CIVIC GOVERNMENT (SCOTLAND) ACT 1982

Schedule of Conditions - Ear Piercing

Conditions

General

1. The Licence holder must surrender the Licence if and when called upon to do so by the Licensing Authority for the purpose of alteration in accordance with any decision of the Licensing Authority.

2. The Licence holder shall notify the Licensing Authority in writing within 30 days of any change from the information provided in the original Licence application.

3. The Licence holders shall ensure that they are covered by an adequate Policy of Third Party Liability Insurance with a reputable company and an appropriate certificate shall be displayed at all times on the premises or, where the activity is not carried out mainly from a premises, be available for inspection.

Amended Conditions Applicable to a Business Providing Only Ear Piercing where the activity is to be Carried out within a Designated Area of the Premises.

4. The Licence holder undertaking ear piercing with the use of an ear-piercing gun shall ensure that a separate area with a washable chair with disposable paper sheet has been designated for the carrying out of that activity within the premises.

5. The Licence holders shall ensure that they display notices in the designated area of the premises:

   (i) Advising that ear piercing will not be carried out on any person under the influence of alcohol or drugs.

   (ii) Advising that ear piercing will not be carried out on any child under the age of 16 unless accompanied by a person who has parental rights and responsibilities in respect of that child and who has also given their consent in writing to the ear piercing.

   (iii) Listing the names of licensed and authorised practitioners.

   (iv) Advising of the risks associated with ear piercing.

6. The Licence holder shall ensure a full-face photograph of each operator is clearly displayed in the designated area so that all customers may easily identify him or her.
7. The Licence holder undertaking ear piercing only shall ensure that the premises has the following facilities conveniently located to the designated area:

(i) A wash-hand basin with hot and cold running water.
(ii) A paper towel holder containing paper towels.
(iii) A soap dispenser containing soap.
(iv) A dispenser containing alcohol solution for cleaning purposes.
(v) A waste bucket with a pedal-operated lid.

8. The Licence holder shall ensure that the designated area is effectively ventilated and illuminated for the purposes of ear piercing.

9. A sterile cartridge for ear piercing; and pre-sterilised jewellery supplied in packaging which indicated the part of the body for which it is intended must be used.

DEFINITIONS

(1) “Licence holders” means the person, persons, company, firm, public body or voluntary organization named in the Licence.

(2) “Premises” means the premises specified in the Licence.

(3) “Acupuncture” means the insertion of needles into living tissue for remedial or therapeutic purposes.

(4) “Cosmetic body piercing” means the perforation of the skin and underlying tissue in order to create a tunnel in the skin through which jewellery may be inserted.

(5) “Electrolysis” means the removal of body hair by electrocution of the hair roots with an electrified needle.

(6) “Hospital” means any health service hospital within the meaning of Section 108(1) of the National Health Service (Scotland) Act 1978.

(7) “Independent clinic” has the same meaning as in Section 77(1) of the Regulation of Care (Scotland) Act 2001.

(8) “Skin piercing” includes any of the following:

(i) Acupuncture
(ii) Cosmetic body piercing, or
(iii) Electrolysis
“Tattooing” means the insertion into the skin of any colouring material designed to leave a semi-permanent or permanent mark including micro-pigmentation.

“Autoclave” means a pressure vessel in which the lid is sealed by the internal pressure in the vessel and which is used to steam sterilize equipment used for skin piercing or tattooing.

“Sharps container” means a container used for holding medical waste and devices, which can cause physical injury.

“Ultrasonic cleaner” means a cleaning device which uses sound waves propagated through an aqueous medium at frequencies higher than the audible range.