



New Plymouth District Council Bylaw 2010

(as amended and re-adopted November 2017)

Beauty Therapy, Tattooing and Piercing

The purpose of this part of the bylaw is to promote and protect public health by requiring those persons and premises undertaking skin and body piercing; beauty therapy procedures and tattooing to comply with minimum standards which reduce the risk of injury, transference of communicable diseases and infections .



1. Title

- 1.1** This bylaw is New Plymouth District Council Bylaw 2010, Part 6, Beauty Therapy, Tattooing and Piercing.

2. Purpose

- 2.1** The purpose of this part is to promote and protect public health by:
- a) requiring those persons and premises providing services of:
 - i) beauty therapy treatments;
 - ii) skin and body piercing; and
 - iii) tattooingto comply with minimum standards which reduce the risk of injury, transference of communicable diseases such as Hepatitis B and C, HIV/Aids, viral, bacterial or fungal skin or wound infections; and
 - b) requiring a licence for certain services which carry higher risk to the customer, including:
 - i) any commercial service that pierces the skin or any part of the body;
 - ii) any commercial service that risks breaking the skin; and
 - iii) any commercial service that risks burning the skin.

3. Commencement

- 3.1** This bylaw comes into force on 4 December 2017.
- 3.2** Full compliance with this bylaw for existing premises operational before the bylaw comes into force is required on or before six months after the date the bylaw comes into force.
- 3.3** Any new premises operating from the day the bylaw comes into force shall comply immediately with this bylaw.
- 3.4** As from the day on which this bylaw comes into force, New Plymouth District Council Bylaw 2010 Part 6 Beauty Therapy, Tattooing and Skin Piercing shall be revoked.

4. Authority

- 4.1** This bylaw is made under:
- a) Sections 23 and 64 of the Health Act 1956; and
 - b) Section 145 of the Local Government Act 2002.
- 4.2** This bylaw shall be in addition to the provisions of Part 1 Introductory of the New Plymouth District Bylaw 2008 and if this bylaw is inconsistent with Part 1 Introductory then the provisions of this bylaw shall prevail.

- 4.3 This bylaw will be reviewed in accordance with section 159 of the Local Government Act 2002.

5. Interpretation

- 5.1 In this part unless the context otherwise requires:

Definitions

Acupuncture means the practice involving the insertion of filiform (very narrow) needles through the skin and tissues for the purpose of alleviating ailments or injuries.

Beauty therapy means the provision of various treatments aimed at improving a person's appearance or well-being.

Body piercing means a practice of piercing the skin or any part of the body for decorative purposes, inserting jewellery or implants to alter the appearance of the skin or body.

Colon hydrotherapy means a practice of introducing liquids into the rectum and colon via the anus and is intended to remove faeces and non-specific toxins from the colon and intestinal tract.

Commercial service means a service (whether from permanent premises, temporary premises or mobile premises) provided by one or more persons for another person(s) for monetary payment or any other consideration.

Communicable disease means any infectious disease, and any other disease declared by the Governor-General, by Order in Council, to be a communicable disease for the purposes of the Health Act 1956.

Customer or **client** means any person who is in receipt of a service.

Derma rolling/stamping means a practice of using micro needles to create tiny punctures in the skin intended to stimulate growth factors to enhance collagen production and better alignment of the collagen fibres.

Ear-piercing means a service of piercing the ear for decorative purposes, inserting jewellery or implants to alter the appearance of the skin.

Electrolysis means a practice involving the insertion of a sterilised needle into individual hair follicles to the root. An electric impulse is passed through the needle to the root area to aid in the removal of hair.

Exfoliation means a practice that intends to remove dead skin and can be performed using microdermabrasion, physical peels that have an abrasive action and chemical peels such as glycolic or enzyme.

Extractions means a practice for the removal of comedones (blackheads), pimples and ingrown hairs by manipulating the pores of the skin, either with fingertips or a tool, to remove sebum. Some extractions can involve penetration of the skin using sharp equipment such as a metal tool or lance.

Hair removal means the removal of hair by waxing (pulling the hair from the skin using soft wax, hot wax or glucose); threading (lifting the hair out from the follicle by entwined thread); or tweezing (grasping hairs and pulling them out of the skin, including epilation - a mechanical means of tweezing).

Health practitioner means a person who is, or is deemed to be, registered under the Health Practitioners Competence Assurance Act 2003 as a practitioner of a particular health profession.

Laser treatment means a practice involving the use of a laser device, which amplifies light and usually produces an extremely narrow beam of a single wavelength (one colour), intended to remove hair or for skin photo-rejuvenation.

Licence means a licence to do something under this bylaw and includes all conditions to which the licence is subject.

Licensee means the person to whom a licence has been issued under clause 8 of this bylaw in respect to a prescribed process.

Manager means:

- a) in the case of a permanent premises, a person who is usually present and who has specific responsibility for operator supervision; or
- b) in the case of a temporary premises, a person who has effective control over operators; or
- c) if no person meets the description in (a) or (b), **manager** has the same meaning as **operator**.

Manicure means beautification or enhancement of the hands and fingernails, including shaping and polishing (painting).

Massage means a practice of applying lotion, or soft wax, or stones, or pressure to another person's face or body for the purposes of relaxation or therapy.

Mobile premises means any location other than a permanent premises where any service is undertaken on an ongoing and regular basis by any person, and can include a vehicle as defined in the Land Transport Act 1998.

Operator means a person who carries out a service.

Pedicure means the treatment or beautification of feet and toenails by the shaping and polishing toenails, and the puncturing, removal or exfoliation of skin or tissue from the feet.

Permanent premises means any property, land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied where any service is undertaken.

Piercing refers to any prescribed process involving the intentional or otherwise piercing, cutting or puncturing of the skin or any other part of the human body, and includes such services as body piercing, commercial ear-piercing, tattooing, acupuncture, derma rolling/stamping, epilation (including electrolysis and waxing), extractions, red vein treatment, pedicure and manicure.

Pulsed light means a practice using a powerful flash of broad

spectrum, non-coherent light intended to remove hair and/or for skin photo-rejuvenation, and may include but is not limited to Intense Pulsed Light and Variable Pulsed Light.

Red vein treatment means a practice of piercing a vein with a needle along the length of a damaged capillary, causing little dams or blockages along the vessel.

Tattooing means the practice of making indelible marks in human skin or tissue by inserting pigments or dyes into punctures made in the skin or tissues. Tattooing shall also include the processes known as cosmetic tattooing, pigment implantation, microblading and micropigmentation (cosmetic semi-permanent tattooing).

Temporary premises means any premises or any area set up to deliver a service for no more than five days at a time.

Traditional tattooing means the practice of making indelible marks in human skin or tissue by inserting pigments or dyes into punctures made in the skin or tissues using traditional tattooing practices that have recognised cultural significance, such as: ta moko undertaken by artists under tikanga-māori, Tatau, or uhi.

Working day means working day as defined in the Interpretation Act 1999.

- 5.2** Explanatory notes and attachments are for information purposes, do not form part of this bylaw, and may be made, amended and revoked without any formality.

6. Beauty therapy, tattooing and piercing code of practice

- 6.1** The Council may make, amend or revoke a code of practice that –
- a) relates to the operation of commercial services that pose an associated health risk to any persons using or accessing their services, products or business operation; and
 - b) establishes mandatory minimum standards with regard to the way premises are constructed, equipped and maintained, and in regard to the way operators conduct themselves when providing services; and
 - c) includes recommendations on the best practice to be observed with regard to the way premises are constructed, equipped and maintained, and in regard to the way operators conduct themselves when providing services.
- 6.2** The Council must, before making, amending or revoking a code of practice in clause 6.1:
- a) comply with the requirements under Subpart 1 of Part 6 of the Local Government Act 2002.
 - b) be satisfied that:
 - i) the standards are the minimum necessary to ensure that the purpose of the bylaw will be met; and
 - ii) the recommendations for best practice (if any) are appropriate.

Code of practice

- c) have regard to:
 - i) the feasibility and practicality of effecting a transition from current practices to new practices and any adverse effects that may result from such a transition; and
 - ii) any other matters considered relevant by the Council.

6.3 A beauty therapy, tattooing and piercing code of practice made, amended or revoked under clause 6.1 must be made publicly available.

7. Services subject to minimum standards

7.1 The operator of any of the following services must comply with the relevant minimum standards set by the Council in a beauty therapy, tattooing and piercing code of practice made under clause 6.1:

Services subject to minimum standards

- a) any commercial service that pierces the skin or any part of the body, including but not limited to, tattooing, body piercing, ear piercing, acupuncture, electrolysis, extractions, red vein treatment, or derma rolling;
- b) any commercial service that risks breaking the skin, including but not limited to, hair removal, manicure, pedicure, or exfoliation;
- c) any commercial service that risks burning the skin, including but not limited to pulsed light or laser treatment; or
- d) any other commercial service intended to improve, alter or cleanse a person's skin, complexion or body, including but not limited to makeup, tinting, facials, colon hydrotherapy, body therapy and massage, or glycolic peels.

8. Health and hygiene licence

8.1 This clause applies to the following services:

Health and hygiene licence

- a) any commercial service that pierces the skin or any part of the body, including but not limited to, tattooing, body piercing, acupuncture, electrolysis, extractions, red vein treatment, or derma rolling;
- b) any commercial service that risks breaking the skin, including but not limited to, hair removal, manicure, pedicure, or exfoliation; or
- c) any commercial service that risks burning the skin, including but not limited to, pulsed light, or laser treatment; or
- d) any other commercial service which falls under sub clause 7.1 d) that has been notified by council that, in the opinion of an authorised officer, is not compliant with the beauty therapy, tattooing and piercing code of practice.

- 8.2** Subject to subclause 3.2, the manager of any premises offering a service described in subclause 8.1 a), 8.1 b) and 8.1 c) must:
- a) obtain a health and hygiene licence from the council before commencing operation; and
 - b) hold a valid health and hygiene licence from the council at all times that the commercial service is offered.
- 8.3** The manager of any premises offering a service described in subclause 8.1(d) must:
- a) obtain a health and hygiene licence from the council within 20 working days of being notified by an authorised officer that they are not compliant with the beauty therapy, tattooing and piercing code of practice; and
 - b) hold a valid health and hygiene licence from the council for the period of time required by the authorised officer, at all times that the commercial service is offered.
- 8.4** It is the health and hygiene license holder's responsibility to ensure compliance with the health and hygiene licence.
- 8.5** The health and hygiene licence must be prominently displayed in an area that any member of the public can easily see when visiting the premises to which the licence relates.
- 8.6** At the discretion of the council, and having regard to any controls made under subclause 10.1, health and hygiene licences may be declined, or granted subject to any conditions.
- 8.7** If no controls are made about the duration of a health and hygiene licence under subclause 10.1, the health and hygiene license renewal date will be on the anniversary of the original licence issue date.
- 8.8** The current licence remains valid whilst the licence renewal is being processed.
- 8.9** A health and hygiene licence is personal to the manager who was issued the licence and is not transferable.

9. Exemptions

- 9.1** Clauses 7 and 8 do not apply to:
- a) any commercial service undertaken by health practitioners in the practice of their profession;
 - b) acupuncture undertaken by members of Acupuncture NZ or members of the New Zealand Acupuncture Standards Authority;
 - c) traditional tattooing; or
 - d) ear-piercing services undertaken in a pharmacy licenced by the Ministry of Health.

Exemptions

10. Controls, fees and cost recovery

- 10.1** The Council may by resolution regulate or make controls in respect of matters related to this bylaw, including the following: **Controls, fees and cost recovery**
- a) form of application for a licence;
 - b) the conditions that may be imposed on a licence;
 - c) the duration of a licence;
 - d) whether an exemption will be given to any standards in the code of practice;
 - e) a procedure for objecting to a decision to decline to grant a licence, including the objection period;
 - f) a procedure for objecting to a condition of a licence, including the objection period;
 - g) conducting inspections to ensure that a licence and its conditions are complied with;
 - h) reviewing a licence or its conditions;
 - i) refunding or waiving fees payable;
 - j) suspending or cancelling a licence; and
 - k) a procedure for objecting to a decision to review, suspend or cancel a licence, including the objection period.
- 10.2** Section 150(1) of the Local Government Act 2002 allows the Council to set fees in accordance with that section. The Council may set fees in respect of the following matters:
- a) an application fee for a licence; and
 - b) inspection necessary as part of the process of assessing an application for a licence.
- 10.3** The Council may recover its costs in relation to activities for which a licence is required under this bylaw, including:
- a) inspections undertaken to assess compliance with a licence;
 - b) an appeal made under clause 11.1 against a decision of the Council in relation to a licence;
 - c) processes to review, suspend or cancel a licence; and
 - d) processes to object to a decision of the Council in relation to the review, suspension or cancellation of a licence.

11. Appeals

- 11.1** Any manager may lodge an appeal with the Chief Executive Officer of the council against any decision or requirement made in respect of a health and hygiene licence within 21 working days of receiving the decision or requirement. **Appeals**
- 11.2** On hearing the appeal the Chief Executive Officer of the council may confirm, reverse or modify the decision or requirement.
- 11.3** The Chief Executive Officer of the council will give notice of the decision on the appeal and the reasons for the decision to the appellant.

11.4 This right of appeal is in addition to any other statutory right available to the manager.

12. Enforcement

12.1 The Council may use its powers under the Local Government Act 2002 and the Health Act 1956 to enforce this bylaw.

Enforcement

13. Offences and penalties

13.1 A person who fails to comply with this bylaw commits a breach of this bylaw and is liable to a penalty under the Local Government Act 2002 and/or the Health Act 1956.

Offences and penalties



Te Kaunihera-ā-Rohe o Ngāmotu
NEW PLYMOUTH DISTRICT COUNCIL

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Beauty Therapy, Tattooing and Piercing Code of Practice

New Plymouth District Council

Beauty Therapy, Tattooing and Piercing Code of Practice

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CHANGE LOG

| Version | Description of changes | Date |
|--|---|------------------------------------|
| Consultation version | Code of practice out for public consultation in September-October 2017 | September 2017 |
| Proposed code of practice for adoption | Track changes showing suggested changes as a result of public consultation, presented to Council for deliberation and adoption. | October 2017 |
| Final adopted code of practice | Track changes removed. Minor spelling mistakes corrected. | November 2017 (current version) |

INTRODUCTION

This Beauty Therapy, Tattooing and Piercing Code of Practice (the Code) is made under the New Plymouth District Council Beauty Therapy, Tattooing and Piercing Bylaw 2010.

The Code seeks to protect public health in regards to the operation of commercial services that pose an associated health risk to any persons using or accessing their services, products or business operation. The Code sets mandatory minimum standards of hygienic and safe practices with regard to the way premises are constructed, equipped and maintained, and in regard to the way operators conduct themselves when providing services. It includes recommendations for best practice to encourage standards of care in addition to minimum standards.

Services that involve piercing the skin or any part of the body carry public health risks to do with the transference of blood-borne diseases and viral, bacterial or fungal infections from breaking or abrading the protective epidermal layer. Other services may be unlikely to puncture the skin or body but involve contact with skin or bodily fluids, and carry a public health risk of transferring bacterial and viral infections. Services that involve application of light to the body have the potential to burn the skin and carry a health risk of damage to DNA and longer term skin conditions, including skin cancer, as well as risks associated with abrading the protective epidermal layer. It is risks such as these which warrant council intervention to ensure such services are carried out in a hygienic and safe manner.

Failure to meet a mandatory minimum standard by those required to do so, or to obtain and operate in accordance with a health and hygiene licence (if one is required) is a breach of the New Plymouth District Council Bylaw 2010, Beauty Therapy, Tattooing and Piercing and is an offence under the Local Government Act 2002 and/or Health Act 1956. Penalties may include cancellation or suspension of a Health and Hygiene Licence (if applicable) or a Court fine of up to \$20,000.

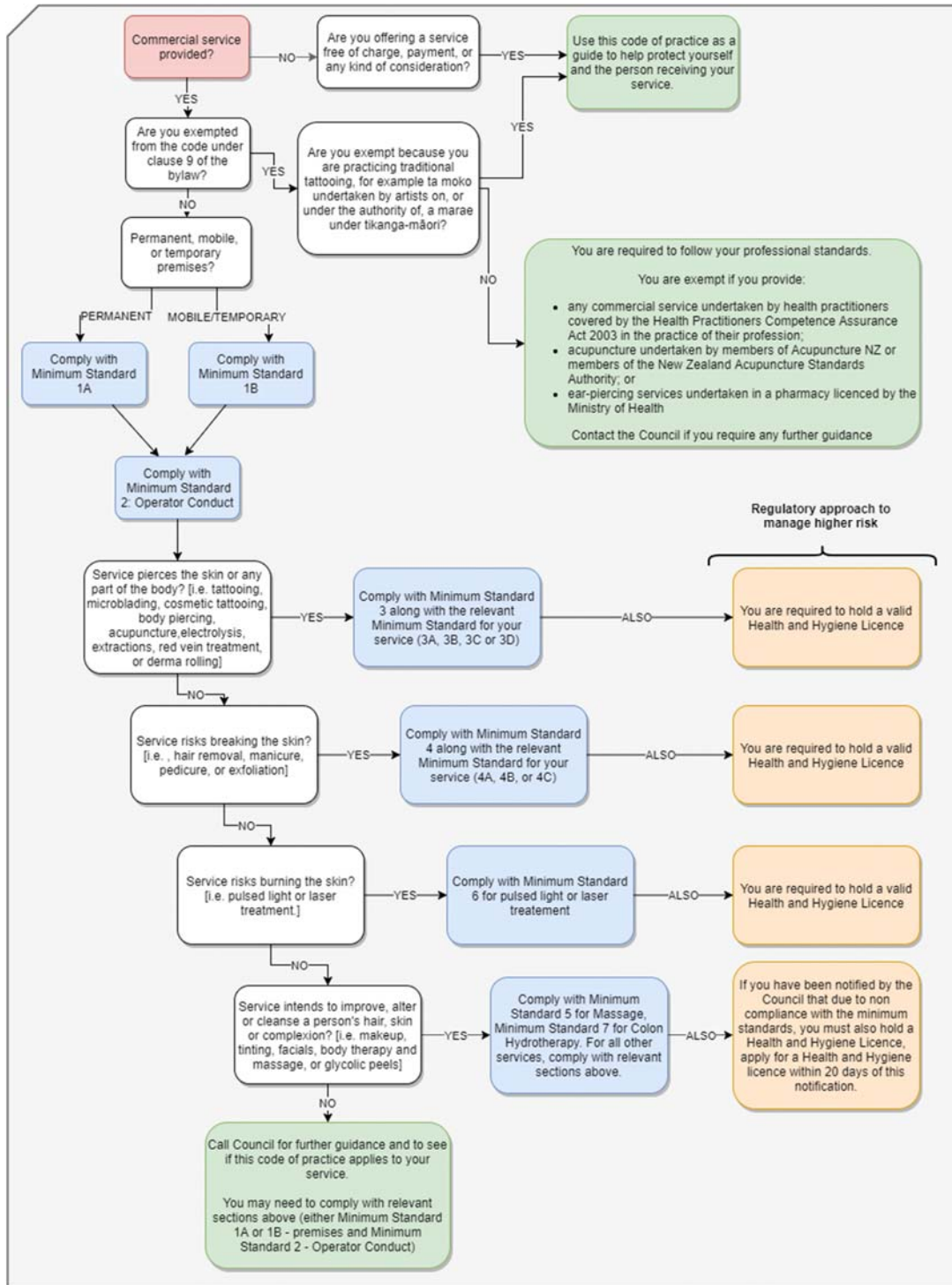
The recommendations for best practice in this code are included to encourage higher standards of hygienic and safe practices. These best practice recommendations are voluntary.

Many services are carried out in multi-use areas, such as within the same premises as a hairdresser, or in an at-home salon. The code provides standards for all premises, to ensure that customers at any of these places can expect and receive the same level of hygiene and cleanliness practices. Those operators sharing a premises with a hairdressing operation should be aware of the Health (Hairdressers) Regulations 1980 and the additional health and hygiene requirements found within them.

This Code of Practice has been developed in accordance with the Local Government Act 2002 and under clause 6 of the New Plymouth District Council Bylaw 2010, Beauty Therapy, Tattooing and Piercing.

HOW TO USE THE CODE

Each section of this code is broken down by topic. An operator delivering a service will need to meet multiple minimum standards in order to be compliant with the code of practice, and the flow chart below provides some guidance as to which sections apply. This is a guide only and all operators should review the code in full to ensure all relevant minimum standards are met.



INTERPRETATION

In this code of practice, unless the context otherwise requires,—

Acupuncture means the practice involving the insertion of filiform (very narrow) needles through the skin and tissues for the purpose of alleviating ailments or injuries.

Beauty therapy means the provision of various treatments aimed at improving a person's appearance or well-being.

Body piercing means a practice of piercing the skin or any part of the body for decorative purposes, inserting jewellery or implants to alter the appearance of the skin or body.

Bylaw means Part 6: Beauty Therapy, Tattooing and Piercing Bylaw 2010

Cleaning means the physical removal of dirt, blood and other substances from surfaces by washing in detergent and warm water to reduce the number of microorganisms.

Colon hydrotherapy means a practice of introducing liquids into the rectum and colon via the anus and is intended to remove faeces and non-specific toxins from the colon and intestinal tract.

Commercial service means a service (whether from permanent premises, temporary premises or mobile premises) provided by one or more persons for another person for monetary payment or any other consideration.

Communicable disease means any infectious disease, and any other disease declared by the Governor-General, by Order in Council, to be a communicable disease for the purposes of the Health Act 1956.

Council means the New Plymouth District Council or any person appointed to act on its behalf such as an **Authorised Officer** or a **Medical Officer of Health**.

Cupping means a form of traditional Chinese medicine that involves placing cups containing reduced air pressure (suction) on the skin, most commonly on the back, intended to release muscle tension through stimulated blood flow.

Customer or **client** means any person who is in receipt of a service.

Derma rolling/stamping means a practice of using micro needles to create tiny punctures in the skin intended to stimulate growth factors to enhance collagen production and better alignment of the collagen fibres.

Disinfection means the killing of disease causing micro-organisms except bacterial spores.

Ear-piercing means a service of piercing the ear for decorative purposes, inserting jewellery or implants to alter the appearance of the skin.

Electrolysis means a practice involving the insertion of a sterilised needle into individual hair follicles to the root. An electric impulse is passed through the needle to the root area to aid in the removal of hair.

Exfoliation means a practice that intends to remove dead skin and can be performed using microdermabrasion, physical peels that have an abrasive action and chemical peels such as glycolic or enzyme.

Extractions means a practice for the removal of comedones (blackheads), pimples and ingrown hairs by manipulating the pores of the skin, either with fingertips or a tool, to remove sebum. Some extractions can involve penetration of the skin using sharp equipment such as a metal tool or lance.

Hair removal means the removal of hair by waxing (pulling the hair from the skin using soft wax, hot wax or glucose); threading (lifting the hair out from the follicle by entwined thread); or tweezing (grasping hairs and pulling them out of the skin, including epilation - a mechanical means of tweezing).

Health practitioner means a person who is, or is deemed to be, registered under the Health Practitioners Competence Assurance Act 2003 as a practitioner of a particular health profession.

Instrument means any appliance, implement, needle or tool, of metal or non-metallic construction, which may come into contact with the skin or tissue on which the service is being carried out. It must also include any swab or dressing applied to the broken skin surface.

Laser treatment means a practice involving the use of a laser device, which amplifies light and usually produces an extremely narrow beam of a single wavelength (one colour), intended to remove hair or for skin photo-rejuvenation.

Licence means a licence to do something under the bylaw and includes all conditions to which the licence is subject.

Licensee means the person to whom a licence has been issued under clause 8 of the bylaw in respect to a prescribed process.

Manager means -

- a) in the case of a permanent premises, a person who is usually present and who has specific responsibility for operator supervision; or
- b) in the case of a temporary premises, a person who has effective control over operators; or
- c) if no person meets the description in (a) or (b), **manager** the same meaning as **operator**.

