

# **Health (Hairdressers) Regulations 1980**

(SR 1980/143)

PURSUANT to sections 117 and 120 of the Health Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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### **Note**

**These regulations are administered in the Department of Health.**

**1 Title and commencement**

- (1) These regulations may be cited as the Health (Hairdressers) Regulations 1980.
- (2) These regulations shall come into force on the 1st day of August 1980.

**2 Interpretation**

In these regulations, unless the context otherwise requires,—

**Alcohol** means a mixture of alcohol and water, with or without perfume, wood naphtha, or pyridine, and containing in the mixture not less than 69.5 percent and not more than 70.4 percent volume in volume of ethyl alcohol or isopropyl alcohol

**Customer** means any person upon whom hairdressing is being performed, or who is in a hairdresser's shop for the purpose of receiving service from a hairdresser

**Disinfecting fluid** means—

- (a) Alcohol as defined in this regulation; or
- (b) Any quaternary ammonium compound that, in a solution containing one part in 500 of water weight to volume, has a sterilising effect at least equal to alcohol; or
- (c) Any non-irritant disinfecting solution that has a disinfecting action at least equal to either of the foregoing:

**Effective ultra-violet radiation** means electromagnetic radiation at a wave-length of 253.7 nanometres that has an intensity of at least 100 microwatts per square centimetre, measured at the surface on which utensils and equipment are exposed

**Hairdresser** means any person who engages for profit or reward in the business or practice of hairdressing, whether in a hairdresser's shop or not

**Hairdressing** means the dressing, curling, waving, cleansing, cutting, shaving, trimming, singeing, bleaching, tinting, colouring, or other treatment of the hair or beard of any person

**Hairdresser's shop** or **shop** means any premises, other than premises occupied by a customer, where a hairdresser carries on his business or practice

**Service area** means that portion of a hairdresser's shop that is set aside for hairdressing

### **Hairdressing shops**

#### **3 Registration**

No person shall use any premises as a hairdresser's shop unless the premises are for the time being registered by the appropriate local authority and he is the holder of a current certificate of registration in respect of those premises in accordance with the Health (Registration of Premises) Regulations 1966<sup>1</sup>.

#### **4 Minimum standards for hairdresser's shop**

- (1) No person shall use any premises, or permit any premises to be used, as a hairdresser's shop unless the following requirements are complied with:
- (a) The floor of that part of the service area where hair is cut or cleansed, and any area of wall or ceiling that is likely to be wetted or fouled, shall be surfaced with a smooth, durable material that is impervious to water:
  - (b) All other walls and other ceilings shall have a non-absorbent surface that is capable of being easily cleaned:
  - (c) Lighting of not less than 300 lux shall be provided at all working surfaces adjacent to every place where customers are attended to and where instruments and tools are cleansed:
  - (d) In every part of the shop, the overall light intensity shall be not less than 100 lux at a point 800mm above the floor:
  - (e) All lighting shall be reasonably free from glare and distributed so as to avoid shadows:
  - (f) Ventilation shall be such as to prevent condensation or the formation of excessive moisture on walls and ceilings, and shall be such as to ensure the removal of objectionable odours and fumes:
  - (g) In the absence of fully effective natural ventilation, adequate mechanical ventilation shall be provided:

