

## **Appearance Industries Bylaw Code of Practice**

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DRAFT

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## Introduction

This Code of Practice 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 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 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 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.

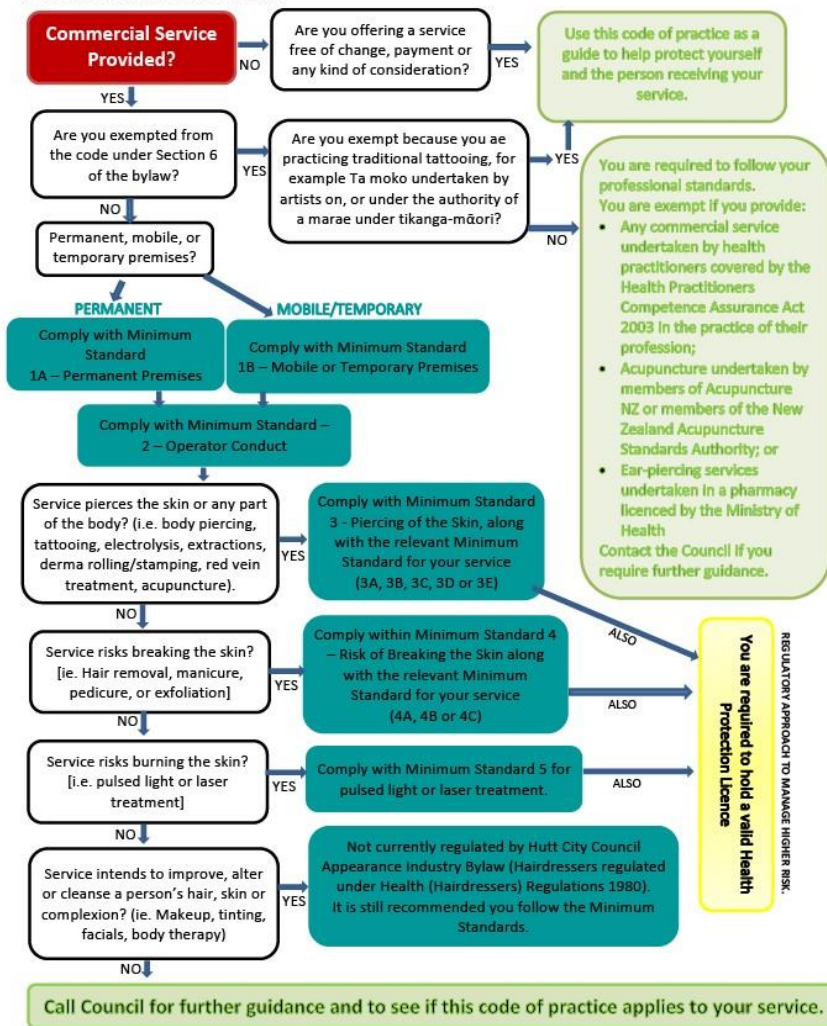
The minimum standards are made under the Appearance Industries Bylaw. Failure to meet a minimum standard is a breach of the Appearance Industries Bylaw or a ~~Health Protection Licence, Certificate of -Registration and~~ is an offence under the Local Government Act 2002 and Health Act 1956. Penalties may include cancellation or suspension of a ~~Certificate of Registration, Health Protection Licence~~ 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. Adoption of recommended best practice is voluntary.

This Code of Practice has been developed in accordance with the Local Government Act 2002.

### 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,—

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

**Autoclave** means a device that sterilises instruments or materials with heat, high pressure and/or steam and is the only totally effective sterilisation method

**Body piercing** means piercing of the skin for the purpose of inserting an adornment which upon healing can be safely removed without assistance.

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

**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 governing body of the Hutt City Council or any person delegated to act on its behalf.

**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 a person on whom a service is being, or is to be, carried out.

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

**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.

**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.

**Eyeball tattooing** means a practice of piercing part of the eye (including but not limited to the sclera and surrounding tissues) and inserting pigments, dyes or any object.

**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 with a responsible authority under the Health Practitioners Competence Assurance Act 2003 as a practitioner of a particular health profession with a relevant scope of practice .

**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, skin photo-rejuvenation and other appearance enhancing procedures.

**Manicure** means beautification or enhancement of the hands and fingernails, including shaping and polishing.

**Massage** means a practice of applying lotion, or soft wax, or stones, or pressure to another person's face or body.

**Mobile premises** means any location other than a permanent premises, where any service is undertaken on an ongoing and regular basis by any person.

**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 beautification or enhancement of the feet and toenails by shaping and polishing toenails and exfoliation of skin or tissue from the feet.

**Permanent premises** means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied. All lands, buildings, and places adjoining each other and occupied together are deemed to be the same premises.

**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 or other energy devices intended to be used for appearance enhancing procedures.

**Red vein treatment by needle** 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.

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**Specified Skin Piercing Services** means any skin piercing such as body piercing, tattooing, traditional tool tattooing, electrolysis, extractions, derma rolling/stamping, red vein treatment, and acupuncture.

Photo-rejuvenation is a skin treatment that uses lasers, intense pulsed light, or photodynamic therapy to treat skin conditions and remove effects of photo aging such as wrinkles, spots, and textures

**Sterilise**, 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.

Autoclaves are considered by the Ministry of Health to be the 'gold standard in sterilization' as such they are recommended as best practice

**Tattooing** means a practice of making indelible marks in human skin or tissue by inserting pigments or dyes into punctures made in the skin or tissues. Tattooing includes the process known as pigment implantation and permanent makeup.

**Temporary Premises** means any premises used for a service or any area set up for not more than 5 days to undertake a service.

**Traditional Tools Tattooing** means a practice of making indelible marks in the human skin or tissue by inserting pigments or dyes into punctures made in the skin or tissue using tools that are culturally traditional in structure and used in procedures such as ta moko, Tatau, uhi or any other traditional tattooing practice that has recognised cultural significance.

**UV Cabinet** is a cabinet used to maintain the sterility of instruments processed by autoclaving or dry heat. It is NOT of itself a method of sterilizing.

## Part 1 Premises

### Introduction

How premises used for specified commercial services are constructed, equipped and maintained can reduce risks to public health.

### Part 1A Permanent Premises

The minimum standards contained in this part of the code aim to ensure that permanent premises are kept in clean and hygienic conditions to reduce risk to public health.

#### Minimum Standard 1A: Permanent Premises

##### *Compliance with bylaws and building legislation*

1(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*

1(2) The premises must be constructed, designed and arranged so as to be fit and suitable for its intended purposes; *Repairs and cleanliness*

1(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 harbor vermin or insects or that may become offensive or a nuisance;

1(4) Any structural alterations, repairs, renovations, plumbing, or drainage work that may be undertaken or required must be carried out without unnecessary delay; *Walls, floors, ceilings, fixtures and fittings*

1(5) 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*

1(6) 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;

1(7) All floors and walls that become wet must be cleaned with a suitable disinfectant at least once in every 24 hours;

*Water supply*

1(8) All premises must be supplied with potable running water;

*Ventilation*

1(9) All parts of the premises must be adequately ventilated to the requirements of the New Zealand Building Code; *Lighting*

1(10)(a) lighting of not less than 300 lux shall be provided at all working surfaces adjacent to every place where customers are attended to and where instruments and tools are cleansed:

(b) in every part of the shop, the overall light intensity shall be not less than 100 lux at a point 800mm above the floor:

(c) all lighting shall be reasonably free from glare and distributed so as to avoid shadows

*Toilet and wash-hand basin*

1(11) Any toilet and wash-hand basin must be easily accessible, hygienic, clean and tidy, and 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 clause G1 of the New Zealand Building Code;

1(12) All toilets and changing rooms must be regularly checked and cleaned throughout operating times;

*Wash-hand basin*

1(13) 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 43 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;

1(14) 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 1(15) or 1(16) below;

*Cleaner's basin*

1(15) 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; *Skin piercing equipment basin*

*basin*

1(16) All premises undertaking specified services that pierce the skin or other body parts must have suitable basins in addition to the basins in Minimum Standards 1(13) and 1(15) for the cleaning of skin piercing equipment;

1(17) The requirement for a cleaner's basin or skin piercing equipment basin as specified in Minimum Standards 1(15) and 1(16) may be waived if the council thinks it is unnecessary because of the nature of the service being carried out; *Sterilisation facilities*

1(18) All premises undertaking specified services that pierce the skin, or other body parts 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;

1(19) Ultrasonic cleaners must be kept separately to sterilisation facilities and have a designated contamination area;

*Mattresses, squabs and cushion covers*

1(20) 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; *Staff facilities*

1(21) Members of the staff must be provided with a separate room or suitable facilities for the storage of clothing and personal effects.

### **Additional Standards**

In addition to the minimum standards above, 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 Act 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 (Ministry of Health 2011) further aims to ensure public health and safety by setting guidelines to reduce the potential of an outbreak of Legionnaires disease.

## **Part 1B Mobile or Temporary Premises**

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

The separation of 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*

1(22) The premises must be constructed, designed and arranged so as to be fit and suitable for its intended purposes; *Repairs and cleanliness*

1(23) 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 harbor vermin or insects or that may become offensive or a nuisance; *Walls, floors, ceilings, fixtures and fittings*

1(24) 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;

1(25) The floor of any area connected with the carrying out of a specified service that pierces the skin and 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; *Ventilation*

1(26) All parts of the premises must be adequately ventilated;

*Lighting*

- 1(27) (a) lighting of not less than 300 lux shall be provided at all working surfaces adjacent to every place where customers are attended to and where instruments and tools are cleansed:
- (b) in every part of the shop, the overall light intensity shall be not less than 100 lux at a point 800mm above the floor:
- (c) all lighting shall be reasonably free from glare and distributed so as to avoid shadows

*Mattresses, squabs and cushion covers*

1(28) 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*

1(29) All operators must provide sufficient facilities to adequately store all clean and used equipment, linen and waste products safely in separate containers before and after use and while in transit; *Cleanliness*

1(30) 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; *Hand-washing facilities*

1(31) 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.

