Western Australia

Health (Miscellaneous Provision) Act 1911

Hairdressing Establishment Regulations 1972

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Western Australia

Hairdressing Establishment Regulations 1972

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Defined terms

Western Australia

Health (Miscellaneous Provision) Act 1911

Hairdressing Establishment Regulations 1972

1. Citation

These regulations may be cited as the *Hairdressing Establishment Regulations 1972*.

2. Application

These regulations have effect in every district in the State.

3. Interpretation

In these regulations unless the context requires otherwise —

disinfected means subjected to the appropriate process set out in regulation 17A(1) or (2) and stored or packaged in the manner set out in regulation 17A(3);

disinfecting solution means —

(a) ethyl alcohol 70% (v/v) minimum with or without any other disinfectant or antiseptic;

(b) Glutaraldehyde solution of 1% (v/v);

(c) hypochlorite solution of 0.5% (v/v) that has been freshly made up on the day of its use;

(d) isopropyl alcohol 70% v/v; or

(e) a solution approved as a disinfecting solution by the Chief Health Officer, under regulation 3A;

hairdresser means any person who shaves, cuts, trims, dresses, waves, curls, stains or dyes, or who in any other way treats, the

hair of any person for gain or reward and also includes a barber and every assistant of every such person;

hairdressing establishment means any premises or place or portion of premises or a place where any of the operations of a hairdresser are carried on;

instrument means any appliance, implement or apparatus which may come into contact with the skin or hair of any person in the course of any procedure carried out by a hairdresser.

[Regulation 3 amended: Gazette 3 May 1974 p. 1432-3; 29 May 1987 p. 2219; 14 Jul 1989 p. 2153; 14 Jun 1991 p. 2879; 10 Jan 2017 p. 255.]

3A. Disinfecting solution

For the purposes of these regulations, the Chief Health Officer may approve as a disinfecting solution, a solution that is of an equivalent or greater disinfecting strength to a solution referred to in paragraph (a), (b), (c) or (d) of the definition of "disinfecting solution" in regulation 3.

[Regulation 3A inserted: Gazette 14 Jul 1989 p. 2153; amended: Gazette 14 Jun 1991 p. 2879; 10 Jan 2017 p. 255.]

4. Requirements for hairdressing establishments

The proprietor of a hairdressing establishment shall cause —

(a) every shelf, bench and table on which instruments, tools and utensils are placed to be constructed of or finished with a durable, smooth, impervious material;

(b) cupboards, cabinets, shelves or similar fittings of durable smooth materials to be provided, for the storage of clean towels, neck cloths, neck protectors, throwovers and similar articles;

(c) a sufficient number of suitable receptacles, constructed of smooth impervious material with tight fitting lids to be kept on the premises for the reception of —

(i) soiled linen, soiled towels and other soiled cloths; and

(ii) hair, paper and other trade wastes,

and shall cause each such receptacle to have marked thereon, in permanent and prominent letters of not less than 50 millimetres in height the words or word "soiled linen" or "waste" as the case may be;

(d) a wash basin to be provided for every 3 work stations;

(e) where laundering is carried out on the premises, the laundry to comply with the requirements of the local authority, but the laundry must not consist of less than the following —

(i) 1 washing machine;

(ii) 1 wash trough of not less than a capacity of 36 litres provided with hot water that is delivered at a temperature of not less than 60°C and cold water;

(iii) 1 clothes line of not less than 30 metres or 1 drying cabinet;

(f) where refreshments are prepared and provided for the customers on the premises, the refreshments to be prepared in a room completely separate from the hairdressing section;

(g) the premises of the hairdressing establishment to have natural ventilation in accordance with Uniform Building By-law 1201 or mechanical ventilation in accordance with the table to By-law 1221 of the Uniform Building By-laws; and

(h) the floor of every hairdressing establishment to have a smooth, impervious, washable surface in the working area.

[Regulation 4 amended: Gazette 3 May 1974 p. 1433; 14 Jul 1989 p. 2153; 10 Jan 2017 p. 256.]

5. Wash basins

(1) The wash basins required by regulation 4(d) are in addition to those required by section 10 of the *Shops and Warehouses (Health, Safety and Welfare) Regulations* [1].

(2) The proprietor of a hairdressing establishment shall ensure —

(a) that each wash basin is provided with a reticulated hot and cold water supply capable of delivering a flow of water of not less than 0.08 litres per second from each tap, with the hot water being delivered at a minimum temperature of 38°C; and

(b) that where the water is delivered direct from the tap to the head, a grohe or similar approved mixing valve is incorporated in the line.

[Regulation 5 amended: Gazette 3 May 1974 p. 1433; 14 Oct 1988 p. 4161; 14 Jul 1989 p. 2153.]

6. Waste and waste receptacles

The proprietor of a hairdressing establishment shall ensure —

(a) that each receptacle referred to in regulation 4(c) is used only for the purpose for which it is labelled;

(b) that all hair clippings and other waste, including shaving lather and paper are cleaned up and placed in the proper receptacle as soon as practicable after each person has been attended; and

(c) that the head rest of any chair in use on the premises is covered with a clean cloth or clean white paper before use by each customer.

7. Premises not to be used for other purposes

(1) A person shall not use any room in which hairdressing or cosmetic practices are conducted for any other purpose.

(2) For the purposes of this regulation any portion of the premises in which hairdressing practices are conducted shall be separated from the rest of the premises by a substantial wall or partition extending from the floor to the ceiling.

[Regulation 7 amended: Gazette 29 May 1987 p. 2219.]

8. Towels etc. to be laundered

A hairdresser shall not use on any person, a towel, neckcloth, neck protector or wash cloth which has not been laundered since it was last used on a customer and a towel or neck protector made of paper or cotton wool shall be discarded immediately after use and not used in the service of a second or subsequent person.

9. Neck protectors to be used

A hairdresser shall use a clean towel or other protective device about the neck of a customer to prevent hair from falling inside the clothing and the outer wrapping or coverall shall be placed around the shoulders of the customer so as not to come in contact with the skin of the neck, and shall be fastened with a safety pin or other device at the back.

10. Neck brushes

A hairdresser shall use a dry neck brush where it is necessary to remove loose hair from around the neck.

11. Soap and shaving cream

A hairdresser shall not use any kind of soap other than liquid soap or shaving cream or shaving powder for the purpose of producing lather for shaving customers.

12. Sponges, powder puffs, etc.

A hairdresser shall not apply any sponge, powder puff or substance in block form to a customer's skin.

13. Bleeding

A hairdresser shall not arrest bleeding by any means other than by a suitable styptic in powder or liquid form on sterile cotton wool.

[Regulation 13 erratum: Gazette 17 Nov 1972 p. 4391.]

14. Hands to be washed

A hairdresser shall, immediately before attending to each customer and immediately after visiting a water closet or urinal, wash his hands, and for the purpose of giving effect to this regulation use a nail brush, soap and water.

15. Clothing

Every hairdresser, while attending to a customer, shall wear a clean and properly fitting coat or overall of washable material, with no external pockets.

16. Smoking

A hairdresser shall not smoke while attending to a customer.

17. Disinfecting solution to be provided

The proprietor of a hairdressing establishment shall cause a vessel containing at least 1 litre of disinfecting solution to be provided for each work station.

[Regulation 17 inserted: Gazette 14 Jul 1989 p. 2153.]

17A. Method of disinfecting instruments etc.

(1) For the purpose of these regulations an instrument, other than clippers, shall be disinfected if it is —

(a) subjected to a thorough washing in cold water with soap or detergent; and

(b) immersed in a disinfecting solution for 10 minutes and in the case of razors, 30 minutes.

(2) Clippers shall be disinfected by applying a disinfecting solution to the clipper head with a disinfected brush.

(3) Where an instrument has been disinfected it shall be stored or packaged until use in such a manner as to protect it from contamination.

(4) Any blood stained towel or article of washable material shall be immersed in a solution of household bleach in water to the ratio of 1 in 20 for a minimum time of 30 minutes and then washed in the normal manner.

[Regulation 17A inserted: Gazette 29 May 1987 p. 2219; amended: Gazette 14 Jul 1989 p. 2153-4.]

18. Instruments to be disinfected

A hairdresser shall ensure that any instrument used on a person shall be disinfected before being used any other person in accordance with the method specified in regulation 17A.

[Regulation 18 inserted: Gazette 29 May 1987 p. 2219.]

