

THE PROTECTION OF PUBLIC HEALTH
ORDINANCE, 1999

**THE PROTECTION OF PUBLIC HEALTH
(BARBERS' AND HAIRDRESSERS' SHOPS) REGULATIONS, 2003**

[Swk. L.G. 32/2003]

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Sarawak LawNet

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[Swk. L.G. 32/2003]

(Made under section 64)

In exercise of the powers conferred by section 64 of the Protection of Public Health Ordinance, 1999 *[Cap. 30]*, the Majlis Mesyuarat Kerajaan Negeri has made the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the **Protection of Public Health (Barbers' and Hairdressers' Shops) Regulations, 2003**, and shall, subject to paragraph (2), apply to all local authorities in Sarawak.

(2) These Regulations shall come into operation on such date as the Minister may, by notification in the **Gazette*, appoint and the Minister may appoint different dates:

(a) for the coming into operation of these Regulations in different local authorities;

(b) for the coming into operation of different provisions of these Regulations; or

(c) for the coming into operation of different provisions of these Regulations in different local authorities.

* These Regulations were brought into force on 1.9.2003 *[Swk. L.G. 41/2003]*.

Interpretation

2. In these Regulations—

“Commissioner” means the Commissioner of the City of Kuching North;

“disinfecting solution” means a solution of any disinfectant which equals in bactericidal strength of five per cent solution of carbolic acid;

“hairdresser” means any person in the business of hairdressing and includes a “barber” (when such person is engaged in a barber’s shop upon work connected with hairdressing) and any employee of a hairdresser;

“hairdressing” includes hair-cutting, hair waving, trimming, dyeing, shaving, shampooing and every similar operation usually performed by a hairdresser either manually, mechanically, electrically or by means of powder or solution or any combination of these processes;

“licence” means a licence issued by the Commissioner under bylaw 3 allowing the business connected with hairdressing to be carried on in the licensed premises;

“local authority” means a local authority named in the First Schedule to the Local Authorities Ordinance, 1996 [*Cap. 20*].

Licences, fees and inspection

3.—(1) No person shall use any place or premises as a barber’s or hairdresser’s shop except under and in accordance with the terms and conditions of a licence issued by the local authority under these Regulations.

(2) Every person requiring a licence or renewal thereof shall make a written application to the local authority.

(3) The local authority may at its discretion refuse to grant or renew any licence.

(4) The fee payable for a licence shall be in accordance with the scale as specified in the Second Schedule.

(5) The local authority shall keep a register of all licences issued under these Regulations.

(6) During the currency of any licence the local authority may, on the application of the holder thereof, authorize its transfer to another person on payment of a fee of RM10.00.

(7) Every hairdresser carrying on the trade or business of a hairdresser or in charge of or employed in the premises in which such business is carried on shall permit the local authority or any of its authorized officer to enter the premises at all reasonable times without notice and to inspect the same and every part thereof and shall not hinder him or permit him to be hindered in the making of such inspection.

Cleanliness of premises and fittings

4. The premises of every barber's or hairdresser's shop, its fittings, furniture and equipment shall at all times be maintained in good order and in a thoroughly clean condition.

Supply of hot and cold water

5. An adequate supply of hot and cold water shall be continuously provided in every barber's or hairdresser's shop while it is open for business.

Receptacles for soiled towels and trade wastes

6. There shall be provided in every barber's or hairdresser's shop at least two suitable receptacles with close-fitting lids, into one of which all soiled towels and other soiled cloths shall be placed immediately after their use, and into the other all hair clippings and other trade wastes shall be placed as soon as practicable after attendance on a customer.

Hairdresser to comply with certain conditions

7.—(1) Before attending to a customer, every hairdresser shall thoroughly clean his hands, using soap and clean water, and if necessary a nail brush for this purpose.

(2) Every hairdresser shall, while attending to a customer, wear a clean and properly fitting coat or overall.

(3) Every hairdresser shall undergo a medical examination once a year.

