

FACT SHEET

Applying for a Tattooist Licence

Tattoo Parlours Act 2012

Before applying for a tattooist licence you must first read this fact sheet and gather all the information and documentation you will need to lodge the application.

A tattooist licence authorises a person to perform body art tattooing procedures in NSW. It does not authorise the licensee to run a body art tattooing business, even if he or she works from home. An operator licence is required if you want to operate a body art tattooing business, including working from your or anyone else's home.

Penalties may apply to anyone operating a body art tattooing business or performing body art tattooing procedures without a licence or permit. For more details on the penalties refer to the *Tattoo Parlours Regulation 2013*.

If you hold an operator licence under the *Tattoo Parlours Act 2012* and perform body art tattooing as a self-employed individual at the premises nominated on the licence, then you do not require a tattooist licence.

What is a body art tattooing procedure?

A body art tattooing procedure is a tattooing procedure performed for decorative purposes, which involves the making of a permanent mark on or in the skin of a person, by means of ink, dye or any other colouring agent. It does not include a cosmetic tattooing procedure.

What is a cosmetic tattooing procedure?

A cosmetic tattooing procedure is one performed:

- for the purpose of providing a customer with an eyeliner, eyebrows or any other make up effect, on a permanent basis; or
- by a medical practitioner or for a medical reason (eg. to hide, disguise or correct a medical condition or a post-operative outcome),

A tattooist licence is not required if you only perform cosmetic tattooing procedures.

Employment as a body art tattooist

You cannot be employed to work as a body art tattooist in NSW unless you hold a tattooist licence or a visitor permit, if you are visiting from overseas and intend to work as a body art tattooist.

Applying for a Tattooist Licence

Application forms can be downloaded from www.fairtrading.nsw.gov.au or completed online at www.onegov.nsw.gov.au.

An application for a tattooist licence can only be made by an individual who is:

- at least 18 years of age and an Australian citizen or resident
- not a controlled member of a declared organisation under the *Crimes (Criminal Organisations Control) Act 2012*.

To apply for a licence, you must consent to having your fingerprints and palm prints taken by a police officer.

NSW Fair Trading will carry out such investigations and inquiries in relation to an application as are considered necessary and will refer the application (together with any supporting information) to the Commissioner of Police for an investigation and determination as to whether:

- you are a fit and proper person to be granted the licence; and
- it would be contrary to the public interest for the licence to be granted.

A licence cannot be granted if:

- you are a controlled member of a declared organisation; or
- an adverse security determination has been made by the Commissioner of Police.

Please note that it may take some time to process your application. Make sure you provide all the information required with your application to avoid delays.

Particulars to be provided

To apply for a tattooist licence you must specify a number of particulars, including:

- full name;
- details of any former names or aliases;
- gender;
- date, town, state and country of birth;
- current residential address and postal address;
- daytime telephone number and mobile telephone number;
- email address;
- Australian drivers licence number or photo identification card number (issued by an Australian driver licensing authority).

Evidence of employment

You must provide particulars of previous, existing or future employment as a body art tattooist (including employment as an apprentice). You may be asked to provide a formal statement of employment to verify the employment information provided.

Evidence of personal identification

You must also provide certified copies of three (3) forms of acceptable identification. These must be certified by a Justice of the Peace, Notary Public or legal practitioner and comprise of one document from List 1 and two documents from List 2 below. Identification must not be expired and must include at least one type of photographic identity document and a signature and date of birth.

List 1

- Current Australian drivers licence
- Current identification card issued by an Australian driver licensing authority

List 2

- Current passport
- Birth Certificate
- Citizenship Certificate
- Certificate of Marriage or Change of Name
- Government issued identity card
- Medicare Card and/or Private health care fund card
- Senior Citizens / Govt. concession card
- Rates notice
- Utility account (eg. electricity, gas, telephone)
- Current student identity card
- Union/Professional membership card
- Licence issued by a Government authority
- Employee identity card with photograph

Photo identification

If you do not hold a NSW driver's licence or a NSW photo card, you must provide with this application two recent, colour passport size photographs of good quality. Scanned photographs cannot be accepted.

One of these photographs must be endorsed on the reverse by a Justice of the Peace, Notary Public or legal practitioner with the words "This is a true photo of (insert name)".

Your photograph must meet the following requirements otherwise your application will be returned:

- A colour photograph taken no more than six months before lodgement of this application, 45mm in height and 35mm in width.
- Plain, light coloured background with no patterns or objects visible.
- Eye glasses must be removed.
- Hats or caps must be removed.
- Headwear worn for religious purposes is acceptable, but all of your facial features must be visible, from the bottom of your chin to the top of your forehead, and both edges of your face.
- Look directly at the camera with a neutral expression and mouth closed. Your head must be straight (not tilted) and upright.
- Eyes open and clearly visible, and without hair obscuring any part of your eyes. Both edges of your face must be clearly visible.
- No smiling.
- The photo must show your head and the top of your shoulders. Your face must be centred, clear and in sharp focus with no shadows across your face or behind your head, no reflections on the face and no red eye.
- The photo must show you alone, with no other person or object visible.
- Paper surface must be 'semi gloss' photographic paper.

