

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

CONDITIONS APPLICABLE TO SKIN PIERCING AND TATTOOING LICENCE

GENERAL CONDITIONS FOR ALL

1. The licence must not be altered , erased or defaced in any way , must be kept clean and legible and must not be lent to, or used by, any other person;
2. In the event of the licence becoming lost, defaced or illegible, the licence holder may obtain a replacement from the Licensing Authority on payment of the prescribed fee;
3. The licence holder shall produce his/her licence within two days of being requested to do so by a police officer or an authorised officer of the Licensing Authority;
4. In the event of the premises ceasing for any reason to be used for skin piercing or tattooing, the licence shall be surrendered to the Licensing Authority within seven days thereof;
5. The licence holder will not make, or permit to make, any material change to the premises without the written, prior consent of the Licensing Authority;
6. The licence holder shall, at any reasonable time, allow an authorised officer of the Local Authority or Fire and Rescue Service, or a Police Officer, to enter and inspect his/her premises for a purpose in relation to the licence, including for the inspection of any equipment, records or documents, and to take copies or extracts of such records or documents;
7. The Licence holder shall ensure that:
 - (a) the accommodation and facilities within the premises are to be maintained in good repair and in a good state of cleanliness;
 - (b) only sterile single use disposable needles may be used for skin piercing or tattooing;
 - (c) for the purposes of tattooing, only sterile pigment dispensed into single use pots or ink pre-packed in single use vials may be used;
 - (d) the activity of tattooing or skin piercing (other than acupuncture) must be carried out by an operator wearing disposable non-latex gloves, which must be changed for each client;
 - (e) a supply of the following must be maintained:
 - i. disposable non-latex gloves;
 - ii. sterile single-use disposable needles; and
 - ii. where tattooing is provided within the premises, disposable razors.
 - (f) any equipment which is not disposable shall be sterilised, if practicable, or thoroughly cleaned with fresh disinfectant after each use;
 - (g) skin piercing shall not be carried out on a child under the age of 16 unless accompanied by a person who has parental rights and responsibilities in respect of that child and who has also given their consent in writing to the skin piercing;

- (h) any equipment which is disposable must be disposed of immediately after use in an appropriate waste receptacle;
- (i) for ear piercing:
 - i. a sterile cartridge for ear piercing; and
 - ii. pre-sterilised jewellery supplied in packaging which indicates the part of the body for which it is intended must be used.
- (j) for tongue piercing, a sterilised clamp must be used; and
- (k) information, in an easy to understand format, must be provided to prospective clients to explain:
 - i. the process of the skin piercing or tattooing;
 - ii. the risks of the procedure; and
 - iii. the after care requirement of the procedure.
 - iv. the after care requirement of the procedure.

ADDITIONAL CONDITIONS FOR ACUPUNCTURE, TATTOOING OR ELECTROLYSIS

- 8. The Licence holder shall ensure that separate rooms are provided for:
 - (a) the waiting area; and
 - (b) the carrying out of skin piercing or tattooing.
- 9. The Licence holder shall ensure that the waiting area has displayed a notice advising:
 - (a) that skin piercing and tattooing will not be carried out on any person under the influence of alcohol or drugs;
 - (b) that skin piercing will not be carried out on any child under the age of 16 unless accompanied by a person who has parental rights and responsibilities in respect of that child and who has also given their consent in writing to the skin piercing; and
 - (c) that tattooing will not be carried out on any person under the age of 18.
- 10. The Licence holder shall ensure that the room to be used for the purposes of carrying out the skin piercing or tattooing has the following facilities:
 - (a) a wash hand basin with hot and cold running water and which uses non-hand operated taps;
 - (b) a paper towel holder containing paper towels;
 - (c) a soap dispenser containing soap;
 - (d) a washable bench or chair with disposable paper sheet;
 - (e) a dispenser containing alcohol solution;
 - (f) a waste bucket with a pedal operated lid;
 - (g) a sharps container for storage of needles after use;
 - (h) a first aid kit;
 - (i) there is a general purpose sink with hot and cold running water on the premises separate from the wash hand basin required under (a) above;

11. The Licence holder should ensure that the following equipment is stored and properly maintained for use on the premises unless only disposable instruments are used within the premises for skin piercing or tattooing:
 - (a) ultrasonic cleaners;
 - (b) instrument baths; and
 - (c) autoclaves and autoclaves pouches.

12. The Licence holder shall ensure that the premises are well ventilated and illuminated for the purposes of skin piercing and tattooing.

ADDITIONAL CONDITIONS FOR EAR PIERCING ONLY

13. The following conditions shall apply:
 - (a) a separate area with a washable chair with disposable paper sheet has been designated for the carrying out of ear piercing;
 - (b) the designated area has displayed a notice advising:
 - i. that ear piercing will not be carried out on any person under the influence of alcohol or drugs;
 - ii. that ear piercing will not be carried out on any child under the age of 16 unless accompanied by a person who has parental rights and responsibilities in respect of that child and who has also given their consent in writing to the ear piercing;
 - (c) the premises to be used for the purposes of carrying out ear piercing has the following facilities:
 - i. a wash hand basin with hot and cold running water;
 - ii. a paper towel holder containing paper towels;
 - iii. a soap dispenser containing soap;
 - iv. a dispenser containing alcohol solution; and
 - v. a waste bucket with a pedal operated lid; and
 - (d) the premises are well ventilated and illuminated.

ADDITIONAL CONDITIONS FOR ACUPUNCTURE ONLY

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 - (a) subject to paragraph (b), the activity of acupuncture must be carried out by an operator who has washed their hands immediately before carrying out the activity of acupuncture of each client;
 - (b) the activity of acupuncture must be carried out by an operator wearing disposable non-latex gloves that have not previously been used with another client where:
 - i. the operator has an open lesion on their hands.
 - ii. the operator is handling items that may be contaminated with blood or other body fluids;
 - iii. the client is bleeding or has an open lesion on an exposed part of the client's body; or

- iv. the client is known by the operator to be infected with a blood borne virus.

ADDITIONAL CONDITIONS APPLICABLE WHERE THE ACTIVITIES (SKINPIERCING, ELECTROLYSIS, EARPIERCING, ACUPUNCTURE OR TATTOOING) ARE NOT TO BE CARRIED OUT WHOLLY OR MAINLY FROM PREMISES

15. The Licence holder shall ensure that:
- (a) disposable non latex gloves must except for the activity of acupuncture be worn and changed for each client;
 - (b) the skin piercing or tattooing may only be carried out through use of disposable razors or sterile single use disposable needles;
 - (c) for the purposes of tattooing, only sterile pigment dispensed into single use pots or ink pre-paced in single use vials may be used;
 - (d) any seating used for the skin piercing or tattooing must be washable and covered with a disposable paper sheet which shall be renewed after each use;
 - (e) any equipment which is not disposable shall be sterilised, if practicable, or thoroughly cleaned with fresh disinfectant after each use;
 - (f) any equipment which is disposable must be disposed of immediately after use in an appropriate waste receptacle;
 - (g) for tongue piercing, a sterilised clamp must be used;
 - (h) for ear piercing:
 - i. a sterile cartridge for ear piercing; and
 - ii. pre-sterilised jewellery supplied in packaging which indicates the part of the body for which it is intended, must be used.
 - (i) skin piercing shall not be carried out on a child under the age of 16 unless accompanied by a person who has parental rights and responsibilities in respect of that child and who has also given their consent in writing to the skin piercing; and
 - (j) information, in an easy to understand format, must be provided to prospective clients to explain:
 - i. the process of the skin piercing or tattooing;
 - ii. the risks of the procedure; and
 - iii. the after care requirements of the procedure.

ADDITIONAL CONDITION FOR ACUPUNCTURE WHERE THE ACTIVITY IS NOT TO BE CARRIED OUT WHOLLY OR MAINLY FROM PREMISES

16. (a) subject to paragraph (b), the activity of acupuncture must be carried out by an operator who has washed their hands immediately before carrying out the activity of acupuncture on each client.
- (b) the activity of acupuncture must be carried out by an operator wearing disposable non latex gloves that have not previously been used with another client where:
- i. the operator has an open lesion on their hands;

- ii. the operator is handling items that may be contaminated with blood or other body fluids;
 - iii. the client is bleeding or has open lesions on an exposed part of the client's body; or
 - iv. the client is known by the operator to be infected with a blood borne virus.
17. In all conditions above:
- (a) 'Licensing Authority' means Aberdeen City Council ;
 - (b) 'the premises' means the premises specified in the Licence;
 - (c) 'Licence holder' means the person or persons named in the Licence;
 - (d) 'acupuncture' means the insertion of needles into living tissue for remedial or therapeutic purposes;
 - (e) 'cosmetic body piercing' means the perforation of the skin and underlying tissue in order to create a tunnel in the skin through which jewellery may be inserted;
 - (f) 'electrolysis' means the removal of body hair by electrocution of the hair roots with an electrified needle;
 - (g) 'skin piercing' includes any of the following:
 - i. acupuncture;
 - ii. cosmetic body piercing; or
 - iii. electrolysis.
 - (h) 'tattooing' means the insertion into the skin of any colouring materials designed to leave a semi-permanent mark including micro-pigmentation;
 - (i) 'autoclave' means a pressure vessel in which the lid is sealed by the internal pressure in the vessel and which is used to steam sterilise equipment used for skin piercing or tattooing;
 - (j) 'sharps container' means a container used for holding medical waste and devices, which can cause physical injury;
 - (k) 'ultrasonic cleaner' means a cleaning device, which uses sound waves propagated through an aqueous medium at frequencies higher than the audible range.

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Head of Legal ad Democratic Services