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

1(32) All operators must provide sufficient sterile equipment for all customers undergoing any specified service that pierces the skin;

1(33) If the mobile facility does not have sterilisation facilities then single-use disposable pre-sterilised equipment must be used.

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## Part 2 Operator Conduct

The minimum standards contained in this part of the code aim to ensure that operators who are undertaking specified commercial services conduct their operations in a safe and hygienic manner so as to reduce risks to 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. The essential elements of consent in health care are that it is voluntarily given by the customer, based on full provision of information on risks to the customer, and given by a customer who has the capacity to consent.

### Minimum Standard 2: Operator Conduct

- 2(1) No operator may carry out any service on any person who they suspect is unable to give legal consent due to being mentally impaired or who they suspect is under the influence of alcohol, drugs or mind-altering substances except as prescribed for a medical condition; *Washing of hands*
- 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 method to to operate taps to maintain cleanliness; by brushing 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, smoking or vaping;, using electronic devices, checkout or computer.
- 2(4) All operators must wear clean well-fitting single-use disposable surgical gloves:
- (c) before preparing the area in which to undertake a specified service;
  - (d) before commencing a specified service on any customer; and
  - (e) after touching any object which has not been subject to a process of cleansing and sterilisation unless an effective sterile barrier is used;
  - (f) if the customer is bleeding;
  - (g) if the customer has open lesions or is known to have a contagious disease;
  - (h) if the operator has cuts or wounds on their hands or has a skin infection or lesion;
  - (i) if the operator is handling blood-soiled items, body fluids, excretions, and secretions, as well as surfaces, materials, and objects exposed to them;
  - (j) 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 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. Details of the incident (excluding the client's personal information) must be reported to Council by the next working day. Records of such accidents involving exposure to another customer's blood or bodily fluids must be kept for a period of 2 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, foot spas 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;

*Disposal of contaminated material*

2(18) Any sharps containers and bio hazard waste bins must comply with NZS4304:2002. Management of Healthcare Waste (or latest version) and operators must demonstrate that they have made appropriate arrangements to dispose of any sharps and bio hazard wastes.

*Staff training*

2(19) No person shall allow or carry out any prescribed process unless they hold an appropriate recognised qualification, where an appropriate recognised qualification is available for the process. An appropriate recognised qualification may include a nationally or internationally recognised training standard, NZQA unit standard, or industry training organisation. An exemption will be applied to any person under the direct supervision of someone who holds the said qualification *Display of qualifications*

2(20) AppropriateRecognised 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;

**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.
- It is strongly recommended that ALL operators should undergo training which includes hygiene and infection control.

**Additional Standards**

In addition to the minimum standards above, 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 non- reusable containers for the collection of sharp items used in human and animal medical applications".
- The Health and Safety at Work Act 2015 aims to promote the prevention of harm to all people at work, and others in, or in the vicinity of, places of work. It applies to all New Zealand workplaces, and specifies the responsibilities of employers, the selfemployed, 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.

Additionally WorkSafe NZ must be notified when a notable event occurs as the result of work. A notifiable event under the act is defined as when any of the following occurs as a result of work:

- a death
- a notifiable illness or injury. All injuries or illnesses that require (or would usually require) a person to be admitted to hospital for immediate treatment are notifiable. Serious burns, infections, scalping, lacerations and eye injuries are among the other notifiable incidents.
- a notifiable incident is an unplanned or uncontrolled incident in relation to a workplace that exposes the health and safety of workers or others to a serious risk arising from immediate or imminent exposure to a number of listed hazards (eg, spillage or leaking of a substance, electric shock, fire).  
It is recommended that operators notify Worksafe with preventative notifications or complaints.

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### **Part 3**

#### **Piercing of the Skin**

Specified Skin Piercing Services means any skin piercing that is body piercing, tattooing, traditional tool tattooing, electrolysis, derma rolling, red vein treatment, acupuncture. Services that pierce the skin or other body parts may be considered high risk due to the significant hazards posed by contact with blood and body fluids, such as the risk of transmitting blood-borne 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 ensure that operators who are undertaking commercial services that deliberately pierce or break the skin conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

#### **Minimum Standards: Piercing of the Skin**

*All operators must 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 of the skin)*

#### **Minimum Standard 3: Piercing of the Skin**

*First aid*

3(1) There must be at least one operator on the premises at all times who holds a current St John's or Red Cross First Aid Workplace Certificate or an approved equivalent; *Age restriction*

3(2) Operators must not carry out any specified skin piercing service on any person under the age of 16, (or 18 for tattooing – see 3(3)), without first getting the written consent of that person's parent or legal guardian;

3(3) Operators must not carry out tattooing on any person under the age of 18, without first getting the written consent of that person's parent or legal guardian; *Precautions, consent and aftercare*

3(4) Prior to the commencement of any specified service that pierces the skin, the operator must:

- (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) Inform the client that if they are in any doubt about any aspect of the procedure, they should first consult their medical practitioner.
- (c) 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;
- (d) Inform the customer what they are entitled to in terms of further (paid or unpaid) treatments or referrals in the event that advised risks eventuate and contact details for who they contact should this occur.
- (e) inform the client that if they are experiencing any concerning complications from the procedure, they should consult their medical practitioner immediately

(f) advise that the provider is not legally authorised to prescribe prescription medicines and, if the client wishes to proceed only with a prescription medicine, they must seek a prescription from an authorised prescriber

3(5) Before commencing any specified service that pierces the skin, 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 they know or suspects that they :
  - (i) are suffering from a communicable disease or skin disease;
  - (ii) have a history of haemophilia (bleeding) or are taking medications such as anticoagulants which thin the blood or interfere with blood clotting;
  - (iii) have a history of allergies or adverse reactions to pigments, dyes or other skin sensitivities; or
  - (iv) have a history of epilepsy or seizures, asthma, diabetes, heart conditions or have a pacemaker.

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 specified skin piercing service was undertaken;
  - (ii) the type of the specified skin piercing service; and
  - (iii) the location on the body where the specified skin piercing service was undertaken;

3(8) Such records must be kept secure and confidential for a minimum of 2 years and made available to the council for inspection on request; *Hand washing and gloves*

3(9) All operators must thoroughly cleanse their hands by washing up to the wrist with soap or antibacterial cleansing agent, using an effective method to operate taps to maintain cleanliness; by brushing 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; 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;

3(10) 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;

*Skin preparation*

3(11) All operators must evaluate the skin site prior to each service and any skin condition that may lead to skin irritation must be discussed;

3(12) Prior to commencing any service that involves piercing of the skin, 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; *Only sterile or single-use disposable instruments to be used*

3(13) All instruments or like articles used for piercing the skin on any customer, must be:

- (a) sterile single-use disposable; or
- (b) cleaned and sterilised in accordance with the provisions of Minimum Standard 3(21) and kept in such a manner to maintain its sterility;

3(14) All devices used on any mucous membrane of any customer, such as a marker pen, must be single-use and disposable;

3(15) Any articles having a hollow lumen must be single-use and disposable;

3(16) An instrument or like article may be used for piercing the skin 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) which has not been subjected to any contamination during storage;

*During the skin piercing procedure*

~~(e)~~ *. While in use, all instruments must only go from the therapist's hand to the client, and if still in use then either into a clean instrument contaminant container, in preparation for sterilising or disposed of. At no time should a used implement be placed on a clean surface, or outside the treatment area.*

*After piercing the skin*

3(17) (a) All operators must ensure that, after the completion of piercing the skin: all single-use needles/razors are immediately disposed of into an impact resistant, non penetrable, sealable sharp container

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 3(21) and kept in such a manner to maintain its sterility before use on any other customer or the same customer at a later time;

All operators must demonstrate that they have made appropriate arrangement to dispose of sharp and bio hazard waste. *Cleaning and disinfecting*

3(18) 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(19) At the completion of any cleaning activity, all surfaces must be disinfected before beginning any pre-packaging or sterilisation activities; *Sterilisation*

3(20) 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;

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3(21) All instruments used for piercing the skin 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:
    - 103 KPa (15psi) – For at least 15 minutes at not less than 121 degrees Celsius;
    - 138KPa (20psi) – For at least 10 minutes at not less than 126 degrees Celsius; or
    - 206KPa (30psi) – For at least 4 minutes at not less than 134 degrees Celsius;
  - (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;
- (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 warm 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;

3(22) All instruments 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(23) Where an instrument or like article used for projecting a needle into the skin of any person, would be rendered inoperable or be damaged if a hand piece attached to it were sterilised, the hand piece shall be deemed to be disinfected if it has been cleaned of all visible soiling then wiped with a clean paper towel saturated with:

- (a) a solution of industrial methylated spirit;
- (b) ethyl alcohol or isopropyl alcohol (in each case containing not less than 70 per cent alcohol); or
- (c) iraclean or other similar approved solutions.

#### Additional Standards

In addition to the minimum standards above, several other legislative acts, guidelines and codes of practice are also relevant including

- 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 NZ Board of Professional Skin Therapies also promotes best practice and adheres to the “Code of Ethics”, “Code of Best Practice in Health and Hygiene”.~~  
The NZ board of Professional Skin Therapies also provides the following standards for all sectors of the beauty/skin therapy industry. “Health, Hygiene and Safety for the NZ Aesthetics Industry”. “Code of Ethics and Professional Conduct for the NZ Aesthetics Industry”, “Complaints Process for Industry and the Public”
- The New Zealand Register of Acupuncturists (NZRA) promotes professionalism and best practice in Acupuncture and Chinese Medicine. Registered members adhere to the “New Zealand Register of Acupuncturists Code of Professional Ethics”, “New Zealand Register of Acupuncturists Clinical Guidelines” and “New Zealand Register of Acupuncturists Rules”.
- The waste management requirements within this code of practice are based on the 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”; 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: 2003 – “Australian and New Zealand standard for cleaning, disinfecting and sterilising reusable medical and surgical instruments and equipment, and maintenance of associated environments in health care facilities”.

#### **Additional Recommended Best Practice**

**It is recommended that anyone seeking to undergo mesotherapy or similar processes where micro-injections of various substances are administered consult a registered health practitioner prior to commencing this treatment**

#### *Operators*

- 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.
- It is highly recommended that eye protection / face shields should be worn when performing close-up procedures that may risk aerosols or ‘splatter’ of blood or body substances coming in contact with the operators face.

#### *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.

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- 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, nonabrasive, 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 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.
- Autoclaves are considered by the Ministry of Health to be the 'gold standard in sterilization' as such they are recommended as best practice.

## **Part 3A Body Piercing**

Body piercing is piercing of the skin for the purpose of inserting an adornment which upon healing can be safely removed without assistance

All commercial services that pierce the skin or other body parts are required to comply with the general standards for piercing the skin (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 body piercing conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

### **Minimum Standards: Body Piercing**

All operators must 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 the Skin)*
- *Minimum Standard 3A (Body Piercing)*

#### **Minimum Standard 3A: Body Piercing**

##### *Jewellery*

- 3(24) 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 3(21) and kept in such a manner to maintain its sterility;
- 3(25) 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;
- 3(26) Jewellery that is damaged or scratched must not be used;
- 3(27) All operators must ensure that no jewellery thinner than 14 gauge is used below the neck.

#### **Additional Standards**

In addition to the minimum standards above, 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 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.

#### **Additional Recommended Best Practice**

**'Extreme body modification' procedures, such as transdermal implants, are recommended to be undertaken only by a registered medical professional.**

### **Part 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 pigment implantation or permanent makeup including but not limited to micro-blading.

All commercial services that pierce the skin or other body parts are required to comply with the general standards for piercing the skin (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 tattooing conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

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### Minimum Standards: Tattooing

All operators must 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 the Skin)*
- *Minimum Standard 3B (Tattooing)*

### Minimum Standard 3B: Tattooing

#### *Sterilisation*

3(28) All instruments must be sterilised in accordance with Minimum Standard 3(21) above;

3(29) 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;

3(30) 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*

3(31) The body area surrounding the skin to be tattooed must be draped with a single use disposable paper product or clean linen;

3(32) 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*

3(33) 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*

3(34) 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;

No dye or pigment should be used that has passed its expiry date.

#### *Disposal of other materials*

3(35) Any mattress, squab, cushion, or linen supply that comes into contact with blood or body fluids and cannot be adequately cleaned or laundered, must be disposed of according to NZS 4304: 2002, Management of Healthcare Waste, (or latest version) and not reused.

#### Additional Standards

In addition to the minimum standards above, 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 Environmental Protection Agency (EPA) developed 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.

#### 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 amount of contaminants that may settle on the machine.

##### *Use of dyes, pigments and solutions*

- 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”.

### Part 3C Traditional Tools Tattooing

Traditional Tools Tattooing is the practice of making indelible marks in the human skin or tissue by inserting pigments or dyes into punctures made in the skin or tissue using tools that are culturally traditional in structure and used in procedures such as ta moko, Tatau, uhi or any other traditional tattooing practice that has recognised cultural significance.

New Zealand is home to a number of cultures where traditional skin piercing practices are common, particularly among Māori and Pacific peoples. The nature of cultural tattooing, typically occurring in places other than a professional studio, means that health risks may be greater for individuals if premises, equipment and tools are not cleaned and/or sterilised to New Zealand standards. Tools used for tattooing historically have been made from bone or tusk, and large areas of the body are traditionally tattooed in a relatively short period of time, as such, there are specific risks associated with this practice.

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All commercial services that pierce the skin or other body parts are required to comply with the general standards for piercing the skin (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 traditional tools tattooing conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

#### **Minimum Standards: Traditional Tools Tattooing**

*All operators must 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 the Skin)*
- *Minimum Standard 3C (Traditional Tools Tattooing)*

#### **Minimum Standard 3C: Traditional Tools Tattooing**

*Hand washing and gloves*

3(36) All operators must thoroughly cleanse their hands by washing with soap or antibacterial cleansing agent and by brushing their hands and nails when necessary and then 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; and
- (b) before putting on and after removing clean well-fitting single-use disposable gloves when performing a specified service that involves piercing the skin;

3(37) All operators must cover their hands with clean well-fitting single-use disposable surgical gloves:

- (a) before commencing a specified service 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;

*Only sterile or single-use disposable instruments are to be used* 3(38)

All operators must:

- (a) only work on one customer at a time; and
- (b) use clean, disinfected and sterilised, or single-use disposable tools;

*Cleaning, disinfecting, and sterilising*

3(39) Use-by dates on disinfectants must be observed. In some people, povidone-iodine may cause a skin reaction if left on the skin.

3(40) Where possible, traditional tools used for tattooing should be sterilised as in Part 3B. Where this is not possible, then the process outlined in minimum standard 3(21) should be performed.

3(41) Where an instrument or like article used in traditional tattooing would be rendered inoperable or be damaged by the above sterilization techniques the following method may be applied:

- (a) scrubbing tools underwater with a brush and cleaning agent; then
- (b) if possible, cleaning tools and scrubbing implements in an ultra-sonic cleaner in accordance with the manufacturer's instructions; then
- (c) soaking tools and scrubbing implements in *Perasafe* solution (or equivalent) mixed in accordance with the manufacturer's instructions, and soaked for at least 20 minutes; then
- (d) cleansing with clean water; then
- (e) allowing the tools to air dry for at least 45 minutes before reuse, but protecting them from contaminants; and
- (f) keeping tools in such a manner to maintain sterility.

*Principles for healthy and hygienic tattooing*

- Traditional tools tattooists should provide their customers with professionally experienced, safe and hygienic services, in clean premises. It is essential for traditional tools tattooists to be fully aware of the potential dangers of their procedures and understand the safety measures that need to be taken to make the likelihood of infection, or spread of pathogens, as small as possible.
- The following basic principles must be observed by traditional tools tattooists:
  - The premises must be kept clean and hygienic.
  - Any article used for piercing the skin must be sterile.
  - Any instrument that has pierced the skin or is contaminated with blood must be either disposed of immediately, as infectious or biological waste, or be cleaned and sterilised before being used on another customer.
  - Tattooists must keep themselves and their clothing clean; any cuts, abrasions or wounds they have should be covered and they must not smoke during the tattooing process.
  - Employers in the traditional tools tattooing industry should provide adequate training for staff in all areas of hygiene, infection control and first aid.
- All traditional tools tattooists should be aware of their Hepatitis B status and be vaccinated against Hepatitis B if susceptible.

- It is the traditional tools tattooist's responsibility to ensure that the whole service is provided to a sufficient standard of hygiene to ensure customer and operator safety.

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- **Tattooist must provide customers with the information regarding potential infection risks associated with traditional tattoo.**

#### **Additional Standards**

In addition to the minimum standards below, several other legislative acts, guidelines and codes of practice are also relevant:

- The Ministry of Health provides “Guidelines for Cultural Tattooing”, 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.
- The Environmental Protection Agency (EPA) recently developed 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. Inks made from traditional materials should also not contain any of these substances.

#### **Additional Recommended Best Practice**

##### *Cleaning, disinfecting and sterilizing*

Disinfectants can be applied to the skin using a pump pack and wiping with a clean single-use disposable cloth. Alternatively, skin disinfectants may be decanted from their original container into a single-use disposable container. At the end of the tattooing procedure, any remaining fluid and single-use disposable cloths must be discarded into a hazardous and infectious waste container.

- *PeraSafe* or other similar product are developed to sterilise items made of plastic and rubber and other materials that cannot be cleaned in an autoclave (and are therefore the best option for sterilising the porous materials used in traditional tattooing tools, such as bone. It is important that the solution is mixed correctly. If not enough powder is used, it may not be totally effective, and if too much powder is used, the solution may damage the tools.
- Autoclaves are considered by the Ministry of Health to be the ‘gold standard in sterilization’ as such they are recommended as best practice.

### **Part 3D 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 other body parts are required to comply with the general standards for piercing the skin (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 acupuncture conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

#### Minimum Standards: Acupuncture

All operators must 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 the Skin)*
- *Minimum Standard 3D (Acupuncture)*

#### Minimum Standard 3D: Acupuncture

*Single-use disposable needles only to be used*

- 3(42) All needles must be sterile and single-use disposable needles;
- 3(43) All needles must be removed from the packaging by the handle of the needle.

#### Additional Recommended Best Practice

##### *Acupuncture*

- It is also 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.
- Any premises providing moxibustion should have a window that can be opened, or an extraction fan or air conditioner available to clear any smoke.

##### *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.

## Part 3E 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 **bulbroot**. An electric impulse is passed through the needle to the **bulbroot** 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 other body parts are required to comply with the general standards for piercing the skin (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 reduce risks to public health.