Licence Fee

The fee payable for a tattooist licence is specified in Schedule 1 to the *Amendment to Tattoo Parlours Regulation 2013*.

The fee consists of a processing component and a fixed component. No refund will be provided if an application is refused on the ground of an adverse security determination made by the Commissioner of Police. If an application is otherwise refused or withdrawn, only the fixed component of the fee will be refunded. The processing component will not be refunded.

Collection of licence

If a licence is granted it must be collected from a Service NSW Service Centre (SNSW) nominated by you in your application form within 60 days. Please keep a record of which centre you nominate to collect your licence from. You will need to provide proof of identity documents acceptable to Service NSW Service Centre when collecting your licence. To find out which proof of identity documents are acceptable to Service NSW Service Centre, please visit their website at www.services.nsw.gov.au under Proof of Identity for Individuals.

Fair Trading will write to you to advise you when the licence can be collected. If a licence is not collected within 60 days of notification, it will be cancelled.

Duration of licence

A licence comes into force on the date specified on the licence and remains in force for a period of three years (unless sooner surrendered, or cancelled, or it otherwise ceases to be in force).

Renewal of licence

Fair Trading will provide you with the necessary renewal application form approximately two months before the licence expiry date. If you do not receive the renewal application prior to this date, the onus is on you to contact Fair Trading to request another copy of the form.

Licence conditions

A licence is granted subject to specific conditions prescribed under the Act and Regulations. However, Fair Trading may impose additional conditions on a licence and you must comply with all of them.

Online Applications

You may apply for a tattooist licence online at www.onegov.nsw.gov.au. Completed application forms and lodged over the counter at any Service NSW Service Centre. Please note that when applying online you will still be required to forward the following documentation (where applicable) to NSW Fair Trading:

- certified copies of 3 forms of acceptable identification
- photo identification (for applicants who do not have a NSW drivers licence or NSW photo card).

APPLICATION FOR A TATTOOIST LICENCE *Tattoo Parlours Act 2012*

A tattooist licence authorises the licensee to perform body art tattooing procedures in accordance with the *Tattoo Parlours Act 2012* (the Act) and the conditions of the licence.

An application for a licence may **not** be made by an individual who is:

- (a) under the age of 18 years, or
- (b) not an Australian citizen or Australian resident, or
- (c) a controlled member of a declared organisation under the *Crimes (Criminal Organisations Control) Act 2012*.

A licence remains in force for a period of three years from the day on which it comes into force, unless sooner surrendered or cancelled or it otherwise ceases to be in force.

Fair Trading will carry out such investigations and inquiries in relation to your application as are considered necessary for the proper consideration of the application and will refer the application (along with any supporting information) to the Commissioner of Police for an investigation and determination as to whether:

- i) you are a fit and proper person to be granted the licence;
- ii) it would be contrary to the public interest for the licence to be granted.

National criminal record information will be exchanged between the NSW Police Force and Fair Trading for licensing purposes.

PART A – PAYMENT AND LODGEMENT DETAILS (Fees are GST exempt)

Licence Fee: \$775 (Processing Component: \$569 + Fixed Component: \$206)

Applicable from 1 July 2018 to 30 June 2019

Refund Policy: No refund will be provided if an application is refused on the ground of an adverse security determination made by the Commissioner of Police. If an application is otherwise refused or withdrawn, only the fixed component of the fee will be refunded. The processing component will not be refunded.

Method of Payment: If lodging in person, at a Service NSW Service Centre, payment may be made by cheque, credit card or cash.

All payments made using a debit or credit card will incur a 0.4 % surcharge.

How to Lodge this Document

 **Apply online at:**

www.onegov.nsw.gov.au

 **Service NSW Service Centre**

For your nearest Service NSW Service Centre, go to:
www.services.nsw.gov.au or telephone 13 77 88. 20.

Enquiries: Monday to Friday 8:30 am to 5:00 pm Telephone: (02) 9619 8700

Email: businesslicensing@finance.nsw.gov.au

PART B - APPLICANT DETAILS

NOTE: If you hold a NSW Driver Licence or NSW Photo Card, your name, date of birth and residential address must be entered as shown on your licence or photo card.

