far as is appropriate, is sterile;

(bb) has not previously been used in connection with another client unless it consists of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilized.

(ii) any needle, metal instrument, or other instrument or equipment used in treatment or for handling such needle, instrument or equipment and any part of a hygienic piercing instrument that touches a client is sterile;

(iii) any jewellery used for cosmetic piercing by means of a hygienic piercing instrument is sterile;

(iv) any dye used for tattooing or semi permanent skin colouring is sterile and inert;

(v) any container used to hold dye for tattooing or semi permanent skin colouring is either disposed of at the end of each treatment or is cleaned and sterilized before re-use;

(b) A proprietor shall provide:-

(i) adequate facilities and equipment for:-

(aa) cleansing; and

(bb) sterilization, unless only pre-sterilized items are used

(ii) sufficient and safe gas points and electrical socket outlets;

(iii) an adequate and constant supply of clean hot and cold water on the premises;

(iv) clean and suitable storage which enables contamination of the articles, needles, instruments and equipment mentioned in paragraphs 3(1)(a)(i), (ii), (iii), (iv) and (v) to be avoided as far as possible.

4. (1) For the purpose of securing the cleanliness of operators a proprietor:-

(a) shall ensure that an operator:-

(i) keeps his hands and nails clean and his nails short;

(ii) keep any open lesion on an exposed part of the body effectively covered by an impermeable dressing;

(iii) wears disposable examination gloves that have not previously been used with another client, unless giving acupuncture otherwise than in the circumstances described in paragraph 4(3);

(iv) 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 another client;

(v) does not smoke or consume food or drink in the treatment area; and

(b) shall provide;

(i) suitable and sufficient washing facilities appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, soap or detergent; and

(ii) suitable and sufficient sanitary accommodation for operators.

(2) Where an operator carries out treatment using only a hygienic piercing instrument and a proprietor provides either a hand hygienic gel or liquid cleaner, the washing facilities the proprietor provides need not be for the sole use of the operator.

(3) Where an operator gives acupuncture a proprietor shall ensure that the operator wears disposable examination gloves that have not previously been used with another client if:-

(a) the client is bleeding or has an open lesion on an exposed part of his body; or

(b) the client is known to be infected with a blood-borne virus; or

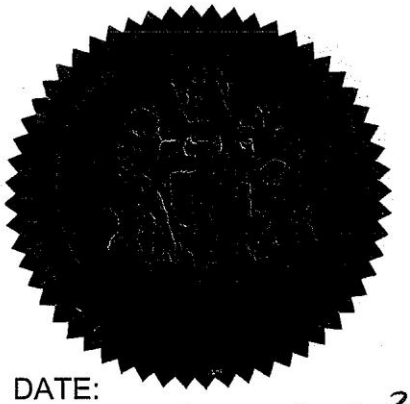
(c) the operator has an open lesion on his hand; or

(d) the operator is handling items that may be contaminated with blood or other body fluids.

5. A person registered in accordance with sections 14 (acupuncture) or 15 (tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis) of the Act who visits people at their request to give them treatment should observe the requirements relating to an operator in paragraphs 3(1) (a) and 4(1) (a).

6. The byelaws to control the cleanliness and standard of premises, equipment and personnel involved in acupuncture, tattooing, ear piercing and electrolysis that were made by the Borough Council of Weymouth and Portland on the Twenty-eighth day of November 1985 and were confirmed by the Assistant Secretary of the Department of Health and Social Security on the Seventh day of May 1986 are revoked.

THE COMMON SEAL of WEYMOUTH AND)
PORTLAND BOROUGH COUNCIL was)
hereunto affixed in the presence of:-)



LEGAL SERVICES MANAGER

DATE: 30 November 2009.

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

on 16/06/10 and shall come into operation on 16/07/10

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 premises. Section 16(9) of the Local Government (Miscellaneous Provisions) Act 1982 provides 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. A person who contravenes section 16(9) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale (see section 16(10)).

Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 also provides that any person who contravenes these byelaws 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 VIII of the Act is found guilty of contravening these byelaws the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of the person's registration. A court which orders the suspension of or cancellation of a person's registration may also order the suspension or cancellation 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 the relevant sub-sections of section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

Nothing in these byelaws extends to the practice of acupuncture, or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis by or under the supervision of a person who is registered as a medical practitioner, or to premises in which the practice of acupuncture, or business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis is carried out by or under the supervision of such a person.

