



HAIRDRESSERS ACT, 1988

No. 35 of 1988

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ELIZABETHAE II REGINAE

A.D. 1988

No. 35 of 1988

An Act to prohibit the practice of hairdressing by unqualified persons; to repeal the Hairdressers Registration Act, 1939; and for other purposes.

[Assented to 21 April 1988]

The Parliament of South Australia enacts as follows:

Short title

1. This Act may be cited as the *Hairdressers Act, 1988*.

Commencement

2. This Act will come into operation on 1 January, 1989.

Repeal and vesting

3. (1) The *Hairdressers Registration Act, 1939*, is repealed.

(2) On the commencement of this Act, the assets and liabilities of the Hairdressers Registration Board of South Australia vest in the Minister.

(3) The Minister will discharge those liabilities out of the proceeds from those assets and will apply the surplus proceeds (if any) towards promoting the interests of the profession of hairdressing in such manner as the Minister thinks fit.

Interpretation

4. In this Act, unless the contrary intention appears—

“hairdressing” means the washing, cutting, colouring, setting, permanent waving or other treatment of a person’s hair or the massaging or other treatment of a person’s scalp:

“prescribed qualifications”—

(a) in the case of a person who was, as at 30 June, 1988, required to be registered under the repealed Act—means registration under that Act on that day;

and

(b) in any other case—means qualifications declared by regulation to be prescribed qualifications:

“qualified person” means a person who holds prescribed qualifications:

“the repealed Act” means the *Hairdressers Registration Act, 1939*, repealed by this Act:

“unqualified person” means a person who does not hold prescribed qualifications.

Hairdresser must hold prescribed qualifications

5. (1) An unqualified person who carries on the practice of hairdressing for fee or reward is guilty of an offence.

Penalty: For a first offence—\$1 000.

For a second or subsequent offence—\$4 000.

(2) A person who employs an unqualified person to carry on the practice of hairdressing is guilty of an offence.

Penalty: For a first offence—\$1 000.

For a second or subsequent offence—\$4 000.

(3) This section does not prevent the employment by a qualified person of a person who is undertaking an apprenticeship in hairdressing.

Summary proceedings

6. The offences constituted by this Act are summary offences.

Evidentiary provision

7. An allegation in a complaint for an offence against this Act that a specified person was, as at 30 June, 1988, required to be registered under the repealed Act but was not so registered as at that day will, in the absence of proof to the contrary, be taken to be proved.

Regulations

8. (1) The Governor may make such regulations as are contemplated by this Act or as are necessary or expedient for the purposes of this Act.

(2) In particular those regulations may—

- (a) exempt, or provide for the exemption of, conditionally or unconditionally, any person or class of persons from all or any of the provisions of this Act;
- (b) regulate, restrict or prohibit the practice of a prescribed branch of hairdressing by persons of a prescribed class;
- (c) prescribe penalties not exceeding \$500 for breach of any regulation.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor