CHAPTER 270

CONTROL OF TATTOOING ACT

To control and regulate skin tattooing.

(28th December, 1976)*

ACT XL of 1976, as amended by Act XIII of 1983; Legal Notice 423 of 2007; and Act XIII of 2015.

Short title.

1. The short title of this Act is the Control of Tattooing Act.

Interpretation.

2. In this Act, unless the context otherwise requires -

"licence" means a licence issued under section 6 of this Act;

"Minister" means the Minister responsible for public health, and includes, to the extent of the authority given, any person authorised by the Minister in that behalf for any purpose of this Act;

"prescribed" means prescribed by regulations under this Act;

"relevant time", for the purposes of sections 3 and 5 of this Act, means the time when the tattoo is performed, and, for the purposes of section 4 of this Act, means the time when a person has in his possession or control any of the things duly mentioned in that section;

"tattoo" means the insertion into the skin of any colouring material designed to leave a permanent mark;

"valid licence" means a licence which is validly issued and which is still in force at the relevant time.

Prohibition of tattooing a minor or without a licence.

3. It shall be an offence against this Act to tattoo any person who is under eighteen years of age or to tattoo any other person unless by a person who is in possession of a valid licence.

Possession of tattooing instruments, etc.

4. It shall be an offence against this Act for any person to have in his possession or under his control any instrument, colouring material or other object used for the purpose of tattooing, unless such person is in possession of a valid licence.

No person may be tattooed except by licensed tattooist.

5. (1) It shall be an offence against this Act for any person who is under eighteen years of age to request, allow, suffer or permit the tattooing of any part of his body.

(2) It shall be an offence against this Act for any other person to request, allow, suffer or permit the tattooing of any part of his body except when the tattoo is performed by a person who is in possession of a valid licence.

Licence to practise as tattooist.
Amended by: XIII. 1983.5; L.N. 423 of 2007; XIII. 2015.77.

6. (1) If the Minister is satisfied that a person has the necessary ability to perform tattooing without danger to health and is likely to perform tattooing in such manner and in such hygienic conditions as justify the issue of a licence, the Minister may issue any such person a licence in writing to practise tattooing.

**See* Government Notice No. 640 of 28th December, 1976.

(2) Every licence shall be valid only until the 3lst December of the year in which it is issued and may only be renewed for a further period or further periods of one year each, and shall expire and cease to have effect unless it is renewed by the Minister as aforesaid.

(3) Every licence shall be subject to suspension or withdrawal by the Minister at any time and the Minister shall not be bound to give any reason for his action. A licence which has been suspended or withdrawn shall cease to have effect while it is suspended or after it has been withdrawn.

(4) No licence shall be granted or renewed unless a fee of twelve euro and ninety cents (€12.90), or such other fee as the Minister may from time to time prescribe, in respect of the grant and of every renewal thereof, has been paid to the Minister.

Power of entry and inspection.

7. (1) Any public officer, authorised by the Minister, shall have the power to enter and inspect any premises in which tattooing is performed or is suspected of being performed.

(2) Any person who hinders, or obstructs, any public officer in the carrying out of his duties under subsection (1) of this section shall be guilty of an offence against this Act.

Regulations.
Amended by: XIII. 1983.5; L.N. 423 of 2007.

8. The Minister may make regulations to give fuller effect to any of the provisions of this Act, and without prejudice to the generality of the aforesaid powers, such regulations may -

(*a*) provide for the manner and conditions in which and under which tattooing may be performed;

(*b*) provide for the manner in which and the conditions under which any instrument, colouring material or other object used for the purpose of tattooing is to be kept or preserved;

(*c*) provide for offences in respect of any matter for which provision is made by the regulations, and establish punishments in respect of such offences not exceeding a fine (*multa*) of one thousand and one hundred and sixty-four euro and sixty-nine cents (1,164.69), or imprisonment for a term of six months, or to both such fine and imprisonment;

(*d*) prescribe anything that may be or is required to be prescribed under this Act.

Offences.
Amended by: XIII. 1983.5; L.N. 423 of 2007.

9. Any person committing an offence against this Act shall be liable -

(*a*) on a first conviction to a fine (*multa*) of not less than one hundred and sixteen euro and forty-seven cents (116.47) but not exceeding four hundred and sixty-five euro and eighty-seven cents (465.87), or to imprisonment for not more than three months, or to both such fine and imprisonment; and

(*b*) on a second or subsequent conviction, to imprisonment

for not less than one month but not exceeding six months and to a fine (*multa*) of not less than two hundred and thirty-two euro and ninety-four cents (232.94) but not exceeding one thousand and one hundred and sixty-four euro and sixty-nine cents (1,164.69).