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<sup>1</sup> SR 1966/73

- (h) The floor space shall be sufficient to permit easy access for cleaning:
- (i) In every room in which customers are attended to, there shall be a floor area of at least 2.3 square metres for each customer who can be attended to at the same time as any other customer:
- (j) Service chairs used for haircutting shall be at least 1.5 metres apart, measured from centre to centre:
- (k) Where customers awaiting attention are admitted to the service area, an additional 0.9 square metres of floor space for each such person shall be provided for their exclusive use:
- (l) Where separate waiting rooms or reception rooms are provided, every such room shall have a floor area of not less than 0.9 square metres for every person for whom seating accommodation is available, but in no case shall the floor area be less than 4.6 square metres:
- (m) Wash-hand basins shall be provided for the use of hairdressers as follows:
  - (i) At least one wash-hand basin for every 10 service chairs used for hair cutting; and
  - (ii) At least one such wash-hand basin within 6 metres of each such chair; and
  - (iii) Every such wash-hand basin shall be supplied with hot and cold running water, soap, a nail brush, and clean towels or such other hand-drying devices as may be approved by an Inspector.
- (n) In every hairdresser's shop in which hair is cleansed, there shall be provided, in addition to the wash-hand basins required to be provided in accordance with paragraph (m) of this regulation, sufficient shampoo basins or troughs supplied with hot and cold running water and used exclusively for shampooing or cleansing hair:
- (o) No materials or equipment, other than materials and equipment being used or available for use in hairdressing, shall be stored in any service area:
- (p) No service area shall be in direct communication with any room or place where food is prepared for sale, or

where food that is not completely enclosed in a wrapper is stored or held for sale:

- (q) Every shop shall at all times be kept in good repair, clean, and free from rubbish, foul odours, vermin, and insects:
  - (r) Every shop shall be provided with an adequate number of vermin-proof containers made of metal or other suitable material in which all waste materials or refuse shall be placed; and every such container shall be emptied and cleaned at least once daily, and shall be kept covered except when being filled or emptied:
  - (s) Every shelf, bench, or table on which tools of trade or instruments are to be placed shall be made of, or finished with, a smooth durable material that is impervious to water:
  - (t) A sufficient number of sinks supplied with hot and cold running water or other suitable appliances shall be provided for the cleansing of all hairdressing tools and equipment, whether in the service room or elsewhere; but no such appliance shall be installed in any room used by staff as a meal room.
- (2) The appropriate local authority may, if it is satisfied that undue hardship would otherwise be caused, grant in respect of any premises a certificate of exemption from such of the provisions of subclause (1) of this regulation as the local authority shall in any particular case specify, and any such certificate shall have effect for such period or periods as the local authority shall specify in that certificate.

## **5 Dogs on premises prohibited**

- (1) No person, being the occupier, or for the time being in charge, of any hairdresser's shop shall permit any dog, other than a guide-dog for the blind (being a dog certified by the Royal New Zealand Foundation of the Blind as being a trained guide-dog) to enter or to be in that shop.
- (2) No person for the time being in charge of any dog, other than such a guide-dog, shall permit the dog to enter or be in any hairdresser's shop.

Subclause (1) was amended, as from 30 April 2003, by section 28(2) Royal New Zealand Foundation of the Blind Act (2002 No 3(P)) by substituting the words “Royal New Zealand Foundation of the Blind” for the words “Royal New Zealand Foundation for the Blind”. See clause 2 Royal New Zealand Foundation of the Blind Act Commencement Order 2003 (SR 2003/56) for the commencement provisions.

## **Hairdressers**

### **6 Health of hairdressers**

No person shall work as a hairdresser while he is suffering from any condition causing a discharge of pus or serum from any part of the head, neck, hands, or arms.

### **7 Cleanliness and personal hygiene**

Every hairdresser shall—

- (a) Wash his hands thoroughly with warm water and soap and use an individual clean towel or other suitable hand-drying device for drying his hands—
  - (i) Before commencing work; and
  - (ii) On each occasion after using the toilet; and
  - (iii) At sufficiently frequent intervals to ensure that they are kept clean:
- (b) Maintain his person in a state of cleanliness:
- (c) Wear clean, washable clothing at all times during business hours:
- (d) Refrain from placing any combs, scissors, or other hair-dressing equipment in his pockets:
- (e) Refrain from using tobacco in any form while hairdressing.

