

BEAUTY THERAPISTS, TATTOOISTS AND SKIN-PIERCERS BYLAW 2025



Beauty Therapists, Tattooists and Skin-Piercers Bylaw 2025

Approved by:	The Council		
Date approved:	12 August 2025		
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Next review date:	2035	DOC ID:	

This bylaw is made by the Dunedin City Council under section 145 of the Local Government Act (LGA 2002) and section 64 the Health Act 1956.

1 SHORT TITLE

This bylaw is the Dunedin City Council Beauty Therapists, Tattooists and Skin-Piercers Bylaw 2025.

2 APPLICATION

2.1 The provisions of this bylaw do not apply to:

- 2.1.1 Any health practitioner registered under The Health Practitioners Competence Assurance Act 2003 or subsequent Act; or
- 2.1.2 A person acting under the direction or supervision of any such health practitioner (including medical practitioner, nurse, physiotherapist, podiatrist, or dentist), where the purpose is the practice of medicine, physiotherapy, podiatry, nursing or dentistry, respectively; or
- 2.1.3 A situation where an Authorised Officer is satisfied that compliance with any requirements of this bylaw would be impractical or unreasonable, having regard to the premises in question, or the service being undertaken. In this instance a written exemption may be granted with such modifications, and subject to such conditions as are in the interests of public health as may be desirable in the circumstances.
- 2.1.4 A person carrying out traditional or customary tattooing when undertaken in a non-commercial capacity, such as on a marae, as part of a rite of passage or as part of a cultural gifting experience, and for which profit is not received.

3 PURPOSE

3.1 The purpose of this bylaw is to protect, promote and maintain public health and safety by requiring any person undertaking beauty therapy, tattooing and skin-piercing services:

- 3.1.1 To be registered; and
- 3.1.2 To comply with all requirements in this bylaw,

with the object of preventing the transfer of communicable diseases and bacterial skin infections from beauty therapy, tattooing and skin piercing practices.

4 EXPLANATORY NOTES

4.1 Explanatory notes are not part of this bylaw, and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

Explanatory note: Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to be updated before the bylaw itself has to be updated.

5 DEFINITIONS

In this bylaw, unless context otherwise requires, written means in hardcopy or electronic form, and:

Authorised Officer	Means any person employed and warranted by the Dunedin City Council for the purposes of this bylaw.
Beauty therapy	Means any service in the treatment of skin and body to enhance beauty and includes (but is not limited to) permanent make-up, exfoliation, waxing and hair removal, pedicures, manicures, or other nail services, tinting, and extractions.
Communicable disease	Means any infectious disease such as hepatitis B and C, HIV/AIDS and any other disease declared by the Governor General, by order in Council, to be a communicable disease for the purpose of the Health Act 1956 or subsequent Act.
Designated premises	Includes any part of a commercial, industrial, residential or community building that is designated in a trading licence where a service is carried out.
Itinerant licence holder	Means any person undertaking a beauty therapy service in an approved manner in the absence of a designated, mobile or temporary premises and for which payment is received.
Licence	Means a trading licence, mobile licence, or itinerant licence issued under this bylaw (and includes a Certificate of Registration that may have been issued under any previous bylaw).
Licensee	Means the person to whom a licence has been issued under this bylaw.
Medical waste	Means any needle, sharp instrument, or other article contaminated by blood, tissue, or other bodily fluid that must be disposed of in an approved manner such as a sharps container or biohazard waste receptacle.