Manicure means beautification or enhancement of the hands and fingernails, including shaping and polishing (painting).

Massage means a practice of applying lotion, or soft wax, or stones, or pressure to another person's face or body for the purposes of relaxation and therapy.

Mobile premises means any location other than a permanent premises where any service is undertaken on an ongoing and regular basis by any person, and can include a vehicle as defined in the Land Transport Act 1998.

Moxibustion means a traditional Chinese medicine technique that is used in conjunction with Acupuncture intended to facilitate healing and involves the heating of individual acupuncture points or regions of the body by burning the herb Artemisia close to or on the inserted needle.

Operator means a person who carries out a service.

Pedicure means the treatment or beautification of feet and toenails by the shaping and polishing toenails, and the puncturing, removal or exfoliation of skin or tissue from the feet.

Permanent premises means any property, land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied where any service is undertaken.

Piercing refers to any prescribed process involving the intentional or otherwise piercing, cutting or puncturing of the skin or any other part of the human body, and includes such services as body piercing, ear-piercing, tattooing, acupuncture, derma rolling/stamping, epilation (including electrolysis and waxing), extractions, red vein treatment, pedicure and manicure.

Pulsed light means a practice using a powerful flash of broad spectrum, non-coherent light intended to remove hair and/or for skin photo-rejuvenation, and may include but is not limited to Intense Pulsed Light and Variable Pulsed Light.

Red vein treatment means a practice of piercing a vein with a needle along the length of a damaged capillary, causing little dams or blockages along the vessel.

Specified service means a service defined in clause seven of the bylaw.

Sterilised, in relation to an instrument or like article or container, means subjecting an instrument, article or container to a process, as a result of which all organisms and their spores present on the surfaces of the instrument, article or container are killed.

Tattooing means the practice of making indelible marks in human skin or tissue by inserting pigments or dyes into punctures made in the skin or tissues. Tattooing shall also include the processes known as cosmetic tattooing, pigment implantation, microblading and micropigmentation (cosmetic semi-permanent tattooing).

Temporary premises means any premises or any area set up to deliver a service for no more than five days at a time.

Traditional tattooing means the practice of making indelible marks in human skin or tissue by inserting pigments or dyes into punctures made in the skin or tissues, in using traditional tattooing practices that have recognised cultural significance, such as: ta moko undertaken by artists under tikanga-māori, Tatau, or uhi.

MINIMUM STANDARD 1: PREMISES

Introduction

How premises used for specified services are constructed, equipped and maintained can help protect public health.

MINIMUM STANDARD 1A: Permanent Premises

The minimum standards contained in this part of the code require that permanent premises are kept in clean and hygienic conditions to help protect public health.

Minimum Standard 1A: Permanent Premises

Compliance with bylaws and building legislation

- 1A-1** The premises must be well constructed in accordance with the bylaws of the council and in accordance with any applicable provisions of the Building Act 2004, the Resource Management Act 1991, the New Zealand Building Code and Building Regulations;

Fit for purpose

- 1A-2** The premises must be constructed, designed and arranged so as to be fit and suitable for its intended purposes;

Repairs and cleanliness

- 1A-3** The premises and all fittings, fixtures and appliances in the premises must be maintained in a state of good repair and in a clean and tidy condition, and free from any accumulation of rubbish or other materials that may harbour vermin or insects or that may become offensive or a nuisance;
- 1A-4** Any structural alterations, repairs, renovations, plumbing, or drainage work that may be undertaken or required must be carried out without unnecessary delay;
- 1A-5** All operators must establish and maintain a 'clean' work area and protect all surfaces and equipment from contamination by dust, dirt, members of the public or other such contaminants at all times;

Walls, floors, ceilings, fixtures and fittings

- 1A-6** The walls, ceilings, fixtures and fittings in any area connected with the carrying out of any specified service must be capable of being easily cleaned, and must be maintained in good repair. If the walls are liable to be wetted or fouled, they must be constructed of impervious material;

Wet areas

- 1A-7** All floors, walls, ceilings and other surfaces in and around showers, pools, steam rooms, and other areas liable to get moist or wet, including any room containing a toilet, bidet or urinal must be smooth, impervious and capable of being easily cleaned and floors must be adequately graded and drained to the requirements of the New Zealand Building Code;
- 1A-8** All floors and walls that become wet must be cleaned with a suitable sanitiser or disinfectant at regular intervals;

Water supply

- 1A-9** All premises must be supplied with potable running water;

Ventilation

- 1A-10** All parts of the premises must be adequately ventilated to the requirements of the New Zealand Building Code;

Lighting

- 1A-11** All parts of the premises must be provided with a lighting system capable of providing adequate illumination to facilitate cleaning and inspection. Lighting of not less than 300 lux must be provided at all working surfaces adjacent to every place where customers are attended to and where instruments and tools are cleaned and sterilised;

Toilet and wash-hand basin

- 1A-12** Any toilet and wash-hand basin must be easily accessible, hygienic, clean and tidy;
- 1A-13** A wash-hand basin which is equipped with a piped supply of hot and cold tempered running water, soap and adequate hand drying facilities must be provided near toilets, bidets or urinals to the requirements of standard G1 of the New Zealand Building Code;
- 1A-14** All toilets and changing rooms must be regularly checked and cleaned throughout operating times;
- 1A-15** A wash-hand basin supplied with a constant supply of hot and cold water, or tempered running water at a temperature of not less than 38 degrees Celsius, soap, and single-use disposable paper towels or other approved hand-drying equipment must be provided in a readily accessible position where any operator carries out any specified service;
- 1A-16** The place where the wash-hand basin is situated must be such that it cannot become directly contaminated by the splashing of contaminants from the use of any basin provided in accordance with Minimum Standards 1A-17 or 1A-18 below;

Cleaner's basin

- 1A-17** A cleaner's basin equipped with a constant supply of hot and cold tempered running water must be provided on the premises for the sole purpose of being used in connection with cleaning of the floors, walls and similar fixed parts of the premises. The cleaner's basin must not be used except for such purpose;

Piercing equipment basin

- 1A-18** All premises undertaking specified services that pierce the skin or any part of the body must have suitable basins in addition to the basins in Minimum Standards 1A-13 and 1A-17 for the cleaning of piercing equipment;

Exception re basins

- 1A-19** The requirement for a cleaner's basin or piercing equipment basin as specified in Minimum Standards 1A-17 and 1A-18 may be waived if the council thinks it is

unnecessary because of the nature of the service being carried out, or alternative cleaning methods can be provided to the satisfaction of Council;

Sterilisation facilities

- 1A-20** All premises undertaking specified services that pierce the skin or any part of the body must provide a separate area or room for the purposes of cleaning and sterilising of equipment. This area must have good lighting, ventilation and be capable of being easily cleaned;
- 1A-21** Ultrasonic cleaners must be kept separately to sterilisation facilities and have a designated contamination area;

Mattresses, squabs and cushion covers

- 1A-22** All mattresses, squabs and cushions used on any chair, bed, table or the like, used in conjunction with the carrying out of a specified service must be provided with permanent impervious covers that are easily cleaned;

Storage of linen and other supplies

- 1A-23** All operators must provide sufficient facilities to adequately store all clean and used equipment, linen and waste products safely before and after use;

Staff facilities

- 1A-24** A separate room or suitable facilities for the storage of clothing and personal effects must be provided for all operators and members of staff.

Animals

- 1A-25** No animals except disability assist dogs are permitted to be in that part of the premises where the service takes place.

Additional Standards

In addition to the Minimum Standard 1A, several other legislative acts, guidelines and codes of practice are also relevant:

- The Building Act 2004 stipulates how buildings are to be designed and constructed, to ensure that people who use buildings can do so safely and without endangering their health.
- The New Zealand Building Code (Schedule 1 of the Building Regulations 1992) sets out how a building and its components must perform. The Building Code addresses health issues such as external and internal moisture, hazardous agents on site, substances and processes, personal hygiene facilities, laundering facilities, ventilation, internal temperature, adequate lighting, provision of clean and hot water and adequate waste facilities.
- The Prevention of Legionellosis in New Zealand: Guidelines for the control of legionella bacteria published by the Ministry of Health further aims to ensure public health and safety by setting guidelines to reduce the potential of an outbreak of Legionnaires disease.

MINIMUM STANDARD 1B: Mobile or Temporary Premises

The minimum standards contained in this part of the code aim to require that mobile and temporary premises are set-up in clean and hygienic conditions to help protect public health.

The separation of minimum standards for mobile and temporary premises from permanent premises recognises that it may not be possible to maintain the same standards as a permanent premises, and that the health risks may be greater due to a lack of control over the conditions.

Minimum Standard 1B: Mobile or Temporary Premises

Fit for purpose

- 1B-1** The premises must be constructed, designed and arranged so as to be fit and suitable for its intended purposes;

Repairs and cleanliness

- 1B-2** The premises and all fittings, fixtures and appliances in the premises must be maintained in a state of good repair and in a clean and tidy condition, and free from any accumulation of rubbish or other materials that may harbour vermin or insects or that may become offensive or a nuisance;

- 1B-3** All operators must establish and maintain a 'clean' work area at the site and protect all surfaces and equipment from contamination by dust, dirt, members of the public or other such contaminants at all times;

Walls, floors, ceilings, fixtures and fittings

- 1B-4** The walls, ceilings, fixtures and fittings in any area connected with the carrying out of a specified service must be capable of being easily cleaned, and must be maintained in good repair. If the walls are liable to be wetted or fouled, they must be constructed of impervious material;

- 1B-5** The floor of any area connected with the carrying out of a specified service that pierces the skin or any part of the body, and risks breaking the skin or any part of the body must be surfaced with a smooth, durable material that is impervious to water and capable of being easily cleaned. The floor and the material with which the floor is surfaced must be maintained in good repair;

Ventilation

- 1B-6** All parts of the premises must be adequately ventilated;

Lighting

- 1B-7** All parts of the premises must be provided with a lighting system capable of providing adequate illumination to facilitate cleaning and inspection. Lighting of not less than 300 lux must be provided at all working surfaces adjacent to every place where customers are attended to and where instruments and tools are cleaned and sterilised;

Mattresses, squabs and cushion covers

- 1B-8** All mattresses, squabs and cushions used on any chair, bed, table or the like, used in conjunction with the carrying out of any specified service must be provided with permanent impervious covers that are easily cleaned;

Storage of linen and other supplies

- 1B-9** All operators must provide sufficient facilities to adequately store all clean and used equipment, linen and waste products safely before and after use and while in transit;

Hand-washing facilities

- 1B-10** All operators must have direct access to hand-washing facilities with hot and cold running water provided preferably through a single spout, soap and means to dry with a single service towel or other approved hand-drying equipment. Alternatively, waterless alcohol-based antiseptic hand gels, foams, or liquids can be used by mobile operators only where it is physically impossible to have handwashing facilities with running water;

Only sterile or single-use disposable instruments to be used for piercing

- 1B-11** All operators must provide or use sufficient sterile equipment for the use on all customers undergoing any specified service that pierces the skin or any part of the body;
- 1B-12** If the mobile facility does not have sterilisation facilities then single-use disposable pre-sterilised equipment must be used.

Animals

- 1B-13** No animals except disability assist dogs are permitted to be in that part of the premises where the service takes place.

MINIMUM STANDARD 2: OPERATOR CONDUCT

The minimum standards contained in this part of the code aim to require that operators who are undertaking specified commercial services conduct their operations in a safe and hygienic manner so as to help protect public health.

Any procedure that invades someone's body in any way that is performed without permission may be regarded as assault. It is therefore important that a customer receiving such a procedure gives their consent.

Minimum Standard 2: Operator Conduct

Alcohol, drugs

- 2-1** No operator may carry out any service on any person who they suspect is under the influence of alcohol, drugs or mind-altering substances except as prescribed for a medical condition;

Hand hygiene

- 2-2** All operators must at all times keep their clothing, hands, and fingernails clean and cover with an impermeable dressing any infected, damaged or inflamed skin;
- 2-3** All operators must thoroughly cleanse their hands by washing up to the wrist with soap or antibacterial cleansing agent, using an effective sterile barrier to operate taps to maintain cleanliness; by scrubbing their hands and nails when necessary and drying them with a single service towel or other approved hand drying equipment:
- (a) before and after commencing each specified service;
 - (b) immediately after using a toilet, using any handkerchief or nasal tissue or smoking;
- 2-4** All operators must wear clean well-fitting single-use disposable surgical gloves:
- (a) if the customer is bleeding;
 - (b) if the customer has open lesions or is known to have a contagious disease;
 - (c) if the operator has cuts or wounds on their hands or has a skin infection or lesion;
 - (d) if the operator is handling blood-soiled items, body fluids, excretions, and secretions, as well as surfaces, materials, and objects exposed to them;

Accidents and bleeding

- 2-5** All operators must have procedures for dealing with customers or staff where accidental exposure to another customer's blood or bodily fluids occurs.
- Procedures should also be in place to deal with incidents where prolonged or unexpected bleeding occurs. Such procedures must be kept on the premises in a form of a written policy and in view of the operator. All staff must be trained to comply with it;
- 2-6** All operators must record any incidents where exposure to another customer's blood or bodily fluids occurs, including the name and address of those exposed

and the steps undertaken to respond to the incident. Records of such accidents involving exposure to another customer's blood or bodily fluids must be kept for a period of 3 years and made available to the council for inspection on request;

Use of linen and other supplies

- 2-7** Any towel, sheet, cloth, pillow, furniture covering, permanent cover of mattresses, squabs, cushions and any other protective garments must be clean and tidy, and disinfected as frequently as is necessary, but as a minimum at least after every customer;
- 2-8** An operator must not use a towel, sheet, cloth, pillow or any other protective garment or cover, on, or immediately under or over, a customer unless:
 - (a) it has not been previously used; or
 - (b) where it has been previously used, it has been laundered to render it clean and hygienic since last having been used;
- 2-9** Soiled linen may be laundered in a washing machine with laundry detergent or by a regular commercial laundry service;
- 2-10** Creams and lotions must be dispensed from the container with a disposable or disinfected applicator;
- 2-11** Sprays must be dispensed from a purpose-specific pump where possible;
- 2-12** All chemicals must be clearly labelled for identification and bottles must never be reused other than with the original product;

Storage of linen and other supplies

- 2-13** Adequate and separate storage lockers or other facilities must be provided for the storage of clean and soiled laundry, cleaning equipment, and other chemicals, products or materials;
- 2-14** Clean linen, tissue or single-use disposable paper products must be stored in a clean, enclosed and dust proof storage area until needed for immediate use;
- 2-15** Any used towel, sheet, cloth or any other protective garment must be stored in a closed or covered container until laundered or disposed of;
- 2-16** All premises must have a separate location or cupboard for the safe storage of all chemicals held on the premises, away from service areas and items used when performing a specified service;

Sterile storage

- 2-17** Suitable separate dust proof storage spaces must be provided for the storage of sterile dressings, sterilised instruments, and all sterile articles, including jewellery, used in connection with a specified service that pierces the skin or any part of the body;

Sterilisation

- 2-18** All instruments used for piercing the skin or any part of the body, or instruments as required elsewhere in this code, must be sterilised after each use by way of:

- (a) thoroughly cleansing by washing in warm water and detergent or within an ultrasonic cleaner and exposed to steam in accordance with the following requirements:
- i. exposure to steam must occur within a steriliser (autoclave) under the pressure indicated below:
 - o 103KPa (15psi) – For at least 15 minutes at not less than 121 degrees Celsius;
 - o 138KPa (20psi) – For at least 10 minutes at not less than 126 degrees Celsius; or
 - o 206KPa (30psi) – For at least 3 minutes at not less than 134 degrees Celsius;
The times quoted above are holding times and do not include the time taken for the steriliser (autoclave) to reach the required temperature.
 - ii. every steriliser (autoclave) must be fitted with time, temperature and pressure gauges;
 - iii. every time the steriliser (autoclave) is used, chemical indicator strips must be inserted to show that the temperatures as set out above have been attained during the autoclaving procedure. If the chemical indicator / integrator fails to meet the cycle parameters, all of the load contents must be reprocessed;
 - iv. during each use the gauges must be monitored to ensure that the correct times, temperatures and pressures are reached;
 - v. time, temperature and pressure readings must be recorded and noted after each usage;
 - vi. regular spore testing must be undertaken, at no less than 6 monthly intervals, and the results recorded; and
 - vii. the steriliser (autoclave) must be serviced at no less than 6 monthly intervals, and the results recorded. These records must be maintained for a minimum of 3 years and made available to the council for inspection on request; or
- (b) thoroughly cleansed by washing in warm water and detergent and exposed to dry heat for at least 60 minutes at not less than 170 degrees Celsius; or
- (c) thoroughly cleansed by washing in cold water and detergent and then totally immersed in a glass bead steriliser operating at 250 degrees Celsius for a minimum of 5 minutes; or
- (d) thoroughly cleansed by a method appropriate to the nature of the article concerned and then submitted to a process of sterilisation approved by the council;

Disposal of contaminated material

- 2-19** Any sharps containers and bio hazard waste bins must comply with AS/NZS 4031: 1992, and operators must demonstrate that they have made appropriate arrangements to dispose of any sharps and bio hazard wastes.

Consent

- 2-20** All operators must gain the customers consent before providing treatment, and must be able to demonstrate to Council that the essential elements of consent are being met:
- (a) Consent is voluntarily given by the customer,
 - (b) Consent is based on full provision of information on risks to the customer,
 - (c) Consent is given by a customer who has the capacity to consent.

Refreshments

- 2-21** Where refreshments are served to clients, single use utensils are to be used unless approved dishwashing facilities are supplied, and reusable utensils are rendered clean and hygienic by an approved method by Council.

Additional Standards

In addition to Minimum Standard 2, several other legislative acts, guidelines and codes of practice are also relevant:

- The waste management requirements within this code of practice are based on the AS/NZS 4031: 1992 – “Australian and New Zealand standard for nonreusable containers for the collection of sharp items used in human and animal medical applications”.
- The Health and Safety at Work Act 2015 sets out principles, duties and rights in relation to workplace health and safety. Its guiding principle is that workers and others need to be given the highest level of protection from workplace health and safety risks, as is reasonable. It applies to all New Zealand workplaces, and specifies the responsibilities of employers, the self-employed, employees, principals and others who manage or control hazards. It requires the maintenance of safe working environments, and the implementation of sound practice.
- Employers and self-employed persons must notify WorkSafe as soon as possible of workplace accidents and occurrences of serious harm.

MINIMUM STANDARD 3: PIERCING

Piercing is any process involving piercing, cutting and puncturing the skin or any other part of the human body and includes such processes as acupuncture, body piercing, derma rolling/stamping, electrolysis, extractions, microblading, cosmetic tattooing, red vein treatment, and tattooing.

Services that pierce the skin or any part of the body may be considered high risk due to the significant hazards posed by contact with blood and body fluids, such as the risk of transmitting bloodborne viral diseases and the transference of communicable diseases including Hepatitis B, Hepatitis C and HIV.

The minimum standards contained in this part of the code aim to require operators who are undertaking commercial services that deliberately pierce or break the skin or any part of the body conduct their operations in a safe and hygienic manner so as to help protect public health.

As per the bylaw, before commencing operation, the manager of a business offering commercial services which pierce the skin or any part of the body must obtain a health and hygiene licence from the council; and hold a valid health and hygiene licence from the council at all times that the commercial service is offered.

Minimum Standard 3: Piercing

Operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)

First aid

- 3-1.** There must be at least one operator on the premises at all times when a commercial service is undertaken who holds a current St John's or Red Cross First Aid Workplace Certificate or an approved equivalent;

Age restriction

- 3-2.** All operators may only carry out any specified service that pierces the skin or any part of the body (except tattooing) on any person 16 years and over unless the written permission of that person's parent or guardian is first obtained;
- 3-3.** Operators must not carry out tattooing on any person under the age of 18, unless the operator has first obtained the written permission of that person's parent or guardian and that person's parent or guardian is present for the tattooing;

Precautions, consent and aftercare

- 3-4.** Prior to the commencement of any specified service that pierces the skin or any part of the body, the operator must in addition to Minimum Standard 2-20:

- (a) advise the customer who wishes to undergo such service of the risks associated with the service and the potential for infection to occur during and after the service; and
 - (b) give written advice appropriate to the procedure to be undertaken, concerning precautions and post service procedures that should be taken by the customer who wishes to undergo the service;
- 3-5.** Before commencing any specified service that pierces the skin or any part of the body, a customer must:
- (a) sign a consent form with medical history; and
 - (b) be given the opportunity to inform the operator through a written and signed consent form prior to the commencement of any specified service, to establish if he or she knows or suspects that he or she:
 - i. is suffering from a communicable disease or skin disease;
 - ii. has a history of haemophilia (bleeding) or is taking medications such as anticoagulants which thin the blood or interfere with blood clotting;
 - iii. has a history of allergies or adverse reactions to pigments, dyes or other skin sensitivities; or
 - iv. has a history of epilepsy or seizures;
- 3-6.** The operator may decline to carry out any specified service based on such information or agree to carry out the service subject to such conditions and safeguards as are considered appropriate in the circumstance;

Record keeping

- 3-7.** All operators must keep records of:
- (a) a customer consent form;
 - (b) a record of service including:
 - i. the date on which the piercing service was undertaken;
 - ii. the type of the piercing service; and
 - iii. the location on the body where the piercing service was undertaken;
- 3-8.** Such records must be kept secure and confidential for a minimum of 3 years and made available to the council for inspection on request;

Floors

- 3-9.** The floor of any area connected with the carrying out of a specified service that pierces the skin or any part of the body must be surfaced with a smooth, durable material that is impervious to water and capable of being easily cleaned. The floor and the material with which the floor is surfaced must be maintained in good repair;

Hand hygiene

- 3-10.** All operators must thoroughly cleanse their hands by washing up to the wrist with soap or antibacterial cleansing agent, using an effective sterile barrier to

operate taps to maintain cleanliness; by scrubbing their hands and nails when necessary and drying them with a single service towel or other approved hand drying equipment:

- (a) before and after commencing a specified service that involves piercing of the skin or any part of the body; and
- (b) before putting on and after removing clean well-fitting single-use disposable gloves when performing a specified service that involves piercing of the skin or any part of the body;

3-11. All operators must cover their hands with clean well-fitting single-use disposable surgical gloves:

- (a) before preparing the area in which to undertake a specified service;
- (b) before commencing a specified service on any customer; and
- (c) after touching any object which has not been subject to a process of cleansing and sterilisation unless an effective sterile barrier is used;

Preparation

3-12. All operators must evaluate the piercing site prior to each service and any medical condition that may lead to irritation must be discussed;

3-13. Prior to commencing any service that involves piercing, all operators must cleanse the piercing site by applying antiseptic using a clean, single-use applicators and maintain product-specific contact time;

Only sterile or single-use disposable instruments to be used

3-14. All instruments or like articles used for piercing the skin or any part of the body on any customer, must be:

- (a) single-use disposable; or
- (b) cleaned and sterilised in accordance with the provisions of Minimum Standard 2-18 and kept in such a manner to maintain its sterility;

3-15. All devices used on any mucous membrane of any customer, such as a marker pen, must be single-use and disposable;

3-16. Any articles having a hollow lumen must be single-use and disposable;

3-17. An instrument or like article may be used for piercing the skin or any part of the body on any customer if the instrument or article has been taken, in the presence of the customer, from a package that has been sealed by the manufacturer, being a package:

- (a) in an unbroken and undamaged condition;
- (b) to which the manufacturer has affixed a label containing a statement to the effect that the contents of the package have been sterilised;
- (c) the article or instrument, if steam sterilised, has been packaged according to AS/NZS 4187: 2014; and
- (d) has not been subjected to any contamination during storage;

After piercing

- 3-18.** All operators must ensure that, after the completion of piercing:
- (a) all single-use needles/razors are immediately disposed of according to AS/NZS 4261: 1994 A1; or
 - (b) any reusable instrument or like article used in that process is thoroughly cleansed, disinfected and sterilised in accordance with the provisions of Minimum Standard 2-18 and kept in such a manner to maintain its sterility before use on any other customer or the same customer at a later time;
- 3-19.** All sharps containers and bio hazard waste bins must comply with AS/NZS 4031: 1992, and all operators must demonstrate that they have made appropriate arrangements to dispose of sharps and bio hazard wastes;

Cleaning and disinfecting

- 3-20.** All instruments that do not need to be sterile must be cleaned and then disinfected by a thermal or chemical disinfection procedure appropriate to the level of disinfection required and the item being disinfected maintaining the product-specific recommended contact time, to the satisfaction of the council;
- 3-21.** Ultrasonic cleaners must comply with AS 2773.1: 1998 and AS 2773.2: 1999 as appropriate;
- 3-22.** At the completion of any cleaning activity, all surfaces must be disinfected before beginning any pre-packaging or sterilisation activities;

Sterilisation

- 3-23.** All instruments used for piercing the skin or any part of the body must be sterilised after each use, in accordance with the provisions of Minimum Standard 2-18;
- 3-24.** All instruments used for piercing the skin or any part of the body, or like articles, must be individually packaged and marked “sterile” or display an indicator tape (or similar indicator) indicating sterility, be intact and kept in such a manner to maintain sterility;
- 3-25.** All operators must display, adjacent to every place in the premises where cleaning and/or sterilising of instruments and like articles is undertaken, written instructions setting out in clear and legible format the processes to be followed to ensure compliance with sterilisation and/or ultrasonic cleaning.

Additional Standards

In addition to Minimum Standard 3, several other legislative acts, guidelines and codes of practice are also relevant:

- The New Zealand Association of Registered Beauty Therapists promotes professional beauty care and best practice in the beauty therapy industry in New Zealand. Members of the association adhere to the “Code of Ethics for Members of the New Zealand Association of Registered Beauty Therapists Inc”, “Code of Practice for Beauty Therapy Clinics, Spas and Training Establishments”, and “Rules of the New Zealand Association of Registered Beauty Therapists Inc”.
- The New Zealand Acupuncture Standards Authority (NZASA) promotes professionalism and best practice in Acupuncture and Chinese Medicine in New Zealand. Registered members adhere to NZASA “Standards of Acupuncture Practice”, “Code of Ethics”, and “Code of Safe Practice for Acupuncturists”.
- Acupuncture NZ promotes professionalism and best practice in Acupuncture and Chinese Medicine. Registered members adhere to the “Acupuncture NZ Code of Professional Ethics”, “New Zealand Register of Acupuncturists Clinical Procedures and Safe Clinical Practice” and “Acupuncture NZ Rules”.
- The waste management requirements within this code of practice are based on the AS/NZS 4031: 1992 – “Australian and New Zealand standard for nonreusable containers for the collection of sharp items used in human and animal medical applications”; and
- NZS 4304: 2002 – “New Zealand Standard for the management of healthcare waste”.
- The cleaning, disinfection and sterilising requirements within this code of practice are based on AS/NZS 4187: 2014 – “Australian and New Zealand standard for reprocessing of reusable medical devices in health service organisations”.

Additional Recommended Best Practice

- It is highly recommended that all operators undertaking tattooing or piercing should be immunised against Hepatitis B.
- It is highly recommended that all operators wear a protective garment or cover for every service of a suitable nature to prevent the operator’s clothing from becoming contaminated during any service that pierces the skin or any part of the body.
- It is highly recommended that eye protection / face shields should be worn when performing close-up procedures that may cause aerosols of blood or body substances.

- It is important that hand gloves are:
 - changed between attending customers;
 - never washed or re-used;
 - discarded and replaced with new gloves if there is evidence of tearing or deterioration; and
 - removed and disposed of before leaving a customer for any reason.

Accidents

- The Ministry of Health “Guidelines for the Safe Piercing of Skin” outlines procedures to deal with bleeding, sharps injuries and contact with blood or body fluids.
- Employers and self-employed operators need to notify Worksafe as soon as possible of workplace accidents and occurrences of serious harm.

Cleaning

- The aim of cleaning is to remove microbial, organic and inorganic soil. Cleaning agents for manual cleaning should be biodegradable, non-corrosive, non-toxic, non-abrasive, low foaming, free rinsing and preferably liquid of mild alkali formulation. Alkaline detergents are much more effective at removing blood and fat than plain surfactant based detergents. Detergents should preferably be approved by Ministry of Primary Industries (MPI).
- Note that chlorine solutions may corrode metals. Glutaraldehyde and phenol are not recommended as disinfectants because of the health risks involved in their usage.
- Equipment should not be soaked in chemical disinfectants unless specified by the manufacturer’s instructions. Chemical disinfectants can have limited contact times and may become ineffective if left for long periods. The more items immersed in the disinfectant the less effective it will be. Fresh disinfectant should be prepared each time items are to be disinfected. The disinfectant should be discarded after use.
- To reduce the risk of cross contamination, cleaning and decontamination activities should not take place simultaneously with packaging and/or sterilisation activities.
- Ultrasonic cleaners clean but do not disinfect instruments and equipment. An ultrasonic cleaner should be operated with the lid closed to prevent emission of aerosols and should be isolated from the work area to reduce exposure to high frequency noise. No part of the body should be submerged into the water tank during operation as this is thought to cause long-term arthritic conditions. Indicator tape or other such products that indicate when a product has been properly sterilised should be used to identify reusable equipment that has been sterilised, to prevent non-sterile equipment being used by mistake. Please note,

indicator tape may not be UV stable so equipment should be stored to protect from such exposure.

Sterilisation

- The times quoted above at Minimum Standard 2-18 are holding times and do not include the time taken for the autoclave contents to reach the required temperature. Bench top steam sterilisers without a drying cycle are only appropriate for the sterilisation of unwrapped items. Steam sterilisers should comply with a recognised national or international standard.

Single use and disposable marker pens for mucous membrane

- Minimum Standard 3-15 requires all instruments used on a mucous membrane to be single use and disposable, including marker pens. Piercing the mucous membrane has an increased risk of bloodborne infection and includes for example the eyes, inside of the nose, parts of the genital area, inside of the mouth, and tongue.
- As an alternative to purchasing single use and disposable marker pens, operators could instead use a single use and sterilised toothpick dipped in a small amount of appropriate decanted ink such as gentian violet to mark piercing sites on mucous membranes, whilst complying with all other relevant Minimum Standards in this code of practice.

MINIMUM STANDARD 3A: Body Piercing

Body piercing is a practice of piercing the skin for decorative purposes, inserting jewellery or implants to alter the appearance of the skin.

All commercial services that pierce the skin or any part of the body are required to comply with the general standards for piercing (Minimum Standard 3). The minimum standards contained in this part of the code are in addition to Part 3 and aim to require operators who are undertaking body piercing conduct their operations in a safe and hygienic manner so as to help protect public health.

Minimum Standard 3A: Body Piercing

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)
- Minimum Standard 3 (Piercing)

Jewellery

- 3A-1** No operator may use any instrument or like article, including any ear or body studs or rings, ear keepers or similar jewellery for or in connection with carrying out a service, unless immediately before the instrument or article is used or since the instrument or article was last used, the instrument or article has been cleaned and sterilised in accordance with the provisions of Minimum Standard 2-18 and kept in such a manner to maintain its sterility;
- 3A-2** All body piercing jewellery for primary piercing must be made of high quality 14 carat or 18 carat yellow or white gold, surgical grade stainless steel (316L or LVM), titanium, niobium, platinum or inert plastics;
- 3A-3** Jewellery that is damaged or scratched must not be used;
- 3A-4** All operators must ensure that no jewellery thinner than 16 gauge is used below the neck.

Piercing guns

- 3A-5** Piercing guns may only be used for lower lobe (non-cartilage) ear piercing. For piercing other parts of the body, a needle must be used.

Additional Standards

In addition to Minimum Standard 3A, several other legislative acts, guidelines and codes of practice are also relevant:

The Ministry of Health has published “Guidelines for the Safe Piercing of Skin” to help those in the body piercing industry better understand how to protect themselves and their customers from the risk of infection. In addition, it aims to encourage operators to reduce harm from body piercing and promote healthy body piercing practices.

MINIMUM STANDARD 3B: Tattooing

Tattooing is a process by which indelible marks are made in human skin or tissue by inserting pigments or dyes into punctures. Tattooing also includes the process known as cosmetic tattooing, pigment implantation, microblading or permanent makeup.

All commercial services that pierce the skin or any part of the body are required to comply with the general standards for piercing (Minimum Standard 3). The minimum standards contained in this part of the code are in addition to Part 3 and aim to require operators who are undertaking tattooing conduct their operations in a safe and hygienic manner so as to help protect public health.

Minimum Standard 3B: Tattooing

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)
- Minimum Standard 3 (Piercing)

Training

- 3B-1** All operators undertaking the commercial services known as cosmetic tattooing, pigment implantation, permanent makeup or microblading must have the knowledge and skills necessary, which can be achieved through the following:
- (a) a recognised national qualification for the commercial service, or;
 - (b) commercial industry experience of five consecutive years or more, and evidence of professional development in the commercial service; or
 - (c) evidence of training with a cosmetic tattooing, pigment implantation, permanent makeup or microblading training provider, and commercial industry experience of 12 months or more;

Sterilisation

- 3B-2** All instruments must be sterilised in accordance with Minimum Standard 2-18;
- 3B-3** The sterilisation of equipment used in tattooing must include, but not be limited to, the sterilisation of needles, needle bars, tubes and tube tips. A new sterilised needle set must be used for each new customer;
- 3B-4** Single-use disposable items must not be reused for any reason. Tattoo needles are not reusable under any circumstances. After use, all needles, razors and other sharps must be immediately disposed of in sharps containers;

Skin preparation

- 3B-5** The body area surrounding the skin to be tattooed must be draped with a single-use disposable paper product or clean linen;
- 3B-6** Ointments, lotions, lubricating gel and other products used to moisten the skin prior to the application of the stencil must be dispensed and applied to the area to be tattooed in a manner to prevent contamination of the bulk product;

Use of dyes, pigments and solutions

3B-7 All operators must, in carrying out tattooing on a customer:

- (a) use only dye, pigment or solution, that has been decanted into a clean sterilised container holding sufficient of the liquid for carrying out that tattoo on that customer only;
- (b) use only that decanted dye, pigment or solution whilst the tattoo is being carried out; and
- (c) use only pre-purchased ink specifically manufactured for tattooing purposes;

Disposal of used dyes, pigments and solutions

3B-8 All operators must ensure that on completion of the tattoo any decanted dye, pigment or solution residue is disposed of, and the container is either sterilised or discarded by an approved bio-hazard waste collection service. Any dye, pigment or solution residue remaining on the completion of a tattoo must not be used in connection with the tattooing of any other customer;

Disposal of other materials

3B-9 Any mattress, squab, cushion, or linen supply that comes into contact with blood or body fluids must be disposed of according to NZS 4304: 2002, and not reused.

Additional Standards

In addition to Minimum Standard 3B, several other legislative acts, guidelines and codes of practice are also relevant:

- The Ministry of Health has published “Guidelines for the Safe Piercing of Skin” to help those in the skin piercing industry (which includes tattooing) better understand how to protect themselves and their customers from the risk of infection. In addition, it aims to encourage operators to reduce harm from skin piercing and promote healthy skin piercing practices.
- The Ministry of Health provides “Customary Tattooing Guidelines for Operators”, primarily for Samoan Tattoo (Tatau), both in English and in Samoan. These guidelines address measures to improve the safety of customary tattooing and are of relevance to tattooists, public health units and Medical Officers of Health.

Additional Recommended Best Practice

Single-Use Disposable Barriers

- It is highly recommended to cover instruments such as tattoo machines and associated clip cords with an effective sterile barrier, such as a single-use disposable plastic bag that is discarded after each use. This cover provides an extra level of hygiene and acts as a barrier, limiting the contaminants that may settle on the machine.

