

# Mobile premises providing higher risk personal appearance services

## Guidance for business proprietors

## Introduction

All higher risk personal appearance services (HRPAS) have legislative requirements under the *Public Health (Infection Control for Personal Appearance Services) Act 2003* (the Act) and *Public Health (Infection Control for Personal Appearance Services) Regulation 2016* (the Regulation), irrespective of whether the HRPAS are provided in fixed or mobile premises.

Local government (councils) have responsibility for the administration, monitoring and enforcement of the Act and the Regulation.

The information in this guidance document is provided to assist business in complying with the requirements of the Act when operating HRPAS from a mobile premise. This document should be read in conjunction with the Act, Infection Control Guidelines and the [personal appearance services guide for business](#).

## Background

The purpose of the Act is to minimise the risk of infection that may result from the provision of personal appearance services. The Act does not differentiate between the requirements for HRPAS provided at fixed or mobile premises.

All HRPAS providers, irrespective of where the services are provided, are required to be licensed, and the premise fitout must comply with the Queensland Development Code (QDC) Part MP 5.2 for higher risk personal appearance services.

## What is the difference between a fixed premise and a mobile premise?

Under the Act, for a business providing personal appearance services, the definition of:

*fixed premises* means a building or other structure, or part of a building or other structure, that has a permanent address

*mobile premises* means premises that are a vehicle or are otherwise ordinarily moved from place to place

These definitions apply to the place where the HRPAS is being provided, not necessarily the place where the business proprietor or the individual operator is usually based or located.

HRPAS must be provided from either a fixed or mobile licensed premise. HRPAS cannot be provided from unlicensed premises, including in-home services unless the home has a fixed premise licence.

## Licence – application process

Each council has their own HRPAS licence application process and fee schedule. An application for a licence to provide services from a mobile premise can be made to any council, irrespective of whether the HRPAS will be provided in that council area.

Applicants must provide an address within the council's boundary where the mobile premise may be inspected before a decision can be made on the application. If the licence is approved, when requested the mobile premise must also present to an address within the licensed council's boundary to enable compliance inspections to be undertaken.

## Notification requirement

The licence to provide HRPAS from a mobile premise is valid in all councils across Queensland. However, if you intend to operate in more than one council area, you need to notify the second or subsequent council of your intention to operate within their boundaries at least seven days prior to providing any HRPAS.

Any second or subsequent council must be informed of the following:

- date(s) when HRPAS will be provided
- place(s) at which HRPAS will be provided
- existing licence details
- details of the operator's infection control qualifications
- any other information required by the second or subsequent council.

It is a requirement under the Act that this notification is provided to the second or subsequent council in writing (e.g. email), or if the notification is provided over the phone you must immediately follow up with written confirmation.

It is an offence and penalties apply if you fail to provide this notification, or if you fail to follow up with written confirmation if the notification is provided by phone.

## Licence particulars

When a HRPAS licence is issued by a local council it will state a number of particulars, including for mobile premises, a description of the vehicle and the registration number if the premises are a vehicle that is required to be licensed.

All HRPAS licences have mandatory conditions. These conditions continue to apply when a mobile premise is operating in a different local council area to the one which issued the licence. It is an offence to fail to comply with a licence condition.

## Fitout requirements

The requirements of the QDC apply to all providers of HRPAS. While the requirements may vary between fixed and mobile premises, the principles remain the same, to the extent that they may reasonably apply to mobile premises. Operators must consider how the mobile premise will meet the expected QDC criteria. Some considerations may include:

- The size of the mobile premise may require innovative solutions to be developed.
- Reticulated water is a requirement of the QDC. Operators should ensure they have sufficient storage capacity for their activities (e.g. hand washing and instrument cleaning) and travel requirements.
- The type of hand wash basin needs to be considered as the size and layout of the premise may limit choices. A self-contained hand wash station with cold water, and a separate self-contained instrument cleaning facility with hot and cold water, may potentially provide an acceptable solution.
- Finished surfaces must be easy to clean.
- Where the floor and walls meet, and the walls and the ceiling meet, hygienic conditions must be maintained—there should be no areas where dirt can be trapped.

## Infection control guidelines

The Guidelines apply to the provision of personal appearance services in both fixed and mobile premises. A copy of the Guidelines must be kept on the mobile premise as a mandatory condition of a HRPAS licence.

To facilitate the obligation under the Act to minimise infection risks, operators/business proprietors should adopt and follow the appropriate methods of minimising infection risks set out in the Guidelines. If an operator chooses to adopt alternate processes that will minimise the infection risk, the alternative way of minimising the infection risk must be documented.

## Infection control qualifications

All persons providing HRPAS from a fixed or mobile premise must hold the infection control qualification required by the Act and the Regulation (HLTINF005 – Maintain infection prevention for skin penetration treatments, or its former title HLTIN2A, HLTIN402B, HLTIN402C).

Evidence of this competency must be included when providing a notification of intent to provide HRPAS from a mobile premise in a second or subsequent council area.

## Annual inspections

The council that issued the licence to provide HRPAS from a mobile premise may require an annual inspection of the premise to be undertaken as part of the licence renewal process.

All councils may charge an inspection fee if you provide HRPAS in their council area. The inspection fee is set by the individual council to recover their costs of monitoring compliance. Each council is permitted to charge one inspection fee for each mobile premise per year but there is no limit to the number of inspections that a council can undertake for a mobile premise. Additional fees may also be charged by the council for inspections relating to non-compliance – these are detailed further in the personal appearance services guide for business.

## Roadside vending/town planning requirements

Check with the council where you are operating, or intending to operate, to ensure you comply with any roadside vending or town planning requirements that may impact on where you can park and operate from.

## Waste disposal

The Guidelines detail the waste disposal processes that should be followed by all personal appearance service providers, including mobile premises. Depending on the type of services provided, this may include the storage and disposal of sharps and sharps containers, which must be carried out in compliance with the relevant legislation.

## Further information

Your local council will be able to assist with any enquiries related to personal appearance services, including providing HRPAS from a mobile premise.



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