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Mobile licence	Means a licence issued to a person under clause 6.1 to provide a service from any mobile premises.
Mobile premises	Means any vehicle, stall, or unit whether self-propelled or not, that is not a fixed premises nor dwelling house from which a service is provided.
Operator	Means any Licensee and/or any person working at a premises who provides a service.
Premises	Means as the context requires, a designated premises, mobile premises or temporary premises.
Readily accessible	Refers to the location of any fixture, equipment, instrument, or utensil so that it can be accessed quickly, practically and without any action likely to pose a risk to any person.
Service	Means any beauty therapy, tattooing or skin piercing processes for which payment is received.
Skin penetration	Means any service, usually tattooing or skin piercing, that breaks or penetrates the skin.
Tattooing and skin-piercing	Means any service to modify a person's appearance involving the intentional piercing, cutting, puncturing or practice of making indelible marks in human skin or tissue for the purpose of inserting jewellery, pigments, ink, or dyes into the skin or other part of the human body. Cosmetic and semi-permanent tattooing, such as microblading is included, along with traditional tool and customary tattooing and skin piercing procedures when conducted in a commercial manner for profit.
Temporary premises	Means a place where any service is provided intermittently such as an event, demonstration or festival, with a maximum duration of seven days unless otherwise approved by an Authorised Officer.
Trading licence	Means a licence issued to a person under clause 6.1 to provide a service from any designated premises or any temporary premises.

6 REGISTRATION AND LICENSING

- 6.1 A person must obtain the appropriate licence to provide a service at any designated mobile, or temporary premises or to trade in an itinerant manner.
- 6.2 Applications for any licence under this bylaw must be made on the prescribed form provided by the Council.
- 6.3 A fee is payable on application for a licence, and as a condition of any licence.

- 6.4 A licence is renewed on an annual basis in accordance with this bylaw for a term of no more than one year.

Explanatory note: Application and licence fees are generally set by the Council annually as part of the long-term or annual plan process.

7 EXEMPTIONS

- 7.1 Operators must comply with the relevant requirements of this bylaw unless a written exemption is obtained.
- 7.2 Any person may apply in writing to an Authorised Officer for a written exemption from any requirement in this bylaw, or the requirement to obtain a licence under this bylaw. Exemptions will be considered where the person can demonstrate that any risk to public health is mitigated to the same extent as provided for in the bylaw.

Explanatory note: Examples of situations where an exemption may be granted include (but are not limited to) eyebrow tinting, and the painting of nails as sole business activities.

8 LICENCE MAY BE ALTERED, SUSPENDED, CANCELLED OR REVIEWED

- 8.1 The Council may, at its discretion, alter, suspend, or cancel any licence given under clause 6 of this bylaw if licence conditions are being breached.
- 8.2 When a licence has been suspended or cancelled the licensee must immediately cease operation.
- 8.3 Any applicant affected by a decision made under this bylaw may apply in writing to the Chief Executive for a review of the decision within 14 days after receiving notification of the decision.

9 GENERAL CONDITIONS OF LICENCE AND OPERATION

- 9.1 The holder of a designated premises trading licence must prominently display their licence at the principal entrance to the designated premises.
- 9.2 The holder of an itinerant licence, mobile licence or temporary trading licence must carry a copy of their licence with them and present it on request.
- 9.3 A licence is effective from the date of issue up to the date of expiry.
- 9.4 A licence is personal to the licensee and is not transferrable.
- 9.5 A person must not provide any service as a beauty therapist, tattooist or skin-piercer without holding a current licence.
- 9.6 A person must not provide any service under an expired licence.
- 9.7 A person must not use any premises unless, as the context requires, the premises comply with this bylaw, or an exemption in accordance with clause 7 of this bylaw has been granted.
- 9.8 A person must not tattoo any person under 18 years of age.
- 9.9 A person must not pierce any nipple or genital area of a person under 18 years of age.

- 9.10 A person must not provide a service where skin is penetrated or pierced on any person under the age of 16 years without the written permission of that person's parent or legal guardian, and that parent/legal guardian being present during the service.
- 9.11 A person may not provide a service to a person whom they suspect is under the influence of alcohol, drugs or mind-altering substances.
- 9.12 A person who knows or suspects that he or she is suffering from or is a carrier of a skin infection or communicable disease, or associated conditions, must not carry out any service without taking adequate precautions to prevent the transmission of such infection, disease or condition.
- 9.13 Where a recognised qualification is available, an operator must obtain or be working towards a qualification applicable to the services being offered.
- 9.14 An operator must work under the direct supervision of a qualified operator and be working towards obtaining a recognised qualification if a recognised qualification has not been obtained.
- 9.15 Any operator who undertakes a service that pierces or penetrates the skin must have obtained and be able to produce evidence of a bloodborne pathogen training course being successfully undertaken.