Surname:

Given Name:

Middle Name(s):

Date of Birth:

Gender:

Place of Birth:

Town:	State:	Country:
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Daytime Telephone Number:

Mobile Number:

Email Address to which all correspondence, including renewal applications, will be sent:

Driver's Licence Number/Photo Card Number:

State of Issue of Driver's Licence/Photo Card:

Is this person known by or have they ever been known by any other names (eg. maiden name)?

Yes (provide full details below)

No

Surname:

Given Name:

Middle Name(s):

Residential Address:

Street Address:		
Suburb:	State:	Postcode:

Postal Address – Correspondence will only be sent to this address if an email address is not provided:

Street Address:		
Suburb:	State:	Postcode:

PART C – PHOTOGRAPHS (If applicable)

If you do not hold a NSW driver's licence or a NSW photo card, you must provide with this application two recent, colour passport size photographs of good quality. See below for detailed photograph requirements. Scanned photographs cannot be accepted.

One of these photographs must be endorsed on the reverse by a Justice of the Peace, Notary Public or legal practitioner with the words "This is a true photo of (insert name)".

Photograph Requirements

Your photograph must meet the following requirements otherwise your application will be returned:

- A colour photograph taken no more than six months before lodgement of this application, 45mm in height and 35mm in width.
- Plain, light coloured background with no patterns or objects visible.
- Eye glasses must be removed.
- Hats or caps must be removed.
- Headwear worn for religious purposes is acceptable, but all of your facial features must be visible, from the bottom of your chin to the top of your forehead, and both edges of your face.
- Look directly at the camera with a neutral expression and mouth closed. Your head must be straight (not tilted) and upright.
- Eyes open and clearly visible, and without hair obscuring any part of your eyes. Both edges of your face must be clearly visible.
- No smiling.
- The photo must show your head and the top of your shoulders. Your face must be centred, clear and in sharp focus with no shadows across your face or behind your head, no reflections on the face and no red eye.
- The photo must show you alone, with no other person or object visible.
- Paper surface must be 'semi gloss' photographic paper.

PART D - CITIZENSHIP OR RESIDENCY STATUS

Are you an Australian Citizen? Yes No

Are you an Australian Resident? Yes No

PART E – EVIDENCE OF EMPLOYMENT

Provide the following particulars concerning previous, existing or impending employment as a body art tattooist (including employment as an apprentice).

Full Name of Employer	Telephone Number	Start Date	Finish Date	Position Held

Note: You may be asked to provide a formal statement of employment to verify the information provided. If this is required Fair Trading will contact you to request this information.

If you have no previous, existing or impending employment, tick the box below.

I have no previous, current or pending employment as a body art tattooist

PART F – FINGERPRINTS, PALM PRINTS AND NATIONAL POLICE CHECK

An applicant for a licence must consent to having his or her fingerprints and palm prints taken by a police officer in order to confirm the applicant’s identity.

Any fingerprints or palm prints obtained from an applicant who is granted a licence may be used by the Commissioner of Police for any purpose that the Commissioner sees fit.

Note: Under the Act, the Director-General must refuse to determine an application for a licence if the applicant refuses to be fingerprinted and palm printed.

If an application for a licence is withdrawn or refused, the Commissioner is to ensure that any fingerprints or palm prints that are obtained for the purpose of this licence application, and any copies of them, are destroyed as soon as is practicable after the application is withdrawn or refused.

The Commissioner of Police will also conduct a National Police Check against an applicant for a Tattooist licence.

I consent to having my fingerprints and palm prints taken by a police officer in order to confirm my identity Yes No

I hereby consent to and do request Australian police agencies to release, to the NSW Police Force, information held by any of them regarding any convictions, findings of guilt (either with or without conviction) and any matters still outstanding against me and any other matters deemed relevant that are recorded against me, whether in my current name or a previous name. Yes No

Please note that if you answered “No” to either of the above questions, your application will be refused.

PART G – DISCLOSURE

If you answer “Yes” to any of questions A-D, provide full details in the space provided. If necessary, attach an additional sheet.

A. Are you a controlled member of a declared organisation under the *Crimes (Criminal Organisation) Control Act 2012*?

Yes No

B. Have you had any application for any licence, certificate, registration or any other authority refused?

Yes No

C. Have you held any licence, certificate, registration or any other authority which was cancelled for disciplinary reasons or which is suspended?

Yes No

D. Are you currently being investigated which, to your knowledge, may result in disciplinary action being taken against you?

Yes No

E. Have you read the fact sheet *Applying for a Tattooist Licence*?

Yes No

PART H – PROOF OF IDENTITY DOCUMENTS

You are required to attach to this application **certified copies** of three (3) acceptable forms of personal identification. You must provide one (1) document from List 1 and two (2) documents from List 2.

The identification may only be certified by a Justice of the Peace, Notary Public or legal practitioner.

