

## Explanatory Statement

# Public Health Risk (Hairdressing) Revocation 2014 (No 1)

### Disallowable instrument DI2014-324

made under the

**Public Health Act 1997, s 18 (Public health risk activities and procedures – declaration)  
s 133 (Codes of practice)**

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Section 18 of the *Public Health Act 1997* (the Act) provides that the Minister may, by instrument, declare an activity that may result in the transmission of disease, or that may otherwise adversely affect the health of individuals in the context of the wider health of the community, to be a public health risk activity. Subsection 3 of the same provision provides that a declaration shall indicate whether the declared activity is licensable or non-licensable activity.

DI2000-8 declared the business of hairdressing to be a public health risk activity. The same instrument also declared the occupation of hairdressing, which includes barbers, to be a non-licensable public health risk procedure.

As part of the ACT Government's commitment to reducing red tape, ACT Health has undertaken a review of public health regulation in the ACT. This review has determined that the public health risk associated with hairdressing is generally low.

Based on this assessment the Minister for Health has concluded that it should no longer be necessary for hairdressing businesses to be a declared public health risk activity, or for the occupation of hairdressing to be a declared public health risk procedure. Accordingly, the Minister for Health has determined that from 1 January 2015 licenses under the ACT *Public Health Act 1997* will no longer be required to operate a hairdressing business.

Section 46 of the *Legislation Act 2001* confirms that the power to make a statutory instrument, such as a disallowable instrument, includes the power to amend or repeal the instrument.

Accordingly, this instrument gives effect to the Minister's decision to cease regulating hairdressing by revoking the Public Health Risk (Hairdressing) Declaration 2000 DI2000-8. The Public Health (Hairdressing) Code of Practice 2000 DI2000-11, produced under section 133 of the Act is also revoked by this instrument.

The revocation is to commence on 1 January 2015. The revocation date has been selected to give ACT Health adequate time to implement the necessary changes.

Those businesses holding a license with an expiry date beyond 1 January 2015 will be given a pro rata refund of the license fee after the revocation commences. Licenses that were due to expire prior to 1 January 2015 have had the expiry date changed to 1 January 2015.