Explanatory notes:

1. *Recognised training may include a national or international recognised training standard, NZQA unit standard or industry training organisation qualification.*
2. *Licensees must comply with all relevant legislation including, but not limited to the Building Act 2004 (in relation to the premises) and the Hazardous Substances and New Organisms Act 1996.*
3. *All licensees operating from a mobile premises must meet the requirements of Dunedin City's Trading in Public Places Bylaw or any replacement bylaw if they are trading in a public place.*
4. *A bloodborne pathogen training course includes training undertaken face to face or online. Such courses must cover identification of disease and infection causing microorganisms, and the prevention and control measures required to protect clients when reprocessed items or equipment is used.*
5. *All skin-piercers and tattooists must complete bloodborne pathogen training within one year of either the enactment of this bylaw, or within one year of initial registration under the bylaw.*

10 RECORDS

- 10.1 Prior to the commencement of any service every operator is required to obtain the following client information in written form:
- Client name, address and contact details
 - Client date of birth
 - Acknowledgement of any potential risks associated with the service to be administered
 - Client consent for the service to be administered
 - Client health information including (but not limited to):
 - Any medication taken which may affect the service

- Any known blood or bleeding disorder or blood thinning medication taken
- Any medical history of known allergies or adverse reactions
- Any medical history in relation to communicable or infectious diseases.

Explanatory note: Operators must ensure they comply with the Privacy Act 2020.

10.2 The licensee must hold client records regarding such information on site for a minimum of 12 months and ensure that information is updated after every visit.

10.3 The licensee must keep for a minimum of 12 months:

10.3.1 written evidence of the regular servicing and calibration of all equipment used for sterilisation such as an autoclave.

10.3.2 a record of medical waste disposal, including the disposal of any sharps.

10.4 The information in clauses 10.2 and 10.3 must be made available to an Authorised Officer on request.

11 PHYSICAL ASPECTS OF DESIGNATED AND MOBILE PREMISES

11.1 A person must not use, or allow any designated or mobile premises to be used for any service except in accordance with the following provisions:

11.1.1 A licensee must maintain the premises in a state of good repair and in a clean and tidy condition at all times.

11.1.2 The floors, walls, ceiling, fixtures and fittings in any area connected with the carrying out of any service must be constructed of materials that are continuously smooth, impervious and easily cleaned.

11.1.3 A wash hand basin supplied with a constant supply of hot and cold water, soap, a nail brush and approved hand drying facilities must be provided in a readily accessible position to the operator associated with any service.

11.1.4 A sink supplied with a constant supply of hot and cold water, shall be provided in a readily accessible position to those working at the premises for the sole purpose of cleaning instruments and equipment associated with any service.

11.1.5 All parts of the premises must be ventilated.

11.1.6 All parts of the premises must be provided with lighting to facilitate cleaning and inspection.

11.1.7 Covered waste receptacles that can be easily cleaned must be provided.

11.1.8 All mattresses, squabs and cushions used on any chair, bed, table, or the like, at the premises must be covered in an impervious and easy to clean material.

11.1.9 All linen/paper, if not single use, must be replaced after each client.

11.1.10 All laundry items used on a premises or in association with a service must be cleanly laundered. Clean and soiled laundry must be stored separately.

11.1.11 Where refreshments are served to customers, utensils must be thoroughly cleaned between use.

12 ITINERANT LICENCE HOLDERS

12.1 A person intending to perform a service itinerantly may apply for an itinerant licence.

12.2 To avoid doubt, itinerant licence holders are exempt from clause 11 of this bylaw.

12.3 All itinerant licence holders must ensure that they:

12.3.1 provide sufficient facilities to store all clean and used equipment, linen and waste products safely in separate containers before and after use and while in transit.

12.3.2 maintain any work area and protect all surfaces and equipment from contamination by dust, dirt, or other such contaminants at all times.

12.3.3 have adequate sterile equipment for all clients undergoing skin penetration procedures and if the Itinerant Licence holder does not have an autoclave or approved steriliser, then single use pre-sterilised equipment is to be used.