The Justice of the Peace, Notary Public or legal practitioner must:

- Compare the original document to the copy of the document to be submitted and ensure it is identical.
- Write (or stamp) on the copy "I certify this to be a true copy of the original document sighted by me".
- Sign the statement.
- Print the following details:
 - their name;
 - profession or occupation;
 - contact telephone number;
 - the date of certification.

In addition, a Justice of the Peace must also print their registration number and the state in which they are registered.

Acceptable forms of identification

The three certified copies of forms of personal identification are to comprise one document from List 1 and two documents from List 2. Identification must not be expired and must include at least one type of photographic identity document and a signature and date of birth.

List 1

- Current Australian driver licence
- Current photo identification card issued by an Australian driver licensing authority

List 2

- Current passport
- Birth Certificate
- Citizenship Certificate
- Certificate of Marriage or Change of Name
- Government issued identity card
- Medicare Card and/or Private health care fund card
- Senior Citizens / Govt. concession card
- Rates notice
- Utility account (eg. electricity, gas, telephone)
- Current student identity card
- Union/Professional membership card
- Licence issued by a Government authority
- Employee identity card with photograph

NOTE: NSW Police will write to you asking you to make an appointment to attend a police station for fingerprinting and palm printing.

When you attend your nominated police station to have your prints taken you must take with you the **original** proof of identity documents that you provided in support of your application for verification by a police officer for the purpose of confirming your identity. Copies of these documents will not be accepted.

Under the Act, the Director-General must refuse to determine an application for a licence if the applicant refuses to be fingerprinted and palm printed.

USE BLOCK LETTERS WHEN COMPLETING THIS FORM

PART I – COLLECTION OF LICENCE

If a licence is granted it must be collected from the nominated Service NSW Service Centre (SNSW) within 60 days. Fair Trading will write to you to advise you when the licence can be collected.

If the licence is not collected within 60 days of notification, it will be cancelled.

You must provide the location of the SNSW Service Centre from which you intend to collect your licence.

A list of Service Centres, their addresses and opening hours can be obtained from the RMS website at: www.services.nsw.gov.au

Enter the name of the location exactly as listed in the SNSW website eg. "St Marys" or "Wetherill Park". It is important you keep a record of the registry you have nominated.

Nominated Registry/Service Centre Name:

Note: Your licence can only be collected from a SNSW Service Centre. You cannot nominate "agencies" or "Government Access Centres (GACs)".

Complete the declaration on the following page

PART J - DECLARATION BY APPLICANT

This declaration MUST be signed by the applicant.

I apply for the grant of a tattooist licence under the *Tattoo Parlours Act 2012* and certify that the particulars specified in this application and all attachments are, to the best of my knowledge, true and correct in every detail.

I hereby consent to and do request Australian police agencies to release, to the NSW Police Force, information held by any of them regarding any convictions, findings of guilt (either with or without conviction) and any matters still outstanding against me and any other matters deemed relevant that are recorded against me, whether in my current name or a previous name.

[Please note that S.11(7) of the Act states that S.12 of the *Criminal Records Act 1991* does not apply in relation to an application for a licence].

I acknowledge and agree:

- that the NSW Police Force relies on other State and Commonwealth jurisdictions (Other Agencies) to provide information to it (Other Agency Information);
- to release the NSW Police Force from any liability arising from any errors or omissions contained in that Other Agency Information;
- to release and indemnify those Other Agencies from any actions and demands that I may have available against them arising out of the release by them to the NSW Police Force of Other Agency Information; and
- to the release of national criminal history record information held or obtained by the NSW Police Force to NSW Fair Trading for licensing and regulatory purposes.

The above acknowledgment does not alter any rights I may have under legislation.

Statement under the *Privacy and Personal Information Protection Act 1998*

I certify that the particulars and answers given in relation to this application are correct and complete and for the purposes of the *Privacy and Personal Information Protection Act 1998*, I:

- authorise NSW Fair Trading to make any inquiries and to receive and disclose any information which is relevant to the licensee's ongoing eligibility to hold this licence;
- accept that failure to supply information required on this application may delay the processing of this application;
- have a right to seek access to and correction of information supplied;
- authorise Roads and Maritime Services (RMS) to collect and use my personal information in order to assist NSW Fair Trading with processing my application for the issue of a licence under the *Tattoo Parlours Act 2012*; and
- understand that RMS, NSW Fair Trading and the NSW Police Force may disclose my personal information to each other in connection with the processing of my application and the maintenance of complete and accurate records and that RMS will not disclose my personal information without my consent unless authorised by law.

NOTE: It is an offence under the *Crimes Act 1900* to make a false statement in this document. The maximum penalty is imprisonment for two years or a fine of \$22,000 or both.

Signature: Date:

Full Name: