

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

Report on local government activities 2024-2025

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Summary

Each financial year, Queensland Health (hereafter referred to as 'the Department') request data on local government administration and enforcement activities conducted under the *Public Health (Infection Control for Personal Appearance Services) Act 2003* (the Act).

For the 2024-2025 reporting period, data was requested on:

- the number of premises holding a higher risk personal appearance service (HRPAS) licence
- the types of services conducted at licensed premises, categorised by body art, cosmetic, registered training organisations (RTOs) and tattoo removal
- the number of inspections of HRPAS and non-higher risk personal appearance services (N-HRPAS)
- the number of complaints received for HRPAS and N-HRPAS
- the number and type of enforcement action undertaken, including penalty infringement notices (PIN), show cause and remedial notices, licence cancellation and suspensions, prosecutions.

Data provision by local government is voluntary and this report provides the responses of 60 local governments (77%) within Queensland. Amongst the 60 respondents, 23 (38%) reported having no personal appearance services (PAS) within their local government area.

During 2024-2025, there were 1,462 fixed, 14 mobile and 4 one-off HRPAS licences. The types of services offered by the licensees included 829 body art services, 1,102 cosmetic services, 1 RTO and 51 tattoo removal services. Local governments conducted 1,523 inspections of HRPAS and 44 inspections of N-HRPAS. Compared to the previous year, the 2024-2025 period revealed a large increase in the number of complaints relating to HRPAS (112 vs. 67), whilst complaints relating to N-HRPAS remained steady (59 vs. 54). A total of 22 enforcement actions were undertaken, majority of which were remedial notices (n=18).

During the 2024-2025 period, local governments reported significant challenges associated with licensing and achieving compliance with the requirement for operators to hold the prescribed infection control qualification within the cosmetic aesthetic industry. Barriers included concerns surrounding the relevance of the infection control qualification for health practitioners, interstate operators entering Queensland for temporary events, operators wishing to conduct fly-in/fly-out operations in regional and remote areas, lack of awareness of the regulatory requirements by operators and inconsistent application of the Act across local government areas.

Background

Local government and the Department have legislative responsibilities for identifying and managing potential infection risks associated with PAS. The administration and enforcement of the Act and the Public Health (Infection Control for Personal Appearance Services) Regulation 2016 (the Regulation) falls under the jurisdiction of local government.

Local governments are responsible for ensuring that businesses offering PAS in Queensland, including body art, body modification, and other prescribed PAS, comply with their obligation to minimise the risk of infection that may result from the provision of these services. These obligations are legislated and supported under the Act, the Regulation and the Infection Control Guidelines for Personal Appearance Services (Guidelines).

PAS are classified into two categories:

- HRPAS, defined under Section 14 of the Act, which involve skin penetration procedures in which the release of blood or other bodily fluid is an expected result, such as tattooing and body piercing.
- N-HRPAS, defined under Section 15 of the Act, are other types of PAS that are not considered to be a HRPAS, such as hairdressing and beauty therapy.

The Executive Director of the Communicable Diseases Branch, Queensland Health, is the custodian of the legislation and carries responsibility for assisting and supporting local governments in addressing the evolving challenges within the PAS industry.

The Act does not apply to PAS provided in health-care settings where services are aimed at maintaining, improving, restoring, or managing a person's health and wellbeing; these settings are under the jurisdiction of Queensland Health and are outside the scope of this report.

Yearly overview

During the 2024-2025 period, local governments applied the infection control principles outlined within the 2024 Guidelines to PAS businesses. Having the opportunity to operationalise the Guidelines, local governments were able to identify omissions and areas for improvement within the Guidelines that would better reflect contemporary PAS services and practices.

In addition to revising the Guidelines, the Department launched two initiatives aimed at increasing communication, collaboration and engagement between local governments and the Department. The first being a SharePoint site for local governments to share resources, templates and material relating to PAS. The second initiative being a PAS communique, Appearance Matters, which shines a spotlight on emerging services, new resources available from the Department or externally, and a means to keep local governments informed of the Department's priorities and actions relating to the Act.

Reporting process

Based on feedback in 2023-2024, local governments were given the option to provide data using either an online or emailed form. As per previous years, the form collected data on the number and type of HRPAS licences, the types of services provided under these licences, and the number of inspections, complaints and enforcement action undertaken during the 2024-2025 period. To build upon the baseline data collected for the 2023-2024 period, the Department retained the service categories: body art services, cosmetic services (including cosmetic tattooing), registered training organisations and tattoo removal. Examples of the types of services included within each category were provided to assist and clarify local government reporting.