13 CONDUCT

13.1 An operator must:

13.1.1 At all times keep their clothing, hands, and fingernails clean, and must cover any infected, damaged, or inflamed skin with an impermeable dressing.

13.1.2 Thoroughly clean their hands, using soap and water for at least 20 seconds, rinsing and then drying them properly (using paper towels, single use cloths, or an air dryer) immediately:

13.1.2.1 before commencing and after completing the service

13.1.2.2 after using a toilet

13.1.2.3 after smoking or vaping

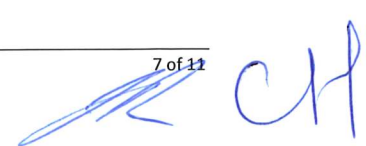
13.1.2.4 after blowing the nose or touching the face

13.1.2.5 after handling soiled laundry, money, biological matter or waste materials used or produced in connection with a service.

13.1.3 Ensure that all needles used in any service are single use, pre-sterilised, and disposable needles.

13.1.4 Prior to commencing any service, cleanse client's skin with a cleansing agent approved by an Authorised Officer and allow to dry. For any service where skin is penetrated, the client's skin must be cleansed using a solution of 70% alcohol (ethyl alcohol or isopropyl).

13.1.5 Provide to every client or make available through a website or other electronic link at the completion of any service, written aftercare instructions for the subsequent care of the site to prevent its infection.



- 13.1.6 Dispose of all blood or tissue contaminated materials used in a service, into a puncture resistant container or otherwise, in an approved manner.
- 13.2 The licensee must ensure all operators can demonstrate an awareness of how any blood or tissue contaminated linen or fixtures will be cleansed/disinfected.
- 13.3 An operator must not undertake any service unless that operator covers their hands with new, single use gloves for each customer, or prior to and following the procedure the operator washes and sanitises their hands using a waterless alcohol-based cleanser, or uses waterless, alcohol-based antiseptic hand gels, foams or liquids where it is physically impossible to have or use hand washing facilities with running water.
- 13.4 Any equipment used must only be operated according to manufacturer specifications and not for any other purpose.

14 STERILISATION, DISINFECTION AND CLEANING

Sterilisation

- 14.1 Equipment used in any service that involves skin penetration must not be reused unless it has been sterilised by being thoroughly cleansed then exposed to steam under pressure in a steriliser (autoclave) in accordance with manufacturer's instructions.
- 14.2 Evidence of the use of chemical indicator strips to demonstrate that the appropriate time, pressure, and temperature have been achieved during the sterilisation cycle must be kept and be made available for inspection by an Authorised Officer for a minimum of 12 months.
- 14.3 Evidence of re-processing following a chemical indicator strip fail or load failure must be kept and made available for inspection for a minimum of 12 months.
- 14.4 All disposable needles must be disposed of in an appropriate sharps container for medical waste, which in turn must be disposed of in an approved manner.
- 14.5 All non-medical waste is to be stored in a covered receptacle and removed from the premises on a regular basis.

Disinfection and cleaning

- 14.6 All equipment, instruments and utensils that are unable to be sterilised must be thoroughly cleaned and then disinfected by a thermal or chemical disinfection procedure, or via a glass bead steriliser or ultra-violet (UV) light cabinet, following manufacturer's instructions.
- 14.7 After thorough cleaning, approved solutions for disinfecting include (but are not limited to):
- 14.7.1 Ethyl alcohol, isopropyl alcohol or methylated spirits (in each case containing not less than 70% alcohol); or
- 14.7.2 An industrial strength disinfecting solution (such as a chlorine, phenol, or Quaternary ammonium cation (QUAT) based solution) used in accordance with manufacturer's instructions.
- 14.8 Operators must provide an adequate supply of chemicals used for general cleaning of the premises and the disinfection of equipment, instruments and utensils.

- 14.9 For any chemical used to disinfect, operators must be able to demonstrate knowledge of chemical dilution rates, application method and contact times.

