

# Tattoo Industry legislative amendment fact sheet



Several legislative amendments to NSW tattoo industry legislation came into effect on 1 September 2023. This fact sheet sets out the key amendments.

More information about NSW tattoo licensing can be found at [www.police.nsw.gov.au/online\\_services/security\\_licensing\\_and\\_enforcement\\_directorate/tattoo\\_industry\\_licences](http://www.police.nsw.gov.au/online_services/security_licensing_and_enforcement_directorate/tattoo_industry_licences).

## Wording changes

The name of the legislation changed from the *Tattoo Parlours Act 2012* to the *Tattoo Industry Act 2012* (the Act). The *Tattoo Industry Regulation 2023* (the Regulation) was also renamed and includes new provisions. These changes were made to remove the outdated expression “tattoo parlours”.

Operator licences are now called Master licences. The authority of a Master licence has not changed.

## New regulator

The NSW Police Force (NSWPF) is now the sole regulator of the tattoo industry in NSW. The NSWPF Security Licensing & Enforcement Directorate (SLED) now grants licences and will undertake audits of body art tattooing businesses, Master licensees and tattooists. Local police also will continue to undertake audits.

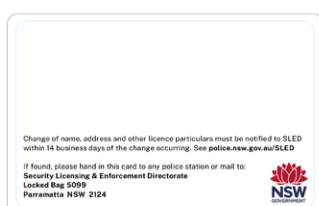
## New licence card

NSW tattoo industry licence cards have a new look and will no longer include a photograph of the licensee.

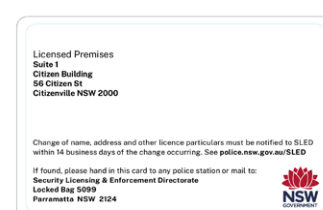
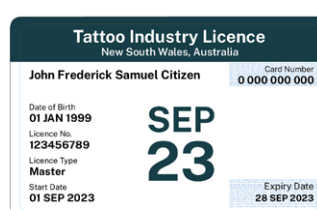
The licence type (Tattooist or Master) is displayed on the front of the card. The licensee’s full name and date of birth, and the licence number and expiry date, is also on the front of the card.

A separate licence card is issued to Master licensees for each licensed premises. The licensed premises address is located on the back.

## Tattooist licence type



## Master licence type



## New citizenship/residency requirements

Only Australian citizens and permanent Australian residents may now be granted a tattoo industry licence or a tattooing show permit.

Existing licensees who are not Australian citizens or permanent Australian residents are no longer eligible to hold a licence and cannot renew or restore their licence.

## Disqualifying offences

The legislative amendments introduced disqualifying offences as part of the licence eligibility criteria. If a tattoo industry licence or permit applicant has been convicted of a disqualifying offence in the past 10 years, their application cannot be granted.

Disqualifying offences involve or relate to:

- Firearms or weapons
- Prohibited drugs
- Serious violence
- Organised criminal groups, consorting and recruitment
- Money laundering
- Sexual offences
- Tattooing and body piercing of children and young persons
- Riot
- Stalking or intimidation
- Kidnapping or abduction
- Robbery
- Fraud
- Terrorism
- Blackmail

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## Prescribed criminal organisations

Anyone who is a controlled member of a prescribed criminal organisation, or who has been a member in the past 12 months, cannot be granted a tattoo industry licence or permit. They also cannot renew or restore their licence. Schedule 3 of the Regulation lists these prescribed criminal organisations.

## Criminal intelligence

New provisions allow SLED to consider any relevant criminal intelligence reports and other criminal information when making fit and proper person and other determinations about existing licensees and permit holders as well as applicants for a licence or permit.

Criminal information includes information relating to:

- Offences
- Spent convictions
- Criminal charges, whether or not these charges have been heard, proven, dismissed, withdrawn or discharged
- Criminal intelligence reports.

## Enforcement powers

New enforcement powers were introduced which may be used by police officers and other authorised officers employed in SLED to investigate and ensure compliance with the Act and the Regulation including:

- The requirement for a person to provide information and records to authorised officers
- The requirement for a person to answer questions if they suspect that person has knowledge of information and records required by the authorised officer.

## Advertising body art tattooing

A person must not advertise that they carry on a body art tattooing business at a premises unless they hold a Master licence for that premises. The advertisement must include the Master licence number.

A person must not advertise that they perform, or are willing to perform, a body art tattooing procedure unless they perform the procedure as a self-employed individual at premises for which they hold a Master licence, or they hold a tattooist licence or permit.

Advertisement has been defined to include a reference to any form of notice or statement in the nature of an advertisement, for example, a notice or statement on a social media platform that takes the nature of an advertisement about the performance of a body art tattooing procedure.

## Visiting tattooist permits

A visiting tattooist permit has been introduced to allow people who are not Australian citizens or permanent Australian residents (includes New Zealand citizens) to perform body art tattooing procedures in NSW. The permits can be granted for a maximum of three months, with only two permits granted to the same person each calendar year.

## WHERE CAN I FIND MORE INFORMATION?

The information provided in this Fact Sheet is for general guidance only. Applicants and licensees should familiarise themselves with the *Tattoo Industry Act 2012* and the *Tattoo Industry Regulation 2023*, which are available on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).