Results

A total of 78 forms were distributed to each local government/Town Authority within Queensland (Table 1).

Table 1 Local government activities: 2024-2025

	Local government responses				
Responses	60 of 78 (77%)			Nil PAS 23 of 60 (38%)	
HRPAS licence types and services offered	1,462 fixed		14 mobile		4 single/one-off
	829 body art*	1,102 cosmetic services*	1 registered training organisation	51 tattoo removal*	
Inspections carried out	1,523 HRPAS			44 N-HRPAS	
Complaints received	112 HRPAS			59 N-HRPAS	
Enforcement action	0 Penalty infringement Notices (PINs)	0 Show cause notices	18 Remedial notices	4 Licence cancellation/suspension	0 Prosecution

*Some premises offer body art, cosmetic services and/or tattoo removal under one HRPAS licence and are therefore represented multiple times within the service categories

For the 2024-2025 year, responses were provided by 60 local governments (77%). Of these 60 respondents, 23 (38%) reported no PAS within their jurisdiction.

The results presented in Table 1 demonstrate that the number of HRPAS offering cosmetic/aesthetic services under their licence now exceeds premises offering body art, piercing and modification services (1,102 vs 829). There was a notably higher number of complaints relating to HRPAS compared to N-HRPAS (112 vs. 59), and remedial notices were the predominant type of enforcement action undertaken with 18 notices issued by the responding local governments.

Table 2 details the local government activity comparisons between the previous five reporting periods (years).

Table 2 Comparison with previous reporting periods

	2024-2025	2023-2024	2022-2023	2021-2022	2020-2021
Response rate % (of 78)	77% (60)	76% (59)	58% (45)	65% (51)	79% (62)
Fixed premises	1,462	1,169	740	988	1,001
Services:					
Body Art	829	816			
Cosmetic	1,102	567			
Tattoo removal	51	46	N/A	N/A	N/A
RTO	1	3			
Inspections:					
HRPAS	1,523	1,062	606	1,077	1,104
N-HRPAS	44	26	8	103	75
Complaints:					
HRPAS	112	67	70	52	99
N-HRPAS	59	54	13	93	64
Total enforcement action	22	16	9	16	27

A similar response rate can be observed over the last two years (76% vs 77%). There was 25% growth in the number of fixed premises licences in the 2024-2025 year, compared to 2023-2024, and 46% growth since 2020-2021, when accounting for a similar response rate (79%).

There was a significant increase in the number of HRPAS inspections carried out in 2024-2025, compared to the previous year (1,523 vs. 1,062). Whilst this increase in HRPAS

inspections is mostly attributable to the increased number of premises, there were proactive projects undertaken by local governments to identify and licence cosmetic HRPAS which resulted in high volumes of inspections and consequently new licence applications.

Reporting categories for the types of services offered under HRPAS licences were updated in 2023-2024 and carried over into the 2024-2025 year to enable comparisons. Whilst body art services, including body art tattooing, body modification (scarification/decorative shape implants) and piercing, remained at similar levels over the previous two reporting periods at 816 in 2023-2024 and 829 in 2024-2025, there was a significant (94%) increase in cosmetic services. Once again, this increase is likely attributable to increased awareness of licensable services within industry and proactive work undertaken by local governments to licence businesses offering cosmetic services such as injectables, PDO threads, skin needling (with implantation of a serum/substance) and cosmetic tattooing. Furthermore, there was a modest increase in the number of licensable premises offering skin penetration tattoo removal services, 46 vs. 51 in the year-on-year comparison.

Overall, more enforcement action was undertaken in the 2024-2025 period in comparison to the previous three reporting periods. However, when this figure is considered within the context of the number of inspections undertaken, the proportion of enforcement action commensurate with the number of inspections conducted remains consistent with the 2023-2024 year.

There was a significant increase in the number of complaints received in 2024-2025 compared to previous years. Notably, the number of complaints relating to HRPAS increased from 67 in 2023-2024 to 112 for the 2024-2025 period, whilst complaints relating to N-HRPAS remained steady with 59 compared to 54 in the previous reporting period.