15 CLEANSING AND REPAIR

- 15.1 The licensee must immediately cease operation if customers may be exposed to contamination or communicable disease because of the:

15.1.1 condition of any premises or equipment; or

15.1.2 procedure or service.

- 15.2 The licensee must on receipt of written instruction signed by an Authorised Officer:

15.2.1 cleanse, reconstruct or repair the premises or equipment, or redesign the procedures within the time specified on the written instruction; and

15.2.2 immediately cease using the premises until any such time agreed by the Authorised Officer.

16 TATTOOING AND SKIN PIERCING

- 16.1 A person must not undertake eyeball tattooing unless that person is a registered ophthalmologist.

16.2 All jewellery used for piercing must be sterile.

16.3 Stencils and marker pens must only be used for one client and then disposed of.

16.4 The licensee is responsible for ensuring that all pigments, inks, and dyes purchased and used for tattooing are approved under the New Zealand Environmental Protection Agency's Tattoo and Permanent Makeup Substances Group Standard 2022 or meet the relevant standards that apply under legislation from the territory or country from which they are imported.

16.5 An operator must not, in tattooing a customer, use any dye, pigment or solution, unless the dye, pigment or solution has been decanted into a container holding sufficient of the liquid for carrying out the tattoo on that customer only.

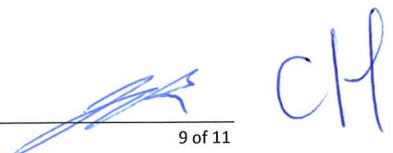
16.6 Operators must ensure that on completion of the tattoo, any dye, pigment, or solution residue is discarded and disposed of to waste, and the container is either sterilised or discarded.

17 BEAUTY THERAPY

17.1 A person must not remove hairs from areas of the body such as moles, birthmarks, and the like without written medical permission.

17.2 Any product that has been applied to a client's body (including wax) must not be reused.

17.3 All utensils or instruments used for product application must be single use or rendered hygienic between clients.

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18 OFFENCES AND PENALTIES

- 18.1 Every person who fails to comply with this bylaw commits an offence and is liable on conviction to a penalty under the Local Government Act 2002 and/or the Health Act 1956.
- 18.2 The continued existence of any work or thing in a state, or the intermittent repetition of any action, that contravenes this bylaw is a continuing offence.
- 18.3 Every person who commits a breach of this bylaw that is an offence under the Health Act 1956 or subsequent Act is liable to a fine up to \$500 and to a further fine of up to \$50 for every day on which the offence continues.
- 18.4 Every person who commits a breach of this bylaw that is an offence under the Local Government Act 2002 or subsequent Act is liable on conviction to a fine up to \$20,000.

19 SAVINGS

- 19.1 Any licence issued prior to the commencement date of this bylaw continues to be valid until its date of expiry.

Explanatory note: This additional information does not form part of the bylaw. It contains information to help users understand, use, and maintain the bylaw. This information may be updated at any time.

Relevant Legislation:	<i>Building Act 2004</i> <i>Hazardous Substances and New Organisms Act 1996</i> <i>Health Act 1956</i> <i>Health (Registration of Premises) Regulations 1966</i> <i>Local Government Act 2002</i> <i>Resource Management Act 1991</i> <i>Trading in Public Places Bylaw</i>
Associated Documents:	<i>Dunedin City District Plan (2GP)</i> <i>Ministry of Health Customary Tattooing Guidelines for Operators 2010</i> <i>Ministry of Health Guidelines for the Safe Piercing of Skin 1998</i> <i>New Zealand Association of Registered Beauty Therapists (NZARBT) Health, Hygiene and Safety Standards</i> <i>New Zealand Board of Professional Skin Therapies Health, Hygiene and Safety Standards for the NZ Aesthetic Industry</i> <i>New Zealand Environmental Protection Agency's Tattoo and Permanent Makeup Substances Group Standard 2022</i>

THIS DEED was executed on the 22nd day of August 2025-----

SIGNED:

THE COMMON SEAL of THE DUNEDIN
CITY COUNCIL was hereto affixed
in the presence of }





Mayor/Councillor



Councillor

