

1992—No. 476

**FACTORIES, SHOPS AND INDUSTRIES ACT 1962—
REGULATION**

(Hairdressing Regulation 1992)

NEW SOUTH WALES



[Published in Gazette No. 105 of 28 August 1992]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Factories, Shops and Industries Act 1962, has been pleased to make the Regulation set forth hereunder.

J. P. HANNAFORD
Attorney General and Minister for Industrial Relations.

PART 1—PRELIMINARY

Citation

1. This Regulation may be cited as the Hairdressing Regulation 1992.

Commencement

2. This Regulation commences on 1st September, 1992.

Definitions

3. In this Regulation:
“**beauty treatment**” means any beauty treatment carried out on the of a hairdresser;
“**hairdressing**” has the meaning given in Part 6 of the Act;
“**ladies’ hairdressing**” means hairdressing other than:
 - (a) the cutting of a male’s hair; or
 - (b) the cutting, arranging, dressing, cleansing, trimming, shaving or singeing of the beard of any person; or
 - (c) beauty treatment;

“licence” has the meaning given in Part 6 of the Act;

“men’s hairdressing” means hairdressing other than:

- (a) curling, waving, bleaching, tinting, colouring or otherwise treating the hair of the head of any person; or
- (b) beauty treatment;

“men’s and ladies’ hairdressing” means a combination of men’s hairdressing and ladies’ hairdressing;

“the Act” means the Factories, Shops and Industries Act 1962.

Licence application fee

4. For the purposes of section 108 (2) of the Act, the prescribed application fee for a licence is \$25.

Classes of licence

5. For the purposes of this Regulation, there are 4 classes of licences corresponding to the following categories of hairdressing:

- men’s hairdressing
- men’s and ladies’ hairdressing
- ladies’ hairdressing
- beauty treatment

Trade training

6. For the purposes of section 110 (1) of the Act, the prescribed course of training for the categories of hairdressing other than beauty treatment is:

- (a) an apprenticeship in hairdressing completed in New South Wales;
or
- (b) experience in New South Wales as a hairdresser for fee, gain or reward, otherwise than as an apprentice, for a period or periods totalling not less than 4 years; or
- (c) experience, elsewhere than in New South Wales, as a hairdresser for fee, gain or reward for such period and in such capacity as the Director-General considers satisfactory.

Trade test

7. For the purposes of section 110 (1) of the Act, the prescribed examination is the trade test conducted by the Technical and Further Education Commission covering subjects in:

- (a) the Hairdressing trade course; and
- (b) in relation to a licence for beauty treatment, the Beauty Culture trade course.

Inspectors

8. For the purposes of section 108 (5) of the Act, inspectors (within the meaning of section 104 of the Act) are prescribed persons.

Hairdressing work on unlicensed premises prohibited

9. (1) A person who, in any local government area, acts as a hairdresser for fee, gain or reward (otherwise than in premises for the time being licensed under Ordinance No. 62 under the Local Government Act 1919) is guilty of an offence.

Maximum penalty: 5 penalty units.

(2) This clause does not apply to hairdressing performed for any person who is confined in a hospital, prison or other institution or who is unable (for example, because of age, infirmity or distance to travel) to attend any premises so licensed.

Repeals

10. The Hairdressers Licensing Regulation and the Hairdressing (Work on Unlicensed Premises) Regulations 1951 are repealed.

TABLE OF PROVISIONS

1. Citation
 2. Commencement
 3. Definitions
 4. Licence application fee
 5. Classes of licence
 6. Trade training
 7. Trade test
 8. Inspectors
 9. Hairdressing work on unlicensed premises prohibited
 10. Repeals
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EXPLANATORY NOTE

The purpose of this Regulation is to repeal and replace the Hairdressers Licensing Regulation and the Hairdressing (Work on Unlicensed Premises) Regulations 1951.

This Regulation makes provision under the Factories, Shops and Industries Act 1962 for the hairdresser's licence application fees, the trade training and testing required of an applicant for a licence, the persons who may require the production of a licence and the prohibition against hairdressing for reward on unlicensed premises.

This Regulation is made in connection with the staged repeal of subordinate legislation under Part 3 of the Subordinate Legislation Act 1989.
