

Public Health (Infection Control for Personal Appearance Services) (Infection Control Guidelines) Notice 2024

Explanatory notes for SL 2024 No. 139

Made under the

Public Health (Infection Control for Personal Appearance Services) Act 2003

General Outline

Short title

Public Health (Infection Control for Personal Appearance Services) (Infection Control Guidelines) Notice 2024

Authorising law

Section 28 of the *Public Health (Infection Control for Personal Appearance Services) Act 2003*

Policy objectives and the reasons for them

The purpose of the *Public Health (Infection Control for Personal Appearance Services) Act 2003* (Act) is to minimise the risk of infection that may result from the provision of personal appearance services.

Personal appearance services include beauty therapy, hairdressing or skin penetration services such as tattooing, scarring and implanting substances such as hair or beads into skin, that are provided as part of a business transaction. The personal appearance services industry is evolving rapidly, creating a need for contemporary infection control guidelines that provide appropriate advice to business operators and staff.

Section 28(1) of the Act provides that the Minister may make infection control guidelines about ways to minimise infection risks. Section 28(2) of the Act provides that an infection control guideline has no effect unless the Minister notifies the making of the guideline.

The objective of the *Public Health (Infection Control for Personal Appearance Services) (Infection Control Guidelines) Notice 2024* (2024 Notice) is to enhance contemporary infection control practice and standards of operation by notifying the making of the *Infection Control Guidelines for Personal Appearance Services 2024* (2024 Guidelines). The 2024 Guidelines provide evidence-based best practice recommendations to minimise infection risks for

businesses and staff providing personal appearance services, and persons receiving personal appearance services in Queensland.

The *Public Health (Infection Control for Personal Appearance Services) (Infection Control Guideline) Notice 2013* (2013 Notice) was notified on 13 December 2013 and expires on 1 September 2024 under the *Statutory Instruments Act 1992*. The 2024 Notice replaces the 2013 Notice, and notifies the making of the 2024 Guidelines.

The 2024 Guidelines have been developed to:

- update content to align with the latest clinical evidence and advice;
- contain information about new treatments and services, including microblading, eyebrow tattooing, feather touch brows and foot spas;
- update content to align with the requirements of the new Australian Standard 5369:2023 *Reprocessing of reusable medical devices and other devices and other devices in health and non-health related facilities*; and
- update definitions and terminology to ensure consistency with the Act and *Public Health (Infection Control for Personal Appearance Services) Regulation 2016*.

The 2024 Guidelines do not introduce new obligations on business proprietors or operators of personal appearance services.

Achievement of policy objectives

The 2024 Guidelines reflect contemporary infection control practice and standards of operation to provide evidence-based best practice recommendations, to minimise infection risks. The 2024 Notice gives effect to the 2024 Guidelines and replaces the 2013 Notice.

Consistency with policy objectives of authorising law

The 2024 Notice is consistent with the policy objectives of the Act.

Inconsistency with policy objectives of other legislation

No inconsistencies with the policy objectives of other legislation have been identified.

Alternative ways of achieving policy objectives

The 2024 Notice is the only effective means of achieving the policy objectives.

Benefits and costs of implementation

There are no costs associated with the implementation of the 2024 Notice.

The 2024 Notice ensures a framework for enhanced contemporary infection control practice and current clinical evidence-based advice to safeguard the wellbeing of Queenslanders receiving personal appearance services and those working in the personal appearance services industry.

Consistency with fundamental legislative principles

The 2024 Notice is consistent with fundamental legislative principles in section 4 of the *Legislative Standards Act 1992*.

Consultation

In March 2023, stakeholders in the personal appearance services industry were consulted, including the Aesthetic Practitioners Advisory Network, Australian Tattooist Guild, Environmental Health Australia (Queensland), Hair and Beauty Australia Industry Association, infection control practitioners and Queensland local governments through the Local Government Association of Queensland. Stakeholders supported the need for updated infection control guidelines. All feedback received was carefully considered. As a result of consultation, changes were made to the 2024 Guidelines to improve clarity and use of terminology. The 2024 Guidelines will be published on the Queensland Health website, and promoted through peak industry bodies and groups.

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