Nothing in these byelaws extends to the practice of acupuncture by or under the supervision of a person who is registered as a dentist, or to premises in which the practice of acupuncture is carried out by or under the supervision of such a person.

The legislative provisions relevant to acupuncture are those in section 14. The provisions relevant to treatment other than acupuncture are in section 15.

The key differences in the application of requirements in respect of the various treatments are as follows:

The references in the introductory text to provisions of section 14 (acupuncture) of the Local Government (Miscellaneous Provisions) Act 1982 ***only apply to acupuncture.***

The references in the introductory text to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Local Government (Miscellaneous Provisions) Act 1982 ***do not apply to acupuncture.***

The references in paragraph 1(1) in the definition of "premises" to provisions of section 14 (acupuncture) ***only apply to acupuncture.***

The references in paragraph 1(1) in the definition of "premises" to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) ***do not apply to acupuncture.***

The requirement in paragraph 2(2) that treatment is given in a treatment area used solely for giving treatment ***applies to acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis but not to ear-piercing or nose-piercing using a hygienic piercing instrument.***

The requirement in paragraph 2(3) that the floor of the treatment area be provided with a smooth impervious surface ***applies to tattooing, semi-permanent skin-colouring and cosmetic piercing but not to acupuncture or electrolysis or ear-piercing or nose-piercing using a hygienic piercing instrument.***

The requirements relating to dye or a container used to hold dye used for treatment in paragraphs 3(1) (a) (iv) and (v) ***apply to tattooing and semi-permanent skin-colouring****.*

The requirement in paragraph 4(1)(a)(iii) that an operator wears disposable examination gloves that have not previously been used with another client ***does not apply to acupuncture otherwise than in the circumstances described in paragraph 4(3)****.*

The provisions of paragraph 4(2) in relation to washing facilities ***apply to cosmetic piercing using only a hygienic piercing instrument****.*

The exception whereby the byelaws do not apply to treatment carried out by or under the supervision of a ***dentist*** *applies only to* ***acupuncture (see section 14(8) of the Act)****.*

WEST DORSET DISTRICT COUNCIL

BYELAWS FOR THE REGULATION OF ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN-COLOURING, COSMETIC PIERCING AND ELECTROLYSIS

BYELAWS FOR THE REGULATION OF ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN-COLOURING, COSMETIC PIERCING AND ELECTROLYSIS

Byelaws for the purposes of securing the cleanliness of premises registered under sections 14(2) or 15(2) or both of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and of persons registered under sections 14(1) or 15(1) or both of the Act and persons assisting them and of securing the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the practice of acupuncture or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis, or any two or more of such practice and businesses made by West Dorset District Council in pursuance of sections 14(7) or 15(7) or both of the Act.

Interpretation

1.—(1) In these byelaws, unless the context otherwise requires—

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

"client" means any person undergoing treatment;

"hygienic piercing instrument" means an instrument such that any part of the instrument that touches a client is made for use in respect of a single client, is sterile, disposable and is fitted with piercing jewellery supplied in packaging that indicates the part of the body for which it is intended, and that is designed to pierce either—

(a) the lobe or upper flat cartilage of the ear, or

(b) either side of the nose in the mid-crease area above the nostril;

"operator" means any person giving treatment, including a proprietor;

"premises" means any premises registered under sections 14(2) or 15(2) of the Act;

"proprietor" means any person registered under sections 14(1) or 15(1) of the Act;

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

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

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

2.—(1) For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that—

(a) any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;

(b) any waste material, or other litter arising from treatment is handled and disposed of in accordance with relevant legislation and guidance as advised by the local authority;

(c) any needle used in treatment is single-use and disposable, as far as is practicable, or otherwise is sterilized for each treatment, is suitably stored after treatment and is disposed of in accordance with relevant legislation and guidance as advised by the local authority;

(d) any furniture or fitting in premises is kept clean and in such good repair as to enable it to be cleaned effectively;

(e) any table, couch or seat used by a client in the treatment area which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument or equipment is placed immediately prior to treatment has a smooth impervious surface which is disinfected—
(i) immediately after use; and
(ii) at the end of each working day.