Main findings

Trends over the previous five reporting periods indicate enforcement actions, relative to the number of inspections undertaken, remain steady. Whilst in comparison to previous years, there was demonstrable growth during the 2024-2025 reporting period in the number of licensed fixed premises, inspections and complaints. The data clearly exemplifies the exponential growth of the cosmetic aesthetics industry with the number of licensed premises offering cosmetic services found to be close to double that seen in the previous reporting period.

Local government feedback

Local governments were asked to provide feedback on matters affecting the administration and enforcement of the Act during the reporting period. Licensing operators offering cosmetic injectables (for aesthetic purposes) was the most predominant theme amongst the feedback received. Examples of this feedback include:

- A lack of awareness amongst industry that cosmetic injectables are considered a HRPAS (unless provided in a healthcare facility).
- A lack of clarity on the application of the healthcare facility exemption under section 3 of the Act.

- Inconsistent application of the Act for cosmetic injectable businesses amongst local governments.
- Challenges associated with requiring health practitioners offering cosmetic injectables to obtain the prescribed infection control qualification. Further feedback highlighted the infection control qualification is not relevant as health practitioners hold medical infection control training and only use single-use items (no reprocessing/sterilizing). Some local governments raised this was particularly challenging for interstate practitioners travelling to Queensland for a temporary event.
- Operators wishing to conduct fly-in/fly-out cosmetic injectable services in regional and remote areas.

Other feedback revealed operational challenges with an increasing number of tattooing activities occurring at pop-up events, with operators unclear on the licensing requirements under the Act and the *Tattoo Industry Act 2013*. One local government indicated the prescribed timeframes to assess HRPAS applications under section 39 of the Act could be more flexible to allow local governments to extend the initial timeframe for assessment beyond the prescribed 40 days.

Key priorities

During 2024-2025, the Department commenced updating the Guidelines. Work on updating the Guidelines and adjoining resources, including the 'What business needs to know' and 'A guide for local governments' booklets, will continue into the 2025-2026 period. A further key priority for the Department is reviewing the regulatory framework for businesses that offer both PAS and health services. It is anticipated this targeted review will assist local governments in addressing the current challenges in applying the Act to cosmetic aesthetic services.

Conclusion

There was significant growth in the personal appearance services industry during the 2024-2025 period. In particular, the number of licensed HRPAS premises providing cosmetic services has increased to a level that now exceeds body art services such as tattooing and piercing. This increase can be, in part, attributed to proactive projects conducted at a local level which aimed to identify and licence cosmetic services. A significant proportion of feedback from local governments centred on challenges with cosmetic injectable operators, including licensing and achieving compliance with the prescribed infection control qualification requirements.

Glossary

Term	Definition
Body piercing	<p>The process of penetrating a person’s skin or mucous membrane with a sharp instrument for the purpose of implanting jewellery or other foreign material through or into the skin or mucous membrane.</p> <p>However, it does not include the process of piercing a person’s ear or nose with a closed piercing instrument that –</p> <p>(a) does not come into contact with the person’s skin or mucous membrane; and</p> <p>(b) is fitted with a sterilised single-use disposable cartridge containing sterilised jewellery and fittings.</p>
Higher risk personal appearance service	<p>A personal appearance service involving any of the following skin penetration procedures in which the release of blood or other bodily fluid is an expected result –</p> <ul style="list-style-type: none"> a) body piercing b) implanting natural or synthetic substances into a person’s skin, including, for example, hair or beads c) scarring or cutting a person’s skin using a sharp instrument to make a permanent mark, pattern or design d) tattooing e) another skin penetration procedure prescribed under a regulation.
Non-higher risk personal appearance services (N-HRPAS)	<p>A personal appearance service other than a higher risk personal appearance service.</p>
Personal appearance service (PAS)	<p>Means beauty therapy, hairdressing or skin penetration that is provided as part of a business transaction</p>
Skin penetration	<p>A procedure intended to alter or enhance a person’s appearance that involves the piercing, cutting, scarring, scraping, puncturing, or tearing of a person’s skin or mucous membrane with an instrument.</p>
Tattooing/cosmetic tattooing	<p>The process of penetrating a person’s skin and inserting into it colour pigments to make a permanent mark, pattern, or design on the skin. Tattooing also includes any process that penetrates the skin and inserts into it colour pigments to make a semi-permanent mark, pattern or design on the skin, e.g. cosmetic tattooing or the process for applying semi-permanent makeup.</p>
Tattoo removal	<p>Tattoo removal by skin penetration procedures in which the of blood or other bodily fluid is an expected result. Excludes laser tattoo removal.</p>