#### **Minimum Standards: Electrolysis, Red Vein Treatment and Derma Rolling / Stamping**

*All operators must 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 the Skin)*
- *Minimum Standard 3E (Electrolysis, Red Vein Treatment and Derma Rolling / Stamping)*

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

*Sterile and single-use disposable instruments only to be used*

3(44) All needles and blades, including clinical grade derma rollers above 0.5mm, must be sterile and single-use disposable;

*Protective face / eyewear when undertaking derma rolling / stamping*

3(45) All operators must wear protective eyewear and a mask when undertaking derma rolling / stamping;

*Use of creams and lotions*

3(46) All operators must ensure that creams and lotions are applied with single-use disposable applicators before and after derma rolling / stamping; *Maintenance and record keeping*

3(47) All operators must maintain and calibrate electrical equipment eg Lasers, IPL machines, as required by the manufacturer. Records must be kept for 2 years and made available to the council on request. *Medical consent required*

3(48) medical consent is required for the removal of hair from moles; and on any customer who uses a Cochlear implant, pacemaker, or who has a metal plate within the area of treatment.

#### **Additional Recommended Best Practice**

*Electrolysis*

It is also advisable that ~~A~~after receiving electrolysis clients should be advised of aftercare protocol ~~such as which may include after electrolysis~~;

- ~~the treated area should not be touched~~;
- ~~a~~After-care product should be applied for three to five days after the service to accelerate the healing of the underlying tissue
- ~~a~~A gentle cleansing of skin can take place that night
- ~~a~~Avoid make up for 24 hours. No gritty cleansers/exfoliants for 7 days
- ~~no~~ sunbathing or exposing skin to excessive UV
- ~~no~~ exercising at public gyms, swimming pools or gardening for 48 hours [high bacterial and fungal count]
- ~~if~~ skin remains pink after 24 hours, apply over the counter topical antiseptic cream. If condition continues contact your therapist.

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#### 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.

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## Part 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 aim to ensure that operators who are undertaking commercial services that risk breaking the skin conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

#### Minimum Standards: Risk of Breaking the Skin

All operators must 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)*

#### Minimum Standard 4: Risk of Breaking the Skin

##### Precautions and aftercare

4(1) Prior to the commencement of any specified service that risks breaking the skin, the operator must:

- (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;

The floor must be cleaned and disinfected at least once every 24 hours  
All floor cleaning equipment must be disinfected before use.

*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 3(21) 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 the minimum standards above, several other legislative acts, guidelines and codes of practice are also relevant including

- 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”.
- The NZ Board of Professional Skin Therapies also promotes best practice and adheres to the “Code of Ethics”, “Code of Best Practice in Health and Hygiene”.

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## **Part 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 aim to ensure that operators who are undertaking hair removal conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

#### **Minimum Standards: Hair Removal**

*All operators must 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)*
- *Minimum Standard 4A (Hair Removal)*

#### **Minimum Standard 4A: Hair Removal**

*Gloves*

4(4) 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*

4(5) The skin site must be evaluated prior to each service and any skin condition that may lead to skin irritation must be discussed;

4(6) 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;

4(7) No person shall remove hairs from moles, birthmarks and other abnormalities without medical permission. *Use of wax*

4(8) All operators must ensure that wax is not applied to broken skin or over an area where blood has been drawn;

4(9) 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 re-dip the spatula into the wax pot;

4(10) All operators must ensure wax that has been applied to a customer's body for hair removal is not re-used;

4(11) All operators must ensure pots of wax are kept covered between services;

*Use of thread*

4(12) 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 [hoisted out of the follicle pulled off](#) and the hair removed. [At no time should the](#)

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single-use cotton thread be held in the mouth or between the teeth of the operator. The cotton thread is twisted and rolled onto the surface of the skin to entwine the hair. When the hair is entangled with the thread it should be hoisted out of the follicle and the hair removed.

## **Part 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, gel polish, 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 aim to ensure that operators who are undertaking manicure or pedicure conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

#### **Minimum Standards: Manicure / Pedicure**

*All operators must 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)*
- *Minimum Standard 4B (Manicure / Pedicure)*

#### **Minimum Standard 4B: Manicure / Pedicure**

#### *Ventilation*

4(13) In addition to Minimum Standard 1(9), all operators must ensure there is adequate ventilation for the products used; *Broken skin not to be treated*

4(14) 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;

4(15) No operator may expose any skin that is broken during a manicure or pedicure to any further service;

4(16) Operators must not use heel blades or razors to cut or shave thickened skin *Skin*

#### *preparation*

4(17) All operators must evaluate the skin site prior to each service and any skin condition that may lead to skin irritation must be discussed, and if the operator identifies any infection they should cease treatment immediately and refer the client to a medical practitioner;

4(18) 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*

4(19) Electric files must not be used on a client's natural nail. All operators must be constantly aware of the heat created when using an electric nail file on a nail plate

4(20) All operators must ensure pedicure chair basins and associated fittings are disinfected in between customers;

4(21) All nail files should be single use or effectively cleaned

#### *Use of supplies*

4(22) All operators must ensure that chemicals and products are stored in containers with air tight lids and are not to be used beyond their expiry dates; *Disposal of waste*

4(23) 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 polish, 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,

- 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.

