

Frequently Asked Questions



Acupuncture, Cosmetic Piercing, Electrolysis, Tattooing and Semi-Permanent Skin-Colouring

1. Who needs to register to provide any of the services?

The law requires that anyone who runs an acupuncture, cosmetic piercing, electrolysis, semi-permanent skin colouring and tattooing business to register both themselves and the premises at which they provide them with the Council before they begin trading: (Part VIII Local Government (Miscellaneous Provisions) Act 1982).

2. Why do I need to register?

Because it is illegal to conduct tattooing, acupuncture cosmetic piercing, electrolysis, semi-permanent skin-colouring or to use premises for such procedures unless the person and premises are registered with the Council.

3. What is the law that says I have to register with the Council?

The Local Government (Miscellaneous Provisions) Act 1982, Part VIII, as amended by Section 120 and Schedule 6 of the Local Government Act 2003 requires that the following types of procedures are registered with the Council:-

- Acupuncture
- Tattooing
- Semi-permanent skin-colouring
- Cosmetic piercing
- Electrolysis

4. Are there any circumstances when I would not need to be registered?

There is no need to register with the Council if the acupuncture, cosmetic piercing, electrolysis, semi-permanent skin-colouring or tattooing are done by or under the supervision of a person who is a medical practitioner or dentist. Similarly the premises upon which the procedures are carried out on or by or under the supervision of a medical practitioner or dentist need not be registered.

5. What will it cost?

There is a fee for the registration of each premises and a separate fee for each person. The current fees payable will be specified with the application form and must accompany the application form when submitted.

Details of our current fees and charges are also available via our website:-

www.wigan.gov.uk/Services/BusinessRegeneration/BusinessTradingLicencesPermits/fees.htm

6. When can I start to trade?

You cannot start to trade until registration has been issued.

7. I want to operate as a mobile operator do I need to register premises?

The law does not allow for someone to operate a wholly mobile business to carry out tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis or when practicing acupuncture. What the law says is that a person who is registered with the Council to practice acupuncture or to carry out tattooing, semi-permanent skin-colouring, cosmetic, piercing or electrolysis shall only carry out that business in premises in the Council's area which are also registered with the Council. However you would not break the law if you were carrying out business in those premises and occasionally go to people who have asked you to visit them in order to give treatment.

8. How to make an application?

Online

You can apply and pay online for registration via our website:-

www.wigan.gov.uk/Services/BusinessRegeneration/BusinessTradingLicencesPermits/TreatmentRegistrations.htm

In Person

You can submit your application and make payment by visiting the Life Centre, The Wiend, Wigan, WN1 1NH. Please be aware that you can only make payments at this centre by cheque or credit / debit card.

By Post

You can send your application direct to the Licensing Section at the Town Hall, Library Street, Wigan, WN1 1YN. Please be aware that you can only make payment by cheque when submitting an application via the post.

9. What do I do if I have difficulty in completing the application form?

You can contact the Licensing Section for assistance.

10. Do I have to complete separate forms for myself and the premises?

No, you can make application for personal registration and premises registration on the same form.

11. Who can apply?

Applications for registration of premises will be accepted for either a named individual or in a company / business name.

12. What happens after I make my application?

Once an application has been made and the fee paid, a copy of your application will be passed to the Council's Business Compliance Section in order that arrangements can be made for an officer to visit you to give advice on health and safety issues, procedures and any other matters

you will have to address to carry out acupuncture treatment or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis.

13. What happens after the registration is granted?

After issue of the registration, you will be given a copy of the bye-laws which relate to the treatment or business you are registered to carry out. The Council's Inspectors will make checks to make sure general health and safety requirements are being met.

14. How long will the registration last?

The registration does not have an expiry date. It would only end if you surrender it to the Council or it was cancelled by a Court if you were found guilty of an offence under the law controlling your registration.

15. What are the general requirements of the law?

It is an offence to tattoo any person under the age of 18 years (Tattooing of Minors Act 1969) regardless of parental consent.

There is no statutory age of consent for cosmetic piercing (cosmetic body piercing and ear piercing). Cosmetic piercing of a minor is lawful provided valid consent is given. Furthermore, the courts have held that a parent's right to decide on behalf of his or her child yields to the child's competence to make a decision (i.e. if he or she is capable of understanding the act to be done). Body piercing for sexual gratification is unlawful. Children under the age of 16 are not able to consent lawfully to a piercing that would be regarded as indecent assault. Genital or nipple piercing performed on someone under the age of 16 might be regarded as indecent assault under sexual offences legislation depending on the facts of the case. You may obtain detailed guidance on issues relating to the age of consent for cosmetic piercing from the Health and Safety Executive's Local Authority Circular (LAC) 76/2 *Enforcement of skin piercing activities* on their website at: <http://www.hse.gov.uk>

16. Do I have to do anything before I give a treatment?

You are strongly recommended to discuss the health of the client and the suitability of the treatment before you give it and it would be beneficial if you made a record of such discussions.

17. How do I get advice on what I will need to do?

The Officer who visits your premises after you have made your application will be pleased to offer any advice or give any help if you are unsure how to meet these obligations.

If you have technical questions or need advice on how to set up a business please contact the Council's Business Compliance Section on 01942 827495, or by e-mail at comm@wigan.gov.uk.

18. How can I contact the Licensing Section?

- Telephone No. (01942) 404627 (available 9am to 5pm, Monday to Friday)
- Fax No. (01942) 827298
- Email: licensing@wigan.gov.uk

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