Use of dyes, pigments and solutions

- The Environmental Protection Agency (EPA) has a standard, the “Tattoo and Permanent Makeup Substances Group Standard”, to manage the chemical risks associated with tattoo and permanent makeup substances. The EPA has guidelines which include a list of substances that tattoo inks should not contain.
- It is recommended that tattoo artists confirm with suppliers that any products purchased fit within the standard. Any inks that contain hazardous properties, and therefore not within the standard, are not approved under the “Tattoo and Permanent Makeup Group Substances Standard”.
- No dye or pigment should be used that has passed its expiry date.

MINIMUM STANDARD 3C: Acupuncture

Acupuncture is the practice involving the insertion of filiform (very narrow) needles through the skin and tissues for the intended purpose of alleviating ailments or injuries. Acupuncture may be considered to carry an associated risk of transferring blood-borne infections.

All commercial services that pierce the skin or any part of the body are required to comply with the general standards for piercing (Minimum Standard 3). The minimum standards contained in this part of the code are in addition to Part 3 and to require operators who are undertaking acupuncture conduct their operations in a safe and hygienic manner so as to help protect public health.

Minimum Standard 3D: Acupuncture

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)
- Minimum Standard 3 (Piercing)

Single-use disposable needles only to be used

3C-1 All needles must be sterile and single-use disposable needles;

3C-2 All needles must be removed from the packaging by the handle of the needle.

Additional Recommended Best Practice

Acupuncture

- It is advisable that needles should be inserted swiftly using the correct needle technique. Needle points should not be re-palpated with bare fingers unless hands have been washed appropriately and alcohol gel has been used. Needles should not be entered into open wounds.

Moxibustion

- It is advisable for all operators to obtain written customer consent prior to moxibustion. Before commencing moxibustion directly on the skin, all operators should moisten the skin with a swab or cotton wool bud and clean water.
- A customer should never be left unattended at any stage during the procedure and care should be taken when performing moxibustion directly on the face or any sensitive area.

Cupping

- It is advisable for the operator to obtain written customer consent prior to cupping and the operator should advise the customer of the possibility of bruising.

- The procedure of cupping should be explained to a customer before commencement and the operator should ask to be informed if the procedure becomes too uncomfortable for the customer.
- Care should be taken not to overheat the cups before placement on the body.
- All cups should be sterilised after use.

MINIMUM STANDARD 3D: Electrolysis, Red Vein Treatment and Derma Rolling/ Stamping

Electrolysis is a practice involving the insertion of a sterilised needle into individual hair follicles to the root. An electric impulse is passed through the needle to the root area to aid in the removal of hair. Derma rolling / stamping is a practice of using micro needles to create tiny punctures in the skin intended to stimulate growth factors to enhance collagen production and better alignment of the collagen fibres. Red vein treatment by needle is a procedure involving the injection or piercing of a vein intended to shrink red veins. The vein can be pierced with a needle along the length of the damaged capillary, causing little dams or blockages along the vessel.

All commercial services that pierce the skin or any part of the body are required to comply with the general standards for piercing (Minimum Standard 3). The minimum standards contained in this part of the code are in addition to Part 3 and aim to ensure that operators who are undertaking electrolysis, red vein treatment or derma rolling / stamping conduct their operations in a safe and hygienic manner so as to help protect to public health.

Minimum Standard 3E: Electrolysis, Red Vein Treatment and Derma Rolling / Stamping

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)
- Minimum Standard 3 (Piercing)

Training

3D-1 All operators must have the knowledge and skills necessary to provide electrolysis, red vein treatment and derma rolling / stamping, which can be achieved through the following:

- (a) National Certificate (or international equivalent) in:
 - i. Electrology for electrolysis;
 - ii. Electrology and commercial industry experience of 12 months or more for red vein treatment;
 - iii. Beautician and commercial industry experience of 12 months or more for derma rolling / stamping; or
- (b) commercial industry experience of five consecutive years or more, and evidence of professional development in the commercial service; or
- (c) evidence of training with an electrolysis, red vein treatment or derma rolling / stamping training provider, and commercial industry experience of 12 months or more;

Sterile and single-use disposable instruments only to be used

3D-2 All needles and blades, including clinical grade derma rollers above 0.5mm, must be sterile and single-use disposable;

Re-usable derma rollers / stamps to be stored safely and securely

3D-3 Derma rollers / stamps of 0.5mm and below may be re-used on the same customer if stored in a manner as to prevent contamination from any other item;

3D-4 All operators must ensure customers of re-usable derma rollers / stamps sign a disclaimer that the derma roller / stamp is only to be used on the same customer;

3D-5 All re-used derma rollers / stamps must be disposed of within six months of opening;

Protective face / eyewear when undertaking derma rolling / stamping

3D-6 All operators must wear protective eyewear and a mask when undertaking derma rolling / stamping;

Use of creams and lotions

3D-7 All operators must ensure that creams and lotions are applied with single use disposable applicators before and after derma rolling / stamping;

Record keeping

3D-8 All operators must keep records of maintenance and calibration of electrolysis equipment for 3 years and the records must be available to the council for inspection on request;

Medical consent required

3D-9 All operators must obtain written medical consent to undertake electrolysis or red vein treatment in addition to Minimum Standard 2-20:

- (a) for the removal of hair from moles or the inside of ears or nostrils; and
- (b) on any customer who uses a hearing aid, or who has metal plates or pacemakers inserted in their body.

Additional Recommended Best Practice

Electrolysis

- It is also advisable that after electrolysis the treated area should not be touched. After care product should be applied for three to five days after the service to accelerate the healing of the underlying tissue.

Derma rolling / stamping

- The New Zealand Association of Registered Beauty Therapists recommends that single-use disposable paper towels should be suitably placed to catch any drops of blood serum from derma rolling/ stamping.

MINIMUM STANDARD 4: RISK OF BREAKING THE SKIN

Services that risk breaking the skin carry the risk of drawing blood and body fluids. These services may be considered to carry a moderate risk of transmitting blood-borne viral diseases and the risk of transferring fungal and bacterial infection. Such services include, but are not limited to, hair removal by waxing, threading and plucking, manicure and pedicure, and exfoliation.

The minimum standards contained in this part of the code require that operators who are undertaking commercial services that risk breaking the skin conduct their operations in a safe and hygienic manner so as to help protect public health.

As per the bylaw, before commencing operation, the manager of a business offering commercial services which pierce the skin must obtain a health and hygiene licence from the council; and hold a valid and unexpired health and hygiene licence from the council at all times that the commercial service is offered.

Minimum Standard 4: Risk of Breaking the Skin

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)

Precautions and aftercare

- 4-1.** Prior to the commencement of any specified service that risks breaking the skin, the operator must in addition to Minimum Standard 2-20:
- (a) advise the customer who wishes to undergo such service of the risks associated with the service and the potential for infection to occur during and after the service; and
 - (b) give advice appropriate to the procedure to be undertaken, concerning precautions and post service procedures that should be taken by the customer who wishes to undergo the service;

Floors

- 4-2.** The floor of any area connected with the carrying out of a specified service that risks breaking the skin must be surfaced with a smooth, durable material that is impervious to water and capable of being easily cleaned. The floor and the material with which the floor is surfaced must be maintained in good repair;

Only sterile or single-use disposable or disinfected instruments are to be used

- 4-3.** All instruments or like articles used on any customer for any specified service that risks breaking the skin must be:
- (a) single-use disposable and immediately disposed of after use; or

- (b) cleaned and sterilised in accordance with the provisions of Minimum Standard 2-18 and kept in such a manner to maintain its sterility; or
- (c) cleaned and then disinfected by a thermal or chemical disinfection procedure appropriate to the level of disinfection required and the item being disinfected maintaining the product-specific recommended contact time, to the satisfaction of the council.

Additional Standards

In addition to Minimum Standard 4, several other legislative acts, guidelines and codes of practice are also relevant:

- The New Zealand Association of Registered Beauty Therapists promote professional beauty care and best practice in the beauty therapy industry in New Zealand. Members of the association adhere to the “Code of Ethics for Members of the New Zealand Association of Registered Beauty Therapists”, “Code of Practice for Beauty Therapy Clinics, Spas and Training Establishments” and “Rules of the New Zealand Association of Registered Beauty Therapists”.

MINIMUM STANDARD 4A: Hair Removal by Waxing, Tweezing or Threading

Hair removal is the removal of hair by any means. This includes, but is not limited to, waxing (pulling the hair from the skin using soft wax, hot wax or glucose); threading (lifting the hair out from the follicle by entwined thread); or tweezing (grasping hairs and pulling them out of the skin, including epilation - a mechanical means of tweezing).

All commercial services that risk breaking the skin are required to comply with the general standards for risk of breaking the skin (Minimum Standard 4). The minimum standards contained in this part of the code require that operators who are undertaking hair removal conduct their operations in a safe and hygienic manner so as to help protect public health.

Minimum Standard 4A: Hair Removal

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)
- Minimum Standard 4 (Risk of Breaking the Skin).

Gloves

4A-1 All operators must cover their hands with clean well-fitting single-use disposable surgical gloves:

- (a) before commencing hair removal on any customer; and
- (b) after touching any object which has not been subject to a process of cleansing and sterilisation unless an effective sterile barrier is used;

Skin preparation

4A-2 The skin site must be evaluated prior to each service and any skin condition that may lead to skin irritation must be discussed;

4A-3 Prior to commencing hair removal, all operators must cleanse the customer's skin by swabbing with an antiseptic using a clean, single-use swab and maintaining product-specific recommended contact time;

Use of wax

4A-4 All operators must ensure that wax is not applied to broken skin or over an area where blood has been drawn;

4A-5 All operators must use either of the two following methods to prevent cross contamination between customers:

- (a) pre-dispense the required amount of wax for each customer into single-use disposable pots and discard any unused product; or

- (b) use single-use disposable wooden spatulas for wax application and not redip the spatula into the wax pot;

4A-6 All operators must ensure wax that has been applied to a customer's body for hair removal is not re-used;

4A-7 All operators must ensure pots of wax are kept covered between services;

Use of thread

4A-8 New single-use cotton thread is to be used only.

Additional Recommended Best Practice

Waxing

Operators should ensure that their processes for waxing customers and management of equipment minimise the potential for cross contamination. The following is also advisable:

- Single-use disposable underwear should be offered to the customer for waxing involving the full leg, bikini and/or Brazilian waxing;
- Wax should be initially applied to the inside of the operator's wrist to test the temperature of the wax, then tested on the customer in the area to be treated;
- Hot wax should be applied with a spatula in thick strips and removed by hand. Warm wax should be applied with a spatula in a thin film and removed with a paper or muslin strip;
- A soothing product should be applied after the wax has been removed;
- Metal instruments should be initially cleaned using a wax solvent to remove all traces of wax before sterilisation.

Threading

- New single-use cotton thread should be twisted and rolled onto the surface of the skin to entwine the hair. When the hair is entangled with the thread it should be pulled off and the hair removed.

MINIMUM STANDARD 4B: Manicure / Pedicure

Manicure and pedicure is the beautification or enhancement of the hands and fingernails, as well as feet and toenails, and involves the shaping and polishing of nails, nail extensions such as gel and artificial acrylic nails, and exfoliation of skin or tissue from the feet.

All commercial services that risk breaking the skin are required to comply with the general standards for risk of breaking the skin (Minimum Standard 4). The minimum standards contained in this part of the code require that operators who are undertaking manicure or pedicure conduct their operations in a safe and hygienic manner so as to help protect public health.

Minimum Standard 4B: Manicure / Pedicure

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)
- Minimum Standard 4 (Risk of Breaking the Skin)

Training

4B-1 All operators must have the knowledge and skills necessary to provide manicure / pedicure services, which can be achieved through the following:

- (a) National Certificate (or international equivalent) in Beautician or Nail Technology; or
- (b) commercial industry experience of five consecutive years or more, and evidence of professional development in the commercial service; or
- (c) evidence of training with a nail services training provider;

Ventilation

4B-2 In addition to the premises being adequately ventilated to the requirements of the New Zealand Building Code; all operators must ensure there is adequate additional ventilation for the products used;

Broken skin not to be treated

4B-3 No operator may undertake a manicure or pedicure on any customer if there are any exposed cuts or abrasions on the customer's hands and feet;

4B-4 No operator may expose any skin that is broken during a manicure or pedicure to any further service;

Skin preparation

4B-5 All operators must evaluate the skin site prior to each service and any skin condition that may lead to skin irritation must be discussed;

4B-6 Prior to commencing a manicure or pedicure, all operators must cleanse the customer's skin by swabbing with an antiseptic using a clean, single-use swab and maintain product-specific recommended contact time;

Use of instruments

4B-7 All operators must be constantly aware of the heat created when using an electric nail file on a natural nail plate, as opposed to acrylic or gel nails;

4B-8 All operators must ensure pedicure chair basins and pipes are disinfected in between customers;

Use of supplies

4B-9 All operators must ensure that chemicals and products are stored in containers with air tight lids;

Disposal of waste

4B-10 All operators must ensure that waste with absorbed products, such as tissue and paper towels, is disposed of in a sealed container.