### **8 Sanitary practices**

Every hairdresser shall ensure that—

- (a) All powder puffs, permanent-wave pads, strips, flannels, and other similar articles are used only once and are thereafter discarded immediately into a covered refuse container:
- (b) Alum or other astringent material used to stop the flow of blood is applied only in a powder or liquid form by means of a clean single-service gauze or cotton pad, and

that he does not use, or permit to be used, any common styptic, astringent pencil, or lump alum:

- (c) All liquids, creams, and powders are stored in clean, closed containers and are removed from the containers only by a clean applicator that has been rendered hygienic, or by a single-service spatula, or in some other manner that does not permit unused portions to be touched by his hands:
- (d) Cut hair does not accumulate on the floor and is swept up at frequent intervals and placed into a covered refuse container, or that a vacuum cleaner is used to clean the floor of cut hair at frequent intervals.

## **9 Disinfection of appliances and other equipment**

Every hairdresser shall cause all hairdressing appliances, tools, and equipment used by him to be kept clean and hygienic in the following manner:

- (a) Except as otherwise provided in this regulation, every hairdressing appliance, brush, and item of equipment shall be cleaned, after use on each customer, to remove hair and other foreign material and shall be washed, after use on each customer, in water and detergent at a temperature of at least 43°C:
- (b) Every hairdressing appliance, brush, tool, instrument, and utensil shall, at the end of each working day, and immediately after use on a person having an inflamed or suppurating skin, be washed in water and detergent at a temperature of at least 43°C and then rendered hygienic by one of the following methods:
  - (i) Immersion in boiling water for at least 5 minutes; or
  - (ii) Exposure to confined live steam for at least 5 minutes; or
  - (iii) Immersion in a suitable disinfecting fluid for at least 15 minutes; or
  - (iv) Exposure for at least 15 minutes to effective ultra-violet radiation in a type of apparatus approved by the Medical Officer of Health and sub-

ject to such conditions as to use, operation, or maintenance as he may prescribe:

- (c) Shaving brushes, mugs, and sponges shall be rendered hygienic by immersion in boiling water for at least 5 minutes after each use:
- (d) Electric clippers, electric shavers, and any other appliances or instruments with non-detachable parts shall be cleaned by first thoroughly brushing the teeth with a clean brush, kept for the purpose, to remove all hair, and then by wiping the blades with clean cotton wool saturated with a disinfecting fluid or with a clean cloth saturated in like manner:
- (e) Strops shall be cleaned after each use by wiping with a clean cloth saturated with a disinfecting fluid, or with a sponge saturated in like manner:
- (f) Any appliance, tool, or equipment that is dropped on the floor, or otherwise contaminated, shall, before being used, be cleaned and rendered hygienic by one of the methods specified in subparagraphs (i) to (iv) of paragraph (b) of this regulation:
- (g) When not in use, all appliances, tools, and equipment shall be kept in containers provided for the purpose, and such containers shall be kept closed except when articles are being placed in or removed from them; and all such containers shall be cleaned, and their internal surfaces wiped with a cloth saturated with a disinfecting fluid, at least once in every working day.

#### **10 Self-service electric shavers**

- (1) Every person who provides electric shavers for the use of customers in a hairdresser's shop shall ensure that the shavers are capable of being easily cleaned and rendered hygienic.
- (2) Every such person shall ensure that after each use the shavers are thoroughly cleaned and rendered hygienic by the method specified in regulation 9(d) of these regulations.

#### **11 Towels and other coverings**

- (1) Every hairdresser shall ensure that—



- (a) A cleanly laundered towel or single-service paper towel is used for each customer:
  - (b) Every head or neck rest is covered by a cleanly laundered towel or single-service paper covering before being used by a customer:
  - (c) A cleanly laundered towel or single-service paper covering is placed completely around the neck of each customer so as to prevent any other protective covering from coming into direct contact with the neck of the customer:
  - (d) Every towel and single-service paper covering used on a customer, or as a cover for a head or neck rest, is placed into a covered container immediately after use:
  - (e) Every towel, single-service paper covering, and other linen is stored in a clean, dust-proof container:
  - (f) Every appliance and other piece of equipment awaiting cleaning and disinfection is stored in a clean, covered container separate from any container used pursuant to regulation 9(g) of these regulations:
  - (g) Protective coverings of any kind upon which cut hair has fallen are not violently shaken so as to dislodge the cut hair into the air of any service area, and that reasonable precautions are taken to prevent the air of a hairdresser's shop from becoming polluted by cut hair.
- (2) No person shall carry out, or permit to be carried out, any laundering operation in the service area of any hairdresser's shop.

