

NORTH KESTEVEN DISTRICT COUNCIL

**Local Government (Miscellaneous Provisions) Act 1982 - Part VIII
Acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis
Combined Form of Application for the Registration of Persons and Premises**

1. Activity or activities for which registration is required (Please tick box)
- | | |
|----------------------------------|--------------------------|
| a) Acupuncture | <input type="checkbox"/> |
| b) Tattooing | <input type="checkbox"/> |
| c) Cosmetic-Piercing | <input type="checkbox"/> |
| d) Electrolysis | <input type="checkbox"/> |
| e) Semi permanent skin colouring | <input type="checkbox"/> |

2. Full Name and Address of applicant

Telephone Number

3. Address of premises intended to be used in connection with the activities in 1. above

4. Names, addresses of any other persons who will be involved in any of the activities specified in 1. above, or in the management of the premises specified in 3. above.

5. Particulars of equipment to be used

6. Date on which activities commenced or are proposed to commence

I declare that the foregoing particulars are true and correct to the best of my knowledge. The attention of applicants is drawn to Section 14, 15 and 16 of the above Act, set out overleaf. We require you to declare particulars of any current conviction of the applicant under section 16.

I enclose the fee of £ in respect of this application.

Date Signed

NOTE: The fees to be paid are presently:-
Premises £
Persons £

14.-(1) A persons shall not in any area in which this section is in force carry on the practice of acupuncture unless he is registered by the local authority for the area under this section.

(2) A person shall only carry on the practice of acupuncture in any area in which this section is in force in premises registered by the local authority for the area under this section; but a person who is registered under this section does not contravene this subsection merely because he sometimes visits people to give them treatment at their request.

(3) Subject to section 16(8)(b) below, on application for registration under this section a local authority shall register the applicant and the premises where he desires to practise and shall issue to the applicant a certificate of registration.

(4) An application for registration under this section shall be accompanied by such particulars as the local authority may reasonably require.

(5) The particulars that the local authority may require include, without prejudice to the generality of subsection (4) above:-

(a) particulars as to the premises where the applicant desires to practise; and
(b) particulars of any conviction of the applicant under section 16 below, but do not include information about individual people to whom the applicant has given treatment.

(6) A local authority may charge such reasonable fees as they may determine for registration under this section.

(7) A local authority may make byelaws for the purpose of securing-

(a) the cleanliness of premises registered under this section and fittings in such premises;
(b) the cleanliness of persons so registered and persons assisting persons so registered in their practice;
(c) the cleanliness and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the practice of acupuncture.

(8) Nothing in this section shall extend to the practice of acupuncture by or under the supervision of a persons who is registered as a medical practitioner or a dentist or to premises on which the practice of acupuncture is carried on by or under the supervision of such a person.

15.-(1) A person shall not in any area in which the section is in force carry on the business-

(a) of tattooing and/or semi permanent
(b) of cosmetic-piercing; or
(c) of electrolysis,

unless he is registered by the local authority for the area under this section.

(2) A persons shall only carry on a business mentioned in subsection (1) above in any area in which this section is in force in premises registered under this section for the carrying on of that business; but a persons who carries on the business of tattooing, semi permanent skin colouring, cosmetic-piercing or electrolysis and is registered under this section as carrying on that business does not contravene this subsection merely because he sometimes visits people at their request to tattoo them or, as the case may be, to pierce their person or give them electrolysis or apply semi permanent skin colouring.

(3) Subject to section 16(8)(b) below, on application for registration under this section a local authority shall register the applicant and the premises where he desires to carry on his business and shall issue to the applicant a certificate of registration.

(4) An application for registration under this section shall be accompanied by such particulars as the local authority may reasonably require.

(5) The particulars that the local authority may require include, without prejudice to the generality of subsection (4) above,-

(a) particulars as to the premises where the applicant desires to carry on his business; and
(b) particulars of any conviction of the applicant under section 16 below, but do not include information about individual people whom the applicant has tattooed, applied semi permanent skin colouring or given electrolysis or whose person he has pierced.

(6) A local authority may charge such reasonable fees as they may determine for registration under this section.

(7) A local authority may make byelaws for the purpose of securing-

(a) the cleanliness of premises registered under this section and fittings in such premises;

(b) the cleanliness of persons so registered and persons assisting persons so registered in the business in respect of which they are registered;

(c) the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with a business in respect of which a person is registered under this section.

(8) Nothing in this section shall extend to the carrying on of a business such as is mentioned in subsection (1) above by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

16.-(1) Any person who contravenes-

(a) section 14(1) or (2) above; or

(b) section 15(1) or (2) above,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) Any person who contravenes a byelaw-

(a) under section 14(7) above; or

(b) under section 15(7) above, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) If a person registered under section 14 above is found guilty of an offence under subsection (2)(a) above, the court, instead of or in addition to imposing a fine under subsection (2) above, may order the suspension or cancellation of his registration.

(4) If a person registered under section 15 above is found guilty of an offence under subsection (2)(b) above, the court, instead of or in addition to imposing a fine under subsection (2) above, may order the suspension or cancellation of his registration.

(5) A court which orders the suspension or cancellation of a registration by virtue of subsection (3) or (4) above may also order the suspension or cancellation of any registration under section 14 or, as the case may be, 15 above of the premises in which the offence was committed, if they are occupied by the person found guilty of the offence.

(6) Subject to subsection (7) below, a court ordering the suspension or cancellation of registration by virtue of subsection (3) or (4) above may suspend the operation of the order until the expiration of the period prescribed by Crown Court Rules for giving notice of appeal to the Crown Court.

(7) If notice of appeal is given within the period so prescribed, and order under subsection (3) or (4) above shall be suspended until the appeal is finally determined or abandoned.

(8) Where the registration of any person under section 14 or 15 above is cancelled by order of the court under this section-

(a) he shall within 7 days deliver up to the local authority the cancelled certificate of registration, and, if he fails to do so, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale and thereafter to a daily fine not exceeding £5; and

(b) he shall not again be registered by the local authority under section 14, or as the case may be, 15 above except with the consent of the magistrates' court which convicted him.

(9) A person registered under this Part of this Act shall keep a copy-

(a) of any certificate of registration issued to him under this Part of this Act; and

(b) of any byelaws under this Part of this Act relating the practice or business in respect of which he is so registered, prominently displayed at the place where he carries on that practice or business.

(10) A person who contravenes subsection (9) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(11) It shall be a defence for a person charged with an offence under subsection (1), (2), (8) or (10) above to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

(12) Nothing in this Part of this Act applies to anything done to an animal.