Clean face towels, etc., for each customer

8.—(1) Face towels, neck protectors, neck towels, and other fabrics which come into direct contact with a customer's skin shall be provided fresh and clean for each customer.

(2) Face towels shall be immersed in boiling water or steamed for at least five minutes and then washed before use on each customer.

Soap for shaving

9. No soap other than liquid soap or shaving cream or shaving powder shall be used for the purpose of producing lather for any customer who requires a shave.

Shaving mugs

10. Mugs used to contain the water for producing lather in shaving shall be emptied immediately after use for each customer and thoroughly cleaned with boiling water.

Use of sponge prohibited

11. A sponge or powder puff shall not be used on any customer.

Stoppage of bleeding

12. Bleeding shall be arrested only by a suitable styptic, which shall be used on one customer only and shall immediately after use be deposited in the receptacle provided for trade wastes.

Infectious or contagious diseases

13.—(1) Any person suffering from any infectious or contagious disease, or any infectious or contagious rash or eruption of the face, neck or scalp, shall notify the hairdresser of the existence of such disease, rash or eruption before submitting himself to the operation of hairdressing.

(2) Every hairdresser, on being so notified, or if without notification, is aware that any person is suffering from any infectious or contagious disease or infectious or contagious rash or eruption shall, while attending to such person, employ a separate set of instruments kept apart to be used specially on such person. Such instruments shall immediately after their use be immersed in a disinfecting solution for a period of at least five minutes. All towels, cloths, or other fabrics used on such person and the coat or overall worn by the hairdresser shall immediately after use be placed in a disinfecting solution or in boiling water for at least ten minutes.

(3) A hairdresser suffering from any infectious or contagious disease or any infectious or contagious skin rash or eruption shall not attend to any customer.

Sterilization of appliances

14.—(1) Every hairdresser shall cause all the appliances in general use specified below to be sterilized in the manner prescribed, or, alternatively, by a method of effective sterilization by ultra violet irradiation approved by the local authority—

(a) razor blades, scissors and combs - by immersion for at least three minutes in a disinfecting solution;

(b) clippers - by first thoroughly brushing the teeth with a sterile brush so as to remove all hair and then wiping such teeth with a cloth soaked with a disinfecting solution;

(c) hair brushes - by immersing the hair or bristle portion for at least three minutes in a suitable disinfecting solution and then drying the brush in a hot-air chamber;

(d) shaving brushes - when a new brush is first taken into use, by immersion of the bristle portion in a ten per cent solution of formalin for at least thirty minutes and afterwards rinsing in clean water; and on subsequent occasions by immersion of the hair portion or bristle portion in boiling water for at least three minutes except that when the bristles are made from any synthetic material it is sufficient merely that they shall be washed in soap and water.

(2) All the abovementioned appliances shall be sterilized in the manner above described before use each day and immediately after use on each customer.

Spitting

15. No person shall spit upon the floor or walls of a barber's or hairdresser's shop.

Prohibition of animals

16. No hairdresser shall cause or permit any animal to be or remain in any barber's or hairdresser's shop.

Licensed premises not to be used as sleeping quarters or for cooking food

17. No part of any premises licensed under these Regulations shall be used or occupied as sleeping quarters, or for the purpose of preparing or cooking food.

Copy of Regulations to be displayed in barber's or hairdresser's shop

18. A copy of these Regulations, suitably framed, shall be conspicuously displayed in every barber's or hairdresser's shop, and there constantly maintained clean, visible and legible, by the licensee, manager or person in charge.

Penalty

19. Any person who contravenes any of the provisions of these Regulations or any condition imposed on the licence shall be guilty of an offence: Penalty, imprisonment not exceeding six months and a fine of not exceeding one thousand ringgit and, in the case of a continuing offence, an additional fine of fifty ringgit for every day during which such offence is continued after conviction.

Revocation and saving

20.—(1) The Barbers' and Hairdressers' Shops By-laws specified in the First Schedule are revoked with effect from the dates of the coming into operation of these Regulations in the respective local authorities.