## **12 Service of refreshments**

- (1) No person shall serve refreshments to any customer in any part of the service area where hair is being cut.
- (2) Where tea, coffee, or other beverages are served to customers, every utensil used in the service of such refreshments shall be effectively cleaned and rendered hygienic, unless single-service utensils are used.

## **13 Appeals to Medical Officer of Health**

Any occupier, or person for the time being in charge, of any hairdresser's shop in respect of which any decision or require-

ment has been made under these regulations by an Inspector may appeal in writing against that decision or requirement to a Medical Officer of Health within 14 days after being notified in writing of the decision or requirement.

#### **14 Appeal to District Court**

- (1) Any occupier, or person for the time being in charge, of any hairdresser's shop who has had an appeal decided under regulation 13 of these regulations by a Medical Officer of Health may appeal against that decision to a District Court within 14 days after being notified in writing of the decision.
- (2) No appeal shall lie under subclause (1) of this regulation against a refusal to register any premises, or to renew or revoke the registration of any premises, in accordance with the Health (Registration of Premises) Regulations 1966.
- (3) An appeal under this regulation shall be made by way of originating application in accordance with the District Courts Rules 1948 and shall be filed in the office of the Court nearest to the place of business in respect of which the decision or requirement appealed against was made.
- (4) On hearing an appeal brought under this regulation, the Court may confirm reverse, or modify the decision or requirement made by the Medical Officer of Health or local authority, and the decision of the Court on the appeal shall be final.

#### **15 Offences**

- (1) Every person commits an offence against these regulations who—
  - (a) Does or commits or attempts to do or commit any act, matter, or thing contrary to any provision of these regulations; or
  - (b) Fails or omits to do or to provide anything required to be done or to be provided by him under these regulations.
- (2) For the purposes of section 136 of the Health Act 1956, the continued existence of anything in a condition contrary to any of the provisions of these regulations shall be deemed to be a continuing offence.

## **16 Revocations**

The following regulations are hereby revoked:

- (a) The Health (Hairdressers) Regulations 1967<sup>2</sup>;
- (b) The Health (Hairdressers) Regulations 1967, Amendment No 1<sup>3</sup>.

A C MacLEOD,

Acting for the Clerk of the Executive Council.

### **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations consolidate, amend and replace the Health (Hairdressers) Regulations 1967 and its amendment.

The principal changes are:

- (a) The expression **hairdresser's shop** is defined as any premises, other than those occupied by a customer, where a hairdresser carries on his business; previously the term was largely undefined:
- (b) The requirements relating to the surfacing of floors, walls, and ceilings have been varied to allow for use of a wider range of materials:
- (c) The formula for calculating the number of wash-hand basins required has been altered:
- (d) Shampoo basins are now required in men's hairdresser's shops as well as ladies' hairdresser's shops:
- (e) Local authorities are permitted to exempt hairdressers' shops from certain requirements if undue hardship would otherwise be caused; previously this power only applied in respect of premises lawfully in use before 1 April 1968:
- (f) Provision has been made to permit guide-dogs for the blind to enter hairdressers' shops
- (g) Hairdressers are no longer required to wear overalls; the new requirement is that clothing be clean:
- (h) Sponges may now be re-used if disinfected before re-use, rather than discarded after use:

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<sup>2</sup> SR 1967/277

<sup>3</sup> SR 1975/3

- (i) Ultra-violet radiation may now be used as a method of disinfecting equipment:
- (j) A right of appeal is given to enable the operator of a hairdresser's shop to appeal to the Medical Officer of Health, and thence to a District Court against decisions or requirements of an Inspector or the Medical Officer of Health himself.

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