Additional Recommended Best Practice

First aid

- All operators should hold a current St John's or Red Cross First Aid Workplace Certificate or an approved equivalent.

Ventilation

- It is advisable that a ventilation system is installed near worktables when performing gel or acrylic nails, in addition to a ventilation system for the premises if applicable.
- Natural ventilation may be used with open doors and windows. If there is insufficient natural ventilation, artificial ventilation should be placed low down to be effective.

Operators

- All operators are advised to cover their hands with clean well-fitting single-use disposable surgical gloves:
 - (a) before carrying out a pedicure on any customer and before carrying out a pedicure on any other customer; and
 - (b) before touching any object including surfaces and instruments which may have become contaminated with blood or serum of any customer, or touching any object which has not been subject to a process of cleansing and sterilisation.
- All operators should take all practicable steps to prevent cuts and abrasions from filing and buffing.
- All operators are advised to wear dust masks when using an electric nail file or hand file as the dust from filing should not be inhaled. However, dust masks will not prevent against vapour inhalation.
- If recommended by the manufacturer, operators should apply an oil or solution to the artificial nail before filing, which will make the dust heavier, improving the atmosphere and aiding salon cleanliness.

MINIMUM STANDARD 4C: Exfoliation

Exfoliation is a practice intended to remove dead skin and can be performed using microdermabrasion, physical peels that have an abrasive action or chemical peels such as glycolic or enzyme. Exfoliation procedures are generally safe because they usually involve the intact layer of the epidermis. However, there is a minimal risk of breaking the skin and infection when exfoliation is performed using microdermabrasion. Microdermabrasion is mechanical exfoliation that removes the uppermost layer of dead skin cells from the face, chest and hands and is associated with a risk of infection if equipment is not sterile or if the operator is not trained in the use of equipment.

All commercial services that risk breaking the skin are required to comply with the general standards for risk of breaking the skin (Minimum Standard 4). The minimum standards contained in this part of the code require that operators who are undertaking exfoliation conduct their operations in a safe and hygienic manner so as to help protect public health.

Minimum Standard 4C: Exfoliation

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)
- Minimum Standard 4 (Risk of Breaking the Skin)

Training

- 4C-1** All operators of microdermabrasion equipment must have the knowledge and skills necessary to provide microdermabrasion, which can be achieved through the following:
- (a) National Certificate (or international equivalent) in Beautician (Beauty Therapy) and commercial industry experience of 12 months or more; or
 - (b) commercial industry experience of five consecutive years or more, and evidence of professional development in microdermabrasion; or evidence of training with a microdermabrasion training provider, and commercial industry experience of 12 months or more.

Additional Recommended Best Practice

- All operators should use new single-use sponges where facial towelling is necessary for exfoliation.
- The New Zealand Association of Registered Beauty Therapists recommends that only safety certified microdermabrasion equipment should be used.

MINIMUM STANDARD 5: MASSAGE

Massage is a practice of applying lotion, soft wax, stones or pressure to another person's face or body. Services which are unlikely to break the skin, but do involve contact with the skin, may be considered to carry public health risks, such as the transfer of bacterial and viral infections due to direct skin contact between customer and operator.

The minimum standards contained in this part of the code require that operators who are undertaking massage conduct their operations in a safe and hygienic manner so as to help protect public health.

Minimum Standard 5: Massage

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)

Precautions, consent and aftercare

- 5-1.** Prior to the commencement of any massage service, the operator must, in addition to Minimum Standard 2-20:
- (a) consult the customer who wishes to undergo such service including medical history to make sure the service is suitable for that customer; and
 - (b) advise the customer who wishes to undergo such service of the risks associated with the service; and
 - (c) give advice appropriate to the procedure to be undertaken, concerning precautions and post service procedures that should be taken by the customer who wishes to undergo the service;

Skin preparation

- 5-2.** All operators must evaluate the skin site prior to each service and any skin condition that may lead to skin irritation must be discussed;
- 5-3.** Before commencing any skin to skin contact, all operators must ensure that any cuts or abrasions on both the operator and the customer where there will be skin contact are covered. Any gloves used must be disposed of after each use;

Only sterile or single-use disposable or disinfected instruments are to be used

- 5-4.** Single-use disposable gloves are to be disposed of according to AS/NZS 4304: 2002
- 5-5.** Unless it is a single-use disposable instrument, all instruments or like articles must not be used on the skin of any customer, unless immediately before the instrument or article is used, or since the instrument or article was last used, the instrument has been cleaned, disinfected, and/or sterilised in between customers.

Additional Standards

In addition to Minimum Standard 5, several other legislative acts, guidelines and codes of practice are also relevant:

- Massage New Zealand is an association that promotes best practice in massage. Members of the association adhere to the “Rules of Massage New Zealand (NZ) Incorporated”, “Constitution of Massage New Zealand (NZ) Incorporated” and “Code of Ethics”.

Additional Recommended Best Practice

- The physical, mental or emotional health, well-being or safety of a customer should not be endangered.
- The operator should communicate clearly with the customer so that they can respond to feedback during the service.
- The operator should be adequately trained, such as a minimum of Certificate of Relaxation Massage (or equivalent), to ensure the safety, professionalism and efficacy of the service.

MINIMUM STANDARD 6: PULSED LIGHT AND LASER TREATMENT

Pulsed light is a practice using a powerful flash of broad spectrum, non-coherent light intended to remove hair and/or for skin photo-rejuvenation, and may include, but is not limited to, Intense Pulsed Light and Variable Pulsed Light. Laser treatment is a practice involving the use of a laser device, which amplifies light and usually produces an extremely narrow beam of a single wavelength (one colour), intended to remove hair and for skin photo-rejuvenation.

Services involving the use of pulsed light and laser treatment have the potential to burn the skin and lead to longer term skin conditions. Pulsed light may be considered to carry a risk of delayed recognition of skin cancers and mis-diagnosing malignant skin lesions, including melanoma. Lasers capable of breaking the skin, such as those used for laser tattoo removal, carry the risk of drawing blood. The use of lasers capable of breaking the skin may be considered to carry a risk of transmitting blood-borne diseases.

The minimum standards contained in this part of the code require that operators who are undertaking pulsed light and laser treatment conduct their operations in a safe and hygienic manner so as to help protect public health.

As per the bylaw, before commencing operation, the manager of a business offering commercial services which pierce the skin or any part of the body must obtain a health and hygiene licence from the council; and hold a valid and unexpired health and hygiene licence from the council at all times that the commercial service is offered.

Minimum Standard 6: Pulsed Light and Laser Treatment

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)

Training in the provision of pulsed light

6-1 All operators of pulsed light equipment must have the knowledge and skills necessary to provide pulsed light services, including skin type identification and the safe use of equipment, which can be achieved through the following:

- (a) National Certificate (or international equivalent) in Electrology, evidence of professional development in pulsed light services, and commercial industry experience of 12 months or more; or
- (b) commercial industry experience of five consecutive years or more using pulsed light equipment, and evidence of professional development in pulsed light services; or
- (c) evidence of training with a pulsed light training provider, and industry experience of 12 months or more;

Training in the provision of laser treatment

- 6-2** All operators of lasers that risk breaking the skin must comply with Minimum Standard 4: Risk of Breaking the Skin;
- 6-3** All operators of lasers that risk breaking the skin, including those used for laser tattoo removal, must have the knowledge and skills necessary to provide laser services including:
 - (a) skin type identification; and
 - (b) safe use of lasers based on AS/NZS 4173: 2004 and any updates, additions or amendments to that standard; and
 - (c) commercial industry experience of 12 months or more;
- 6-4** All operators of lasers that are designed to remove the skin must be a health practitioner and must be trained in the safe use of lasers based on AS/NZS 4173: 2004 and any updates, additions or amendments to that standard;

Display of qualifications

- 6-5** Qualifications must be displayed in a prominent position so customers can read them, and must be in the name of the operator performing the procedure;

Precautions, consent and aftercare

- 6-6** Prior to the commencement of any pulsed light or laser treatment, the operator must, in addition to Minimum Standard 2-20:
 - (a) advise the customer who wishes to undergo such service of the risks associated with the service; and
 - (b) give written advice appropriate to the procedure to be undertaken, concerning precautions and post service procedures that should be taken by the customer who wishes to undergo the service;
- 6-7** Before commencing any pulsed light or laser treatment, a customer must sign a consent form including medical history and skin type;
- 6-8** Before commencing any pulsed light or laser treatment, all operators must identify if the customer is suitable for the service. Any customers with a family history of melanoma must be exempt from all pulsed light and laser treatment;
- 6-9** All operators must ensure that a patch test, or a trial exposure of a small area of representative skin and hair, is carried out to determine the parameters and to judge how the skin might react to full service. Test patch protocol should include which areas to test, the pulsed light or laser settings, how long to wait to judge skin response, and how to spot adverse reactions;

Record keeping

- 6-10** All operators must keep records of:
 - (a) a customer consent form with medical history and skin type;
 - (b) a record of service including:
 - i. the date on which the pulsed light or laser treatment was undertaken;

- ii. the type of the service;
- iii. the location on the body where the pulsed light or laser was undertaken; and
- iv. equipment calibration and maintenance;

6-11 Such records must be kept secure and confidential for a minimum of 3 years and made available to the council for inspection on request;

Health practitioners to treat skin lesions / moles only

6-12 Skin lesions and/ or moles on any customer may be managed and removed by a health practitioner only;

Medical consent required

6-13 All operators must obtain written medical consent to undertake pulsed light or laser treatment on any customer for the removal of hair from moles;

Controlled area

6-14 All operators must ensure there is a 'controlled area' for the pulsed light or laser equipment, which will have:

- (a) clear and detailed safety rules which describe how to use the area correctly, any hazards the operator or customer might be exposed to, who is authorised to use the equipment, and what to do in the event of an accident;
- (b) no windows to prevent eye damage to any passerby;
- (c) no reflective areas such as mirrors;
- (d) clear signs or warning lights showing when it is safe to enter or when the laser/ intense pulsed light is on; and
- (e) suitable door locks or keypads;

Protective eyewear

6-15 All operators must ensure suitable protective eyewear is worn by the customer and operator appropriate for the wavelength of light to be used. If the face is being treated the customer must wear opaque metal eyewear;

6-16 All operators must ensure protective eyewear is either disinfected or, if disposable, completely replaced after use;

Use of pulsed light equipment

6-17 All operators must ensure the pulsed light equipment is calibrated to make sure that it is working properly and accurately. The wavelength and service parameters of the equipment must be set according to skin type, hair type, test patch results, and previous service settings;

Cleaning and disinfecting

6-18 All equipment that does not need to be sterile must be cleaned and then disinfected by a thermal or chemical disinfection procedure appropriate to the level of disinfection required and the item being disinfected maintaining the product-specific recommended contact time, to the satisfaction of the council

Additional Standards

In addition to Minimum Standard 6, several other legislative acts, guidelines and codes of practice are also relevant:

- AS/ NZS 3130: 1995 “Australian and New Zealand Standard for approval and test specification – beauty therapy equipment”.
- AS/ NZS 3200.2.22: 1997 “Australian and New Zealand Standard for diagnostic and therapeutic laser equipment”.
- AS/ NZS 3760: 2010 “Australian and New Zealand Standard for in-service safety inspection and testing of electrical equipment”. The New Zealand Association of Registered Beauty Therapists does not recommend the use of Pulsed Light equipment that has not been inspected and tested annually.
- AS/ NZS 4173: 2004 “Guide to the safe use of lasers in health care”.
- Electricity (Safety) Regulations 2010
- Hairdressing and Beauty Industry Authority UK “Safe Use of Lasers and Intense Pulsed Light Equipment 2003”.

