



# Public Health (Wales) Act 2017

2017 anaw 2

## PART 4

### SPECIAL PROCEDURES

#### *Interpretation*

#### 94 Interpretation of this Part

(1) In this Part—

“acupuncture” (*“aciwbigo”*) means the insertion of needles into an individual’s tissue for remedial or therapeutic purposes, but excluding the insertion of needles into tissue for the purpose of injecting any substance;

“applicable mandatory licensing conditions” (*“amodau trwyddedu mandadol cymwys”*) has the meaning given in section 63(7);

“approval certificate” (*“tystysgrif gymeradwyo”*) has the meaning given in section 70;

“authorised officer” (*“swyddog awdurdodedig”*) has the meaning given in section 83;

“body piercing” (*“tyllu’r corff”*) means the perforation of an individual’s skin or mucous membrane, with a view to enabling—

(a) jewellery, or

(b) an object of a description prescribed in or under regulations, to be attached to, implanted in, or removed from the individual’s body;

“completion certificate” (*“tystysgrif gwblhau”*) has the meaning given in section 80;

“electrolysis” (*“electrolysis”*) means the removal of an individual’s body hair by passing an electric current through the root by means of an inserted needle or probe;

“licence holder” (*“deiliad trwydded”*) has the meaning given in section 59(8);

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*Status: This is the original version (as it was originally enacted).*

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“licence period” (“*cyfnod y drwydded*”) has the meaning given in section 59(8);

“licensing criteria” (“*meini prawf trwyddedu*”) has the meaning given in section 62;

“mandatory approval conditions” (“*amodau cymeradwyo mandadol*”) has the meaning given in section 70;

“premises” (“*mangre*”) includes any place or moveable facility (but does not include a vehicle);

“relevant offence” (“*trosedd berthnasol*”) means an offence listed in section 66(8);

“special procedure” (“*triniaeth arbennig*”) has the meaning given in section 57;

“special procedure licence” (“*trwydded triniaeth arbennig*”) has the meaning given in section 59;

“tattooing” (“*tatwio*”) means the insertion into punctures made in an individual’s skin, or mucous membrane, of any colouring material designed to leave a semi-permanent or permanent mark (including micro pigmentation);

“temporary licence” (“*trwydded dros dro*”) has the meaning given in section 59;

“vehicle” (“*cerbyd*”) includes—

- (a) a trailer, a semi-trailer, or other thing that is designed or adapted to be towed by another vehicle;
- (b) anything on a vehicle;
- (c) a detachable part of a vehicle;
- (d) a container or other structure designed or adapted to be carried by or on another vehicle.

(2) For the purposes of the definition of “body piercing” in subsection (1), the reference to perforating an individual’s skin or mucous membrane includes a reference to breaching the integrity of the skin or mucous membrane in any way, including (among other things) by way of puncture or incision.

(3) Regulations under subsection (1) may prescribe an object or description of object by reference to (among other things) the part of the body on which the perforation is performed.

(4) For the purposes of this Part—

- (a) a special procedure is performed on a fixed site basis if it is performed at premises that—
  - (i) are either occupied by, or to any extent under the management or control of, the individual performing the procedure (“P”), or
  - (ii) where P performs the procedure under a contract of service or apprenticeship, or a contract for services, with another person (“E”), are either occupied by, or to any extent under the management or control of, E;
- (b) a special procedure is performed on a mobile basis if it is performed in a vehicle;
- (c) a special procedure is performed on a peripatetic basis if it is performed at various different premises that are not within paragraph (a)(i) or (ii);
- (d) a special procedure is performed on a temporary basis if—

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- (i) it is performed in the course of an entertainment, exhibition or other event, to which members of the public have access, and
  - (ii) the period during which it is performed at that entertainment, exhibition or event does not exceed seven days.
- (5) In this Part, references to harm to human health include (among other things) references to—
  - (a) harm to an individual’s physical health arising through (among other things) —
    - (i) physical injury,
    - (ii) exposure to any form of infection or contamination, or
    - (iii) engendering or increasing susceptibility to any form of infection or contamination;
  - (b) harm to an individual’s mental health.