Spa liners

- Single use disposable spa liners are recommended to be used in footspas and changed as often as necessary but as a minimum between each customer.

## Part 4C Exfoliation

Exfoliation is a practice intended to remove dead skin and can be performed using microdermabrasion, dermabrasion, hydro-dermabrasion, derma-planing or 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 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 aim to ensure that operators who are undertaking exfoliation conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

### Minimum Standards: Exfoliation

*All operators must 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)*

### Additional Recommended Best Practice

- All operators should use new single-use sponges where facial toweling is necessary for exfoliation if blood is drawn
- The New Zealand Association of Registered Beauty Therapists recommends that only safety certified microdermabrasion equipment should be used.
- All operators should hold a current St John's or Red Cross First Aid Workplace Certificate or an approved equivalent.

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## Part 5

### 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 (IPL) and Variable Pulsed Light (VPL). 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, lighten skin, reduce cellulite and fat, skin photo-rejuvenation and other appearance enhancing practices.

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 aim to ensure that operators who are undertaking pulsed light and laser treatment conduct their operations in a safe and hygienic manner so as to reduce risks to public health.

#### Minimum Standards: Pulsed Light and Laser Treatment

*All operators must 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 5 (Pulsed Light and Laser Treatment)*

#### Minimum Standard 5: Pulsed Light and Laser Treatment

5(1) All operators of lasers that are designed to remove the skin or treat tissue must be a practitioner with a relevant scope of practice and must be trained in the safe use of lasers based on AS/NZS 4173: 2018: Safe Use of Lasers and Intense Light Sources in Health Care and any updates, additions, revisions or amendments to that standard;

#### *Display of qualifications*

5(2) 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*

5(3) Prior to the commencement of any pulsed light or laser treatment, the operator must:

- (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;
- (c) cover up any moles, raised lesions, or skin abnormalities (Hemangiomas, birthmarks, moles, skin tags etc.)

5(4) Before commencing any pulsed light or laser treatment, a customer must sign a consent form including medical history and skin type;

5(5) 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;

5(6) 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*

5(7) 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;

5(8) Such records must be kept secure and confidential for a minimum of 2 years and made available to the council for inspection on request; *Health practitioners to treat skin lesions / moles only*

5(9) Skin lesions and/ or moles on any customer may be managed and removed by a health practitioner only; *Medical consent required*

5(10) 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*

5(11) 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*

5(12) All operators must ensure suitable protective disposable or disinfected eyewear is worn by the operator and client for all Laser treatment.

*Use of pulsed light equipment*

5(13) All operators must ensure the laser or pulsed light equipment has been serviced and calibrated in accordance with the manufacturer's instructions and evidence of this is available to council upon request.

Must comply with AS/NZS 4173: 2004 or international equivalent, and must be calibrated regularly

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*Cleaning and disinfecting*

5(14) 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 the minimum standards above, several other standards and guidelines may be relevant eg.

AS/ NZS 3130: 1995 "Australian and New Zealand Standard for approval and test specification – beauty therapy equipment" and any updates, additions, revisions or amendments to that standard;

AS/ NZS 3200.2.22: 1997 "Australian and New Zealand Standard for diagnostic and therapeutic laser equipment". and any updates, additions, revisions or amendments to that standard;

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. and any updates, additions, revisions or amendments to that standard;

AS/ NZS 4173: 2004 "Guide to the safe use of lasers in health care". and any updates, additions, revisions or amendments to that standard; Electricity (Safety) Regulations,

Hairdressing and Beauty Industry Authority UK, "Safe Use of Lasers and Intense Pulsed Light Equipment 2003, and any updates, additions, revisions or amendments to that standard;

### 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.
- wear masks when operating energy-based devices to protect the operator from exposure to laser plume.
- hold a current St John's or Red Cross First Aid Workplace Certificate or an approved equivalent.

All operators of pulsed light and laser equipment should possess a copy of the manufacturer's instructions for their particular machine and be able to follow the instructions specific to their machine. This may include various ways to prepare the skin before treatment, recognizing the desired end points, understanding what is normal and expected and what is unwanted or adverse; and how to provide necessary client post care instructions specific to the treatment.

Before and after images should be taken, and any files stored in accordance with privacy laws and with the clients permission.

All operators should be using some sort of skin cooling system to protect the skin from thermal damage and reduce client discomfort associated with pulsed light and laser treatments.