Additional Recommended Best Practice

Operators should:

- seek formal instruction in the recognition of skin cancers;
- understand the importance of not treating pigmented lesions about which they have concerns;
- advise customers with such lesions to seek the advice of a registered health practitioner.

Skin preparation for pulsed light

The area to be treated should be:

- Cleansed and all make-up removed;
- Clean skin close-up photographed;
- Hair shaved or trimmed for hair removal;
- Adequately chilled.

Use of pulsed light equipment

- The light applicator should be placed onto the skin and a short pulse of light released.
- The applicator should be moved to the neighbouring area and the process repeated until the whole area is treated.

After pulsed light

- The chilled gel should be removed, the treated area cleansed and soothing cream applied.
- The treated area should be close-up photographed.

MINIMUM STANDARD 7: COLON HYDROTHERAPY

Colon hydrotherapy is the practice of introducing liquids into the rectum and colon via the anus and is intended to remove faeces and non-specific toxins from the colon and intestinal tract. Colon hydrotherapy may carry considerable risk to the customer if the procedure is not undertaken by a trained operator or equipment is not properly disinfected and cleansed. Colon hydrotherapy involves body fluids able to transmit infection, including Hepatitis A, Hepatitis B, Hepatitis C and HIV.

The minimum standards contained in this part of the code require that operators who are undertaking colon hydrotherapy conduct their operations in a safe and hygienic manner so as to help protect public health.

Minimum Standard 7: Colon Hydrotherapy

All operators must also comply with the following standards:

- Minimum Standard 1A (Permanent Premises) or Minimum Standard 1B (Mobile or Temporary Premises)
- Minimum Standard 2 (Operator Conduct)

Training

7-1 Unless the operator is a health practitioner, all operators must be adequately trained in colon hydrotherapy;

Age restriction

7-2 No operator may carry out colon hydrotherapy on any person under the age of 16 years unless with the written permission of that person's parent or guardian;

Precautions, consent and aftercare

7-3 Prior to the commencement of any colon hydrotherapy service, the operator must in addition to Minimum Standard 2-20:

- (a) advise the customer who wishes to undergo such service of the risks associated with the service and the potential for infection to occur during and after the service; and
- (b) give written advice appropriate to the procedure to be undertaken, concerning precautions and post service procedures that should be taken by the customer who wishes to undergo the service;

7-4 Before commencing any colon hydrotherapy service, operators must ensure the customer signs a consent form informing the operator of medical history;

Record keeping

7-5 All operators must keep records of:

- (a) a customer consent form for the service to be undertaken, listing any medical conditions and signed consent;
- (b) the name and address of any customer who undergoes any colon hydrotherapy service; and
- (c) the date on which the colon hydrotherapy service was undertaken;

- 7-6** Such records must be kept secure and confidential for a minimum of 3 years and made available to the council for inspection on request;

Toilet, wash-hand basin and shower

- 7-7** All premises must have a toilet, wash-hand basin and shower for the exclusive use of the customer and be located in the procedure room or as an ensuite;
- 7-8** The supply of hot and cold water to the wash-hand basin must be by way of elbow-operated taps, however other taps of the hands-off type, including foot operated, electronically controlled or knee operated taps may also be used;

Floors

- 7-9** The floor of any area connected with the carrying out of a colon hydrotherapy service must be surfaced with a smooth, durable material that is impervious to water and capable of being easily cleaned. The floor and the material with which the floor is surfaced must be maintained in good repair;

Colon hydrotherapy systems

- 7-10** All operators must ensure the colon hydrotherapy system is registered with the United States Food and Drug Administration or New Zealand Medicines and Medical Devices Safety Authority;
- 7-11** All operators must ensure the colon hydrotherapy system is properly installed and complies with AS/NZS 3500.1: 2003, AS/NZS 3500.2: 2003 and AS/NZS 3500.4: 2003;
- 7-12** All operators must ensure water filters are properly fitted to the colon hydrotherapy system and that filters are replaced at the manufacturer's recommended intervals and as necessary;
- 7-13** All operators must ensure that there are no pumps, other pressure enhancing devices or suction facilities on the customer side of the water tank. Mechanisms for regulating water temperature must be installed at the mains and the tank;

Only sterile or single-use disposable instruments are to be used

- 7-14** All instruments or like articles used for colon hydrotherapy must be:
- (a) single-use disposable; or
 - (b) cleaned and sterilised in accordance with the provisions of Minimum Standard 2-18 and kept in such a manner to maintain their sterility;
- 7-15** All rectal tubes must be sterile and single-use disposable;

Cleaning and disinfecting

- 7-16** All re-usable equipment that does not need to be sterile must be cleaned and then disinfected by a thermal or chemical disinfection procedure appropriate to the level of disinfection required and the item being disinfected maintaining the product-specific recommended contact time, to the satisfaction of the council;
- 7-17** Single-use disposable paper towels must be placed on the customer couch and made available for each customer after the procedure;

Disposal of contaminated material

- 7-18** All operators must ensure premises have one waste receptacle for clinical and related waste (for any item contaminated with blood) and another waste receptacle for other single-use items;
- 7-19** All operators must ensure clinical / biohazard waste is disposed of by an approved waste contractor.

Additional Standards

In addition to Minimum Standard 7, several other legislative acts, guidelines and codes of practice are also relevant:

- The International Association for Colon Hydrotherapy aims to implement best practice and heighten awareness of the colon hydrotherapy profession, and ensure continuing and progressive education in the field of colon hydrotherapy. The association recommends the use of registered equipment with the Food and Drug Administration or New Zealand Medicines and Medical Devices Safety Authority.

Additional Recommended Best Practice

It is also advisable for operators to keep records of the following:

- A checklist of equipment operation procedures, including a record of settings used on each customer;
- An equipment maintenance record including any related repair orders;
- An emergency procedure checklist in the event of any unforeseen circumstances; and
- The manufacturer's operation manual in close proximity to the colon hydrotherapy equipment.

EXTERNAL REFERENCES IN THE CODE OF PRACTICE

The following documents are referred to in the code of practice.

| Reference material | Location in this code |
|---|---|
| (Building Regulations) Schedule 1 of the Building Act 1992 – Building Code | Minimum Standard 1A – Permanent premises |
| Acupuncture NZ Clinical Guidelines | Minimum Standard 3 – Piercing |
| Acupuncture NZ Code of Professional Ethics | Minimum Standard 3 – Piercing |
| Acupuncture NZ Rules | Minimum Standard 3 – Piercing |
| Building Act 2004 | Minimum Standard 1A – Permanent premises |
| Code of Ethics (Massage New Zealand) | Minimum Standard 5 - Massage |
| Code of Ethics (NZASA) | Minimum Standard 3 – Piercing |
| Code of Ethics for Members of the New Zealand Association of Registered Beauty Therapists Inc (The New Zealand Association of Registered Beauty Therapists) | Minimum Standard 3 – Piercing Minimum Standard 4 – Risk of breaking the skin |
| Code of Practice for Beauty Therapy Clinics, Spas and Training Establishments (The New Zealand Association of Registered Beauty Therapists) | Minimum Standard 3 – Piercing Minimum Standard 4 – Risk of breaking the skin |
| Code of Safe Practice for Acupuncturists (NZASA) | Minimum Standard 3 – Piercing |
| Constitution of Massage New Zealand (NZ) Incorporated (Massage New Zealand) | Minimum Standard 5 - Massage |
| Customary Tattooing Guidelines for Operators (Ministry of Health) | Minimum Standard 3B –Tattooing |
| Electricity (Safety) Regulations 2010 | Minimum Standard 6 – Pulsed Light and Laser Treatment |
| Guidelines for the Safe Piercing of Skin (Ministry of Health) | Minimum Standard 3 – Piercing Minimum Standard 3A – Body piercing Minimum Standard 3B – Tattooing |
| Health (Hairdressers) Regulations 1980 | Introduction |
| Health Act 1956 | Introduction |

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| Health and Safety at Work Act 2015 | Minimum Standard 2 – Operator conduct |
| Health Practitioners Competence Assurance Act 2003 | Introduction |
| List of communicable diseases declared by the Governor-General, by Order in Council, made under the Health Act 1956 | Introduction |
| Local Government Act 2002 | Introduction |
| Resource Management Act 1991 | Minimum Standard 1A – permanent premises |
| Rules of Massage New Zealand (NZ) Incorporated (Massage New Zealand) | Minimum Standard 5 - Massage |
| Rules of the New Zealand Association of Registered Beauty Therapists Inc (The New Zealand Association of Registered Beauty Therapists) | Minimum Standard 3 – Piercing Minimum Standard 4 – Risk of breaking the skin |
| Safe Use of Lasers and Intense Pulsed Light Equipment 2003 (Hairdressing and Beauty Industry Authority UK) | Minimum Standard 6 – Pulsed Light and Laser Treatment |
| Standards of Acupuncture Practice (NZASA) | Minimum Standard 3 – Piercing |
| Tattoo and Permanent Makeup Substances Group Standard (EPA) | Minimum Standard 3B – Tattooing |
| The Prevention of Legionellosis in New Zealand: Guidelines for the control of legionella bacteria | Minimum Standard 1A – permanent premises Guidelines |

New Zealand and Australian standards

This code has used the following standards to inform the minimum standards set. Due to copyright restrictions, Council is unable to provide copies of these standards. They can be ordered from www.standards.govt.nz.

| Standard name | Location in this code |
|---|---|
| AS 2773.1: 1998 - Australian standard for ultrasonic cleaners for health care facilities- non-portable. | Minimum Standard 3 – Piercing |
| AS 2773.2: 1999 - Australian standard for ultrasonic cleaners for health care facilities. | Minimum Standard 3 – Piercing |
| AS/ NZS 3130: 1995 - Australian and New Zealand Standard for approval and test specification – beauty therapy equipment | Minimum Standard 6 – Pulsed Light and Laser Treatment |

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| AS/ NZS 3200.2.22: 1997 - Australian and New Zealand Standard for diagnostic and therapeutic laser equipment | Minimum Standard 6 – Pulsed Light and Laser Treatment |
| AS/ NZS 3760: 2010 - Australian and New Zealand Standard for in-service safety inspection and testing of electrical equipment | Minimum Standard 6 – Pulsed Light and Laser Treatment |
| AS/ NZS 4173: 2004 - Guide to the safe use of lasers in health care | Minimum Standard 6 – Pulsed Light and Laser Treatment |
| AS/NZS 3500.1: 2003 - Australian and New Zealand standard for plumbing and drainage – water services. | Minimum Standard 7 – Colon Hydrotherapy |
| AS/NZS 3500.2: 2003 - Australian and New Zealand standard for plumbing and drainage – sanitary plumbing and drainage. | Minimum Standard 7 – Colon Hydrotherapy |
| AS/NZS 3500.4: 2003 - Australian and New Zealand standard for plumbing and drainage – heated water services. | Minimum Standard 7 – Colon Hydrotherapy |
| AS/NZS 4031: 1992 - Australian and New Zealand standard for non-reusable containers for the collection of sharp items used in human and animal medical applications. | Minimum Standard 2 – Operator conduct Minimum Standard 3 – Piercing |
| AS/NZS 4173: 2004 - Australian and New Zealand standard for the safe use of lasers in health care. | Minimum Standard 6 – Pulsed Light and Laser Treatment |
| AS/NZS 4187: 2014 - Australian and New Zealand standard for reprocessing of reusable medical devices in health service organisations. | Minimum Standard 3 – Piercing |
| AS/NZS 4261: 1994 A1 - Australian and New Zealand standard for reusable containers for the collection of sharp items used in human and animal medical applications: Amendment 1. | Minimum Standard 3 – Piercing |
| NZS 4304: 2002 - New Zealand Standard for the management of healthcare waste. | Minimum Standard 3 – Piercing Minimum Standard 3B – Tattooing Minimum Standard 5 - Massage |