(2) The Public Health (Barbers') (General) By-laws are revoked.

(3) Any licence issued by a local authority under any of the revoked By-laws shall continue in force until the expiry of such licence.

FIRST SCHEDULE

(Regulation 20(1))

Reference to the By-laws

- (a) Swk. L.G. 13/95
- (b) Swk. L.G. 34/98
- (c) Swk. L.G. 121/92
- (d) Swk. L.G. 35/92
- (e) Swk. L.G. 40/94
- (f) Swk. L.G. 44/93
- (g) Swk. L.G. 54/2000
- (h) Swk. L.G. 45/95
- (i) Swk. L.G. 36/92
- (j) Swk. L.G. 37/92
- (k) Swk. L.G. 38/92

Local Authorities

- Bau District Council
- Betong District Council
- Bintulu Development Authority
- Council of the City of Kuching South
- Lawas District Council
- Limbang District Council
- Maradong and Julau District Council
- Marudi District Council
- Miri Municipal Council
- Sarikei District Council
- Sibu Municipal Council

SECOND SCHEDULE

(Regulation 3(4))

PAYMENT OF FEES

(a) **ZONE A**

(Areas under the jurisdiction of the Commission of the City of Kuching North, Council of the City of Kuching South, Padawan, Sibul and Miri Municipal Councils and Bintulu Development Authority)

	<i>Air-conditioned Per annum</i>	<i>Non Air-conditioned Per annum</i>
(i) Not exceeding 3 hairdresser chairs	RM 72.00	RM 36.00
(ii) Exceeding 3 hairdresser chairs but not exceeding 8 hairdresser chairs	RM192.00	RM 96.00
(iii) Exceeding 8 hairdresser chairs but not exceeding 15 hairdresser chairs	RM360.00	RM180.00
(iv) Exceeding 15 hairdresser chairs but not exceeding 20 hairdresser chairs	RM480.00	RM240.00
(v) Exceeding 20 hairdresser chairs	RM600.00	RM300.00

(b) **ZONE B**

(Areas under the jurisdiction of Sri Aman, Betong, Sibul Rural, Dalat and Mukah, Limbang, Sarikei, Kapit and Samarahan District Councils)

	<i>Air-conditioned Per annum</i>	<i>Non Air-conditioned Per annum</i>
(i) Not exceeding 3 hairdresser chairs	RM 40.00	RM 20.00
(ii) Exceeding 3 hairdresser chairs but not exceeding 8 hairdresser chairs	RM 96.00	RM 48.00
(iii) Exceeding 8 hairdresser chairs but not exceeding 15 hairdresser chairs	RM180.00	RM 90.00
(iv) Exceeding 15 hairdresser chairs but not exceeding 20 hairdresser chairs	RM240.00	RM150.00
(v) Exceeding 20 hairdresser chairs	RM300.00	RM180.00

(c) **ZONE C**

(Areas under the jurisdiction of Bau, Lundu, Lubok Antu, Saratok, Kanowit, Marudi, Subis, Lawas, Maradong and Julau, Matu and Daro, Serian and Simunjan District Councils)

	<i>Air-conditioned Per annum</i>	<i>Non Air-conditioned Per annum</i>
(i) Not exceeding 3 hairdresser chairs	RM 30.00	RM 20.00
(ii) Exceeding 3 hairdresser chairs but not exceeding 8 hairdresser chairs	RM 60.00	RM 40.00
(iii) Exceeding 8 hairdresser chairs but not exceeding 15 hairdresser chairs	RM100.00	RM 60.00
(iv) Exceeding 15 hairdresser chairs but not exceeding 20 hairdresser chairs	RM150.00	RM100.00
(v) Exceeding 20 hairdresser chairs	RM200.00	RM150.00

Made by the Majlis Mesyuarat Kerajaan Negeri this 20th day of February, 2003.

ABDUL GHAFUR BIN SHARIFF,
Clerk to Majlis Mesyuarat Kerajaan Negeri

KAS/L/117(91)