(f) any table, couch, or other item of furniture used in treatment is covered by a disposable paper sheet which is changed for each client;

(g) no eating, drinking, or smoking is permitted in the treatment area and a notice or notices reading "No Smoking", and "No Eating or Drinking" is prominently displayed there.

(2) (a) Subject to sub-paragraph (b), where premises are registered under section 14(2) (acupuncture) or 15(2) (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the 1982 Act, a proprietor shall ensure that treatment is given in a treatment area used solely for giving treatment;

(b) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear-piercing or nose-piercing using a hygienic piercing instrument.

(3) (a) Subject to sub-paragraph (b), where premises are registered under section 15(2) (tattooing, semi-permanent skin-colouring and cosmetic piercing) of the 1982 Act, a proprietor shall ensure that the floor of the treatment area is provided with a smooth impervious surface;

(b) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear-piercing or nose-piercing using a hygienic piercing instrument.

3.—(1) For the purpose of securing the cleansing and so far as is appropriate, the sterilization of needles, instruments, jewellery, materials and equipment used in connection with treatment—

(a) an operator shall ensure that—

(i) any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in treatment—

(aa) is clean and in good repair and, so far as is appropriate, is sterile;

(bb) has not previously been used in connection with another client unless it consists of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilized.

(ii) any needle, metal instrument, or other instrument or equipment used in treatment or for handling such needle, instrument or equipment and any part of a hygienic piercing instrument that touches a client is sterile;

(iii) any jewellery used for cosmetic piercing by means of a hygienic piercing instrument is sterile;

(iv) any dye used for tattooing or semi-permanent skin-colouring is sterile and inert;

(v) any container used to hold dye for tattooing or semi-permanent skin-colouring is either disposed of at the end of each treatment or is cleaned and sterilized before re-use.

(b) a proprietor shall provide—

(i) adequate facilities and equipment for—

(aa) cleansing; and

(bb) sterilization, unless only pre-sterilized items are used.

(ii) sufficient and safe gas points and electrical socket outlets;

(iii) an adequate and constant supply of clean hot and cold water on the premises;

(iv) clean and suitable storage which enables contamination of the articles, needles, instruments and equipment mentioned in paragraphs 3(1)(a)(i), (ii), (iii), (iv) and (v) to be avoided as far as possible.

4.—(1) For the purpose of securing the cleanliness of operators, a proprietor—

(a) shall ensure that an operator—

(i) keeps his hands and nails clean and his nails short;

(ii) keeps any open lesion on an exposed part of the body effectively covered by an impermeable dressing;

(iii) wears disposable examination gloves that have not previously been used with another client, unless giving acupuncture otherwise than in the circumstances described in paragraph 4(3);

(iv) 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 another client;

(v) does not smoke or consume food or drink in the treatment area; and

(b) shall provide—

(i) suitable and sufficient washing facilities appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, soap or detergent; and

(ii) suitable and sufficient sanitary accommodation for operators.

(2) Where an operator carries out treatment using only a hygienic piercing instrument and a proprietor provides either a hand hygienic gel or liquid cleaner, the washing facilities that the proprietor provides need not be for the sole use of the operator.

(3) Where an operator gives acupuncture a proprietor shall ensure that the operator wears disposable examination gloves that have not previously been used with another client if—

(a) the client is bleeding or has an open lesion on an exposed part of his body; or

(b) the client is known to be infected with a blood-borne virus; or

(c) the operator has an open lesion on his hand; or

(d) the operator is handling items that may be contaminated with blood or other body fluids.

5. A person registered in accordance with sections 14 (acupuncture) or 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Act who visits people at their request to give them treatment should observe the requirements relating to an operator in paragraphs 3(1)(a) and 4(1)(a).

6. The byelaws relating to acupuncture, tattooing, ear piercing and electrolysis that were made by West Dorset District Council on the 29th January 1987 and were confirmed by the Department of Health and Social Security on 12th May 1987 are revoked.

On the 2nd day of July 2010

THE COMMON SEAL of **WEST DORSET**)
DISTRICT COUNCIL was hereunto affixed)
in the presence of:-)

~~Chairman~~ Leader

Chief Executive

12470/10

The foregoing byelaws are hereby confirmed by the Secretary of State for Health on 18.08.10 and shall come into operation on 20.09.10

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 premises. Section 16(9) of the Local Government (Miscellaneous Provisions) Act 1982 provides 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. A person who contravenes section 16(9) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale (see section 16(10)).

Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 also provides that any person who contravenes these byelaws 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 VIII of the Act is found guilty of contravening these byelaws the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of the person's registration. A court which orders the suspension of or cancellation of a person's registration may also order the suspension or cancellation 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 the relevant sub-sections of section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

Nothing in these byelaws extends to the practice of acupuncture, or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis by or under the supervision of a person who is registered as a medical practitioner, or to premises in which the practice of acupuncture, or business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis is carried out by or under the supervision of such a person.

Nothing in these byelaws extends to the practice of acupuncture by or under the supervision of a person who is registered as a dentist, or to premises in which the practice of acupuncture is carried out by or under the supervision of such a person.

The legislative provisions relevant to acupuncture are those in section 14. The provisions relevant to treatment other than acupuncture are in section 15.

The key differences in the application of requirements in respect of the various treatments are as follows:

The references in the introductory text to provisions of section 14 (acupuncture) of the Local Government (Miscellaneous Provisions) Act 1982 **only apply to acupuncture.**

The references in the introductory text to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Local Government (Miscellaneous Provisions) Act 1982 **do not apply to acupuncture.**

The references in paragraph 1(1) in the definition of "premises" to provisions of section 14 (acupuncture) **only apply to acupuncture.**

The references in paragraph 1(1) in the definition of "premises" to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) **do not apply to acupuncture.**

The requirement in paragraph 2(2) that treatment is given in a treatment area used solely for giving treatment **applies to acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis but not to ear-piercing or nose-piercing using a hygienic piercing instrument**.

The requirement in paragraph 2(3) that the floor of the treatment area be provided with a smooth impervious surface **applies to tattooing, semi-permanent skin-colouring and cosmetic piercing but not to acupuncture or electrolysis or ear-piercing or nose-piercing using a hygienic piercing instrument**.

The requirements relating to dye or a container used to hold dye used for treatment in paragraphs 3(1) (a) (iv) and (v) **apply to tattooing and semi-permanent skin-colouring**.

The requirement in paragraph 4(1)(a)(iii) that an operator wears disposable examination gloves that have not previously been used with another client **does not apply to acupuncture otherwise than in the circumstances described in paragraph 4(3)**.

The provisions of paragraph 4(2) in relation to washing facilities **apply to cosmetic piercing using only a hygienic piercing instrument**.

The exception whereby the byelaws do not apply to treatment carried out by or under the supervision of a **dentist** *applies only to* **acupuncture (see section 14(8) of the Act)**.

ACUPUNCTURE

WIMBORNE DISTRICT COUNCIL

Byelaws for the purposes 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 Wimborne District Council in pursuance of Section 14(7) of the Local Government (Miscellaneous Provisions) Act 1982.

1. These byelaws shall extend and apply to the whole of the Administrative District of Wimborne.

2. 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 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.

3. 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 leakproof, 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;

d. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable 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;

e. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;

f. All tables, couches and seats used by clients in the treatment area, and any surface on which items specified in 4b below are placed, immediately prior to treatment, have a smooth impervious surface which is wiped down at least daily with a suitable disinfectant;

g. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;

h. A notice or notices reading "No Smoking" are prominently displayed within the treatment area.

4. 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 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 items mentioned in byelaw 4 a 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 contanination.

5. 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 -

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.

The Common Seal of WIMBORNE DISTRICT COUNCIL was hereunto affixed this 22nd day of February 1985

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

14 May 1985 and

shall come into operation on

1 July 1985.

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 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 the commission of the offence.

C. 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 a dentist or to premises on which the practice of acupuncture is carried on by or under the supervision of such a person.

WIMBORNE DISTRICT COUNCIL

BYELAWS

for

ACUPUNCTURE

TATTOOING -

WIMBORNE DISTRICT COUNCIL

Byelaws for the purposes 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 business of tattooing, made by Wimborne District Council in pursuance of Section 15(7) of the Local Government (Miscellaneous Provisions) Act 1982.

1. These byelaws shall extend and apply to the whole of the Administrative District of Wimborne.

2. 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.

3. 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 then 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 leakproof, 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-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable 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 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 items specified in 4b 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.

4. 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 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 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 4 a 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.

5. 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 -

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.

The Common Seal of WIMBORNE DISTRICT COUNCIL was hereunto affixed this 2nd day of February 1985

The foregoing byelaws are hereby
confirmed by the Secretary of
State for Social Services on
and
shall come into operation on

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 the 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.

WIMBORNE DISTRICT COUNCIL

BYELAWS

for

TATTOOING

EAR PIERCING

WIMBORNE DISTRICT COUNCIL

Byelaws for the purposes 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 business of ear piercing and electrolysis made by Wimborne District Council in pursuance of Section 15(7) of the Local Government (Miscellaneous Provisions) Act 1982.

1. These byelaws shall extend and apply to the whole of the Administrative District of Wimborne.

2. 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.

3. 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 in any part of the premises used by clients and operators are kept clean and in such good repair as to enable then 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 leakproof, 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;

c. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable 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 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 items specified in 4b 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.

4. 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 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 items mentioned in byelaw 4 a 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.

5. 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.

The Common Seal of WIMBORNE DISTRICT COUNCIL was hereunto affixed this 22nd day of February 1985

The foregoing byelaws are hereby confirmed by the Secretary of State for Social Services on 14 May 1985 and shall come into operation on 1 July 1985.

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 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 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.

MINBORNE DISTRICT COUNCIL

BYELAWS

for

EAR PIERCING and ELECTROLYSIS

PURBECK DISTRICT COUNCIL

ACUPUNCTURE BYELAWS

Byelaws for the purpose of securing the cleanliness of registered premises and fittings therein and registered 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 Purbeck District 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 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 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 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 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 leakproof, 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 materials disposed of safely. Where liners are not used, the receptacles shall then be cleaned;

(d) All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable 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.

(e) All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;

(f) All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3(b) below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down at least daily with a suitable disinfectant;

(g) Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;

(h) 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 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 items mentioned in byelaw 3(a) and (b) above, so that those items shall be properly stored in a clean and suitable place 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: -

(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.

The Common Seal of
Purbeck District Council
was here unto affixed
in the presence of — Legal Services Manager

The foregoing byelaws are
hereby confirmed by the
Secretary of State for Health
on 25th March 1992 and shall
come into operation on 1st May
1992 — Assistant Secretary
Department of Health

Certified to be a true copy of the Byelaws as confirmed

Administrative Services Manager

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

A. 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 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 Level 3 on the Standard Scale. 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 a 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 a business of acupuncture 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.

TATTOOING BYELAWS.

Byelaws for securing the cleanliness of registered premises and fittings therein and registered 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 Purbeck District 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 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.

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 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. Where 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 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 3 (b) below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down with disinfectant between the treatment of different clients, and thoroughly cleaned at the end of the day;

(h) Where table 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 is appropriate, the sterilisation 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:-

(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 clean hot and cold water readily available at all times on the premises;

(iv) adequate storage for all items mentioned in byelaw 3(a) 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:-

(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.

The Common Seal of
Purbeck District Council
was here unto affixed
in the presence of — Legal Services Manager

The foregoing byelaws
are hereby confirmed by
the Secretary of State
for Health on 25th March
1992 and shall come into
operation on 1st May 1992 — Assistant Secretary
Department of Health

Certified to be a true copy of the Byelaws as confirmed

Administrative Services Manager

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

A. 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 prominently displayed in 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 Level 3 on the Standard Scale. If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in addition to imposing a fine, under the suspension or cancellation 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 a 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 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.

EAR PIERCING AND ELECTROLYSIS BYELAWS

Byelaws for the purpose of securing the cleanliness of registered premises and fittings therein and registered 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 Purbeck District 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 V111 of the Act;

   "Proprietor" means any person registered under Part V111 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 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) All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leakproof, 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;

(c) 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-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 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 3(b) below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down 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 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 items mentioned in byelaw 3(a) 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.

The Common Seal of
Purbeck District Council
was here unto affixed
in the presence of — Legal Services Manager

The foregoing byelaws
are hereby confirmed by
the Secretary of State
for Health on 25th March
1992 and shall come into
operation on 1st May 1992 — Assistant Secretary
Department of Health

Certified to be a true copy of the Byelaws as confirmed

Administrative Services Manager

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

A. 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 prominently displayed in 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 Level 3 on the Standard Scale. If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in addition to imposing a fine, under the suspension or cancellation 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 a 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 a business of ear piercing or of electrolysis 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.