

Spelthorne Borough Council



Dated 22nd March 2007

BYELAWS FOR ACUPUNCTURE/COSMETIC PIERCING AND ELECTROLYSIS/ TATTOOING/SEMI-PERMANENT SKIN-COLOURING

Byelaws made under section 15 of the
Local Government (Miscellaneous Provisions) Act 1982
as amended by section 120 of the Local Government Act 2003.

Council Min Ref: 213/05

Council File Ref: B2.7/3

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Michael Graham, Solicitor
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Spelthorne Borough Council
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SPELTHORNE BOROUGH COUNCIL

BYELAWS FOR ACUPUNCTURE

Byelaws for the purposes of securing the cleanliness of premises registered under section 14 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 acupuncture, made by Spelthorne Borough Council in pursuance of Section 14(7) of the Act.

1. Interpretation:

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

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

"Client" means 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 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, 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 pre-sterilized 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 -

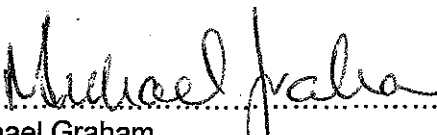
a. A proprietor shall ensure that -

- 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.

THE COMMON SEAL of)
SPELTHORNE BOROUGH COUNCIL)
was hereunto affixed on the 22nd day of March)
Two Thousand and Seven in the presence of:)


.....
Michael Graham
Head of Corporate Governance

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

and shall come into operation on..... 1 September 2007


.....
Member of the Senior Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors shall take all reasonable steps to ensure compliance with 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 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 acupuncture by or under the supervision of a person who is registered as a medical practitioner or as a dentist or to premises on which the practice of acupuncture is carried on by or under the supervision of such a person.

SPELTHORNE BOROUGH COUNCIL

BYELAWS FOR COSMETIC PIERCING AND ELECTROLYSIS

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 and electrolysis made by Spelthorne 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 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 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 handled 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" are prominently displayed there.
 - h. The treatment area is used solely for giving treatment;
 - i. The floor of the treatment area is provided with a smooth impervious surface;
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 pre-sterilized 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 an 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.

THE COMMON SEAL of)
SPELTHORNE BOROUGH COUNCIL)
was hereunto affixed on the 22nd day of March)
Two Thousand and Seven in the presence of:)


Michael Graham
Head of Corporate Governance

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

and shall come into operation on..... 1 September 2007


.....
Member of the Senior Civil Service
Department of Health

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-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 and/or electrolysis 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 and/or electrolysis is carried on by or under the supervision of such a person.

SPELTHORNE BOROUGH COUNCIL

BYELAWS FOR TATTOOING AND SEMI-PERMANENT SKIN-COLOURING

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 tattooing and/or semi-permanent skin-colouring, made by Spelthorne 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 tattooing or 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;

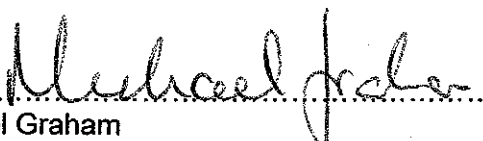
b. The treatment area is used solely for giving treatment;

c. The floor of the treatment area is provided with a smooth impervious surface;

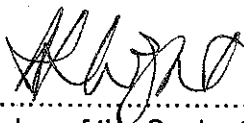
- d. All waste materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;
 - e. All needles used in treatment are single-use and disposable, as far as is practicable; 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.
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- 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, 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 of equipment, used in treatment or for handling instruments and needles used in the treatment, is in a sterile condition and kept sterile until it is used;
 - ii. all dyes used for tattooing and/or semi-permanent skin-colouring are sterile and inert;
 - iii. the containers used to hold the dyes for each customer are either disposed of at the end of each session of treatment, or are cleaned and sterilized before re-use;
 - c. A proprietor shall provide -
 - i. adequate facilities and equipment for the purpose of sterilization (unless pre-sterilized 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 -
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 - 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;
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 - ii. suitable and sufficient sanitary accommodation for operators.

THE COMMON SEAL of)
 SPELTHORNE BOROUGH COUNCIL)
 was hereunto affixed on the 22nd day of March)
 Two Thousand and Seven)
 in the presence of:)


 Michael Graham
 Head of Corporate Governance

The foregoing byelaws are hereby confirmed by the Secretary of State for Health
and shall come into operation on.....1 September 2007.....

A handwritten signature in black ink, appearing to be 'R. J. N.', written over a dotted line.

Member of the Senior Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

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- C. Nothing in these byelaws extends to the practice of tattooing and/or semi-permanent skin colouring by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of tattooing and/or semi-permanent skin colouring is carried on by or under the supervision of such a person.