

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 BYELAWS FOR THE BUSINESS OF ELECTROLYSIS

Byelaws for the purpose of securing the cleanliness of registered premises and fittings therein and registered persons and persons assisting them and the cleansing and so far as appropriate sterilisation of instruments, materials and equipment used in connection with the business of electrolysis made by Warrington Borough Council in pursuance of Section 15(7) of the Local Government (Miscellaneous Provisions) Act 1982.

### 1. Interpretation

- a. In these byelaws, unless the context otherwise requires;
- “The ACT” means the Local Government (Miscellaneous Provisions) Act 1982  
 “Client” means any person undergoing treatment  
 “Operator” means any person giving treatment;  
 “Premises” means any premises registered under Part VIII of the Act;  
 “Proprietor” means any person registered under Part VIII of the Act;  
 “Treatment” means any operation in effecting electrolysis;  
 “The Treatment Area” means any part of the premises where treatment is given to clients.

- b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

### 2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that:

- a. all internal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators are kept clean and in such good repair as to enable them to be cleaned effectively;
- b. All waste materials, and other litters, arising from the treatment, is placed in suitable covered receptacles, which are washable and leakproof, or use a leakproof liner bag. The receptacles shall be emptied, or the bags changed at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;
- c. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable boxes are used, they shall be emptied at least once every working day or more frequently as necessary and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
- d. All furniture and fittings in the treatment area are kept clean and in such good repair as to enable them to be cleaned effectively;
- e. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b are placed immediately prior to treatment, shall have a smooth impervious surface which is wiped down at least daily with suitable disinfectant;
- f. Where tables and couches are used, they are covered by a disposable paper sheet which is changed for each client;
- g. A notice or notices reading “No Smoking” are prominently displayed within the treatment area

### 3. For the purpose of securing the cleansing and, so far as appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment:

- a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –
- i. Is clean and in good repair and, so far as is appropriate, sterile;
- ii. Has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;
- b. An operator shall ensure that any needle, metal instrument, or other item of equipment, used in treatment for handling instruments and needles used in the treatment, is in a sterile condition and kept sterile until it is used;

### c. A proprietor shall provide:

- i. Adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
- ii. Sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
- iii. An adequate constant supply of clean hot and cold water readily available at all times on the premises;
- iv. Adequate storage for all items mentioned in byelaw 3a and 3b above, so that those items are properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.

### 4. For the purpose of securing the cleansing of operators –

- a. An operator whilst giving treatment shall ensure that;
- i. hands and nails are clean;
- ii. clean clothing is worn;
- iii. any open boils, sores, cuts or open wounds on an exposed part of the operator’s body are effectively covered by an impermeable dressing;
- iv. smoke and consumption of food or drink are not permitted.
- b. A proprietor shall provide;
- i. Suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent and a nail brush;
- ii. Suitable and sufficient sanitary accommodation for operators.

### 5. Revocation

The byelaws “Ear Piercing and Electrolysis” made by Warrington Borough Council on 1 May 1986 and confirmed by the Secretary of State for Social Services on 8 July 1986 are hereby revoked.

**THE COMMON SEAL OF WARRINGTON BOROUGH COUNCIL** was hereunto affixed the 3<sup>rd</sup> day of March 2005 in the presence of  
 KARIN J SPIERS  
 Authorised Signatory

The foregoing byelaws are hereby confirmed by the Secretary of State for Health on 28 April 2004 and shall come into operation on 1 June 2005.  
 A L WIGHT  
 Member of the Senior Civil Service

### NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A** Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of any certificate of registration issued to him under Part VIII of the Act
- B** Section 16(2) of the Local Government (Miscellaneous Provisions) Act 1982 that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine. If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in addition to imposing a fine, order the suspension
- Department of Health or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16(11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C** Nothing in these byelaws extends to the practice of electrolysis by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

ECONOMIC REGENERATION, GROWTH & ENVIRONMENT  
 REGULATION & PUBLIC PROTECTION  
 NEW TOWN HOUSE  
 BUTTERMARKET STREET  
 WARRINGTON WA1 2NH