19. Instruments to be provided

The proprietor of a hairdressing establishment shall provide a sufficient number of instruments to enable used instruments to be disinfected in accordance with these regulations.

[Regulation 19 inserted: Gazette 29 May 1987 p. 2219.]

20. Infectious skin conditions of customers

Where a hairdresser attends a customer who is suffering from any infectious or contagious rash or eruption of the face, he shall immediately thereafter immerse all instruments, towels and cloths used on that customer and the coat or overall worn by the hairdresser in a disinfecting solution for not less than 10 minutes.

[Regulation 20 inserted: Gazette 14 Jul 1989 p. 2154.]

21. Infectious hairdresser not to attend customers

A hairdresser suffering from any infectious or contagious disease or any infectious or contagious skin rash or eruption or verminous infestation shall not attend to any customer.

22. Inspection of premises

(1) An authorised officer may at all reasonable times enter and inspect any premises used as a hairdressing establishment and may inspect or remove for the purpose of examination any instrument or appliance or other thing therein which may be suspected, on reasonable grounds, of being contaminated with the infection of any contagious or infectious disease, and when an article is so removed, a written receipt therefor shall be furnished to the occupier by the authorised officer, and the article shall be returned within a period of 3 days.

(2) The authorised officer shall place any appliance removed from a hairdressing establishment in pursuance of subregulation (1) in a sterile container for transport from the premises.

[Regulation 22 amended: Gazette 10 Jan 2017 p. 256.]

22A. Hairdressing in private residence

(1) A hairdresser may perform hairdressing procedures in the private residence of a customer in a room which is not used for the storage, preparation or consumption of food.

(2) Where hairdressing procedures are carried out in accordance with subregulation (1), regulations 4 (excluding paragraph (c)), 5, 7, and 17 do not apply.

[Regulation 22A inserted: Gazette 29 May 1987 p. 2219.]

23. Offences and penalties

(1) A person who contravenes a provision of the regulations specified in the Table to this subregulation commits an offence.

Table

Regulations 4, 5(2), 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21.

(2) A person who commits an offence under subregulation (1) is liable to —

(a) a penalty which is not more than $1 000 and not less than —

(i) in the case of a first offence, $100;

(ii) in the case of a second offence, $200; and

(iii) in the case of a third or subsequent offence, $500;

and

(b) if that offence is a continuing offence, a daily penalty which is not more than $100 and not less than $50.

[Regulation 23 inserted: Gazette 14 Oct 1988 p. 4161.]

Notes

This is a compilation of the *Hairdressing Establishment Regulations 1972* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

Compilation table

Citation	Published	Commencement
Hairdressing Establishment Regulations 1972	10 Nov 1972 p. 4338-40 (Erratum 17 Nov 1972 p. 4391)	10 Nov 1972
	3 May 1974 p. 1432-3	3 May 1974
Hairdressing Establishment Amendment Regulations 1987	29 May 1987 p. 2219	29 May 1987
Health (Offences and Penalties) Amendment Regulations 1988 Pt. 7	14 Oct 1988 p. 4160-3	14 Oct 1988
Hairdressing Establishment Amendment Regulations 1989	14 Jul 1989 p. 2153-4	14 Jul 1989
Hairdressing Establishment Amendment Regulations 1991	14 Jun 1991 p. 2879	14 Jun 1991
Reprint of the *Hairdressing Establishment Regulations 1972* as at 18 May 2001 (includes amendments listed above)		
Health Regulations Amendment (Public Health) Regulations 2016 Pt. 7	10 Jan 2017 p. 237-308	24 Jan 2017 (see r. 2(b) and *Gazette* 10 Jan 2017 p. 165)

Uncommenced provisions table

To view the text of the uncommenced provisions see *Subsidiary legislation as made* on the WA Legislation website.

Citation	Published	Commencement
Health Regulations Repeal Regulations 2024 r. 3(a)	SL 2024/71 1 May 2024	4 Jun 2024 (see r. 2(b))

Other notes

[1] The *Shops and Warehouses (Health, Safety and Welfare) Regulations* ceased to be in force on 16 Sep 1988 (see *Gazette* 16 Sep 1988 p. 3761).

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
disinfected	3
disinfecting solution	3
hairdresser	3
hairdressing establishment	3
instrument	3

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