

No. , 1935.

A BILL

To provide for the registration of hairdressers; to regulate the qualifications for and the effect of such registration; and to make provision for the regulation of hair-dressing establishments and institutions for the training of hairdressers; to amend the Industrial Arbitration Act, 1912-1935, in certain respects; and for purposes connected therewith.

[MR. WADDELL ;—12 *December*, 1935, a.m.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

1. (1) This Act may be cited as the "Hairdressers' Licensing Act, 1935."

Short title
and com-
mencement.

89465 117—

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation in the Gazette.

Definitions.

2. In this Act, unless the context or subject-matter otherwise requires or indicates,— 5

“Committee” means the Hairdressers’ Advisory Committee of New South Wales.

“Hairdressing,” “hairdressing work” and the like expressions, mean—

(a) the work of arranging, dressing, curling, 10
waving, cleansing, cutting, shaving, singe-
ing, bleaching, tinting, colouring or other-
wise treating the hair or beard, whether
by hand, or by any mechanical or electrical
apparatus or appliances; or 15

(b) the work of massaging, cleansing or
stimulating the scalp, face or neck,
whether with the use of cosmetic, anti-
septic or similar preparations or of tonics,
lotions, or creams or otherwise. 20

“Inspector” means an inspector appointed under the Industrial Arbitration Act, 1912, or any amendment thereof, or under the Early Closing Act, 1934.

“Prescribed” means prescribed by this Act or by 25
the regulations made thereunder.

Committee.

3. (1) There shall be a Committee which shall be called the Hairdressers’ Advisory Committee of New South Wales.

(2) The Committee shall consist of the Under Secre- 30
tary for the time being of the Department of Labour
and Industry, or his nominee, who shall be the chairman,
together with four other members to be appointed by
the Minister, two of whom shall be appointed upon nomi-
nation in the prescribed manner by the Hairdressers and 35
Wigmakers’ Employees’ Union, one of whom shall be
appointed upon nomination in the prescribed manner by
the New South Wales Master Hairdressers’ Association,
and

and the other of whom shall be appointed upon nomination in the prescribed manner by the employers' representatives of the Master Ladies' Hairdressers' Association of New South Wales.

5 (3) If no person (or no person capable or willing to act as a member of the Committee) is nominated within the time prescribed the Minister may appoint any person or persons as a member or members of the Committee.

10 (4) Members of the Committee shall hold office for a term of three years and shall be eligible for re-appointment from time to time for a like term.

15 (5) The chairman and three other members of the Committee shall form a quorum and shall have all the powers and authority by this Act conferred upon the Committee.

(6) On the occurrence of any vacancy in the office of any member of the Committee a member shall be appointed by the Minister for the remainder of the unexpired term of the vacant office.

20 (7) A member of the Committee shall be deemed to have vacated his office if he resigns from the Committee by writing under his hand addressed to the Minister, or is removed by the Minister from his office, or is absent from three consecutive meetings of the Committee except with leave granted by the Committee.

25 (8) The chairman shall preside at all meetings of the Committee. In the absence of the chairman from any meeting the members present shall elect an acting chairman to preside at the meeting.

30 If the voting on any question at a meeting is equal the chairman, or in his absence the acting chairman, shall have a casting vote in addition to his deliberative vote as a member of the Committee.

35 (9) The procedure for the calling of meetings of the Committee and for the conduct of such meetings shall be as determined by the Committee.

40 4. It shall be the duty of the Committee to advise the Minister as to the qualifications, experience or training that may be necessary to entitle a person to hold a license under this Act; and to carry out such functions as may be prescribed.

Functions of
Committee.

Licensed
hairdresser.

5. From and after a day to be appointed by the Governor and notified in the Gazette, no person who is not the holder of a license under this Act, or the employee of a licensed hairdresser, shall perform any hairdressing work for profit or reward, unless he first obtains the approval of the Minister in writing. Such approval may be given subject to such terms and conditions as the Minister deems fit. 5

Licenses.

6. (1) The Governor may make regulations providing for the examinations of persons desiring to be licensed as hairdressers. 10

(2) The Minister may appoint examiners and upon any person passing a satisfactory examination may cause him to be issued with a license.

(3) The Minister or some person authorised by him in that behalf may issue a license without examination to any person, on being satisfied that he is a competent hairdresser. 15

(4) A license may be refused to any person unless such person satisfies the Minister that he is of good character. Any person so refused may appeal to the Industrial Commission in the prescribed manner. 20

(5) A license may be refused upon proof to the satisfaction of the Minister of any matter which, under other provisions of this Act, would be a sufficient cause for suspension or cancellation of a license. 25

(6) A record shall be kept by some person appointed by the Minister of all persons licensed under this Act; and the entries in such record shall be altered from time to time to the end that it shall be a correct record of the licenses for the