
Chelmsford City Council

Byelaws

Cosmetic Piercing, Electrolysis, Tattooing, Semi Permanent Skin Colouring and Acupuncture

Made in the Borough of Chelmsford in exercise of their powers under Section 15(7)

of the Local Government (Miscellaneous Provisions) Act 1982 in respect of the business of ear piercing and electrolysis.

Byelaws for electrolysis

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 Chelmsford Borough Council in pursuance of Section 15(7) of the Local Government (Miscellaneous Provisions) Act 1982.

1. Interpretation:

(a) In these byelaws, unless the context otherwise requires:

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

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

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

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

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

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

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

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

(a) All internal walls, doors, windows, partitions, floors and floor coverings,

and ceilings in any part of the premises used by clients and operators are kept clean and in such good repair as to enable them to be cleaned effectively;

(b) all waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and 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 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;

(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 3(b) 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 it 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 an 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.

Byelaws for tattooing

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 Chelmsford Borough Council in pursuance of Section 15(7) of the Local Government (Miscellaneous Provisions) Act 1982.

1. Interpretation:

(a) In these byelaws, unless the context otherwise requires:

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

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

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

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

“Treatment” means any operation in effecting tattooing;

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

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

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

(a) All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators are kept clean and in such good repair as to enable them to be cleaned effectively;

(b) the treatment area is used solely for giving treatment;

(c) the floor of the treatment area is provided with a smooth impervious surface;

(d) all waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and 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 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-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 3(b) 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 it 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 byelaws 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 an 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.

Byelaws for acupuncture

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 Chelmsford Borough Council in pursuance of Section 14(7) of the Local Government (Miscellaneous Provisions) Act 1982.

1. Interpretation:

(a) In these byelaws, unless the context otherwise requires:

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

“Client” means 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 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
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proprietor shall ensure that:-

(a) All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators are kept clean and in such good repair as to enable them to be cleaned effectively;

(b) the treatment area is used solely for giving treatment;

(c) 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 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 leak proof re-useable 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 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 it 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 byelaws 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 an 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

Byelaws for cosmetic piercing

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

1. Interpretation:

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

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

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

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

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

“Treatment” means any operation in effecting cosmetic piercing;

“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 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. All waste materials, and other litters, arising from the treatment should be handle and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;

c. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;

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

e. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;

f. Where tables and couches are used, they are 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”, “No Eating or Drinking” is prominently displayed there.

3. For the purpose of securing the cleansing and so far as is appropriate, the sterilization 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;

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,sterilized.

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 the 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 sterilization (unless presterilized 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 are 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. A proprietor shall ensure that -
 - i. any operator keeps his hands and nails clean and his 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 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 and sanitising soap or detergent;
 - ii. suitable and sufficient sanitary accommodation for operators.

Note - the following does not form part of the byelaws

A. Proprietors must take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act 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.

B. Section 16(2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who contravenes 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 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 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 sub-sections (1), (2), (8) or

(10) of Section 16 to prove that he took all reasonable precautions and exercised all

due diligence to avoid commission of the offence.

C. Nothing in these byelaws extends to the practice of cosmetic piercing by or under

the supervision of a person who is registered as a medical practitioner or to premises

on which the practice of cosmetic piercing is carried on by or under the supervision of

such a person

Byelaws for semi-permanent skin piercing

Byelaws for the purposes of securing the cleanliness of premises registered under

section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of semi-permanent skin-colouring, made by Chelmsford Borough Council in pursuance of section 15(7) of the Act.

1. Interpretation:

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

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

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

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

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

“Treatment” means any operation in effecting semi-permanent skin-colouring;

“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 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 relevant legislation and guidance as advised by the local authority;

e. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;

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

g. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is 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.

3. For the purpose of securing the cleansing and so far as is appropriate, the sterilization 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, sterilized.
- b. An operator shall ensure that –
 - i. any needle, metal instrument, or other item or 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 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 sterilized before re-use;
- c. A proprietor shall provide –
 - i. adequate facilities and equipment for the purpose of sterilization (unless presterilised 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 items mentioned in byelaw 3 a and b above, 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.
- 4. For the purpose of securing the cleanliness of operators –
 - a. A proprietor shall ensure that –
 - i. any operator keeps his hands and nails clean and his 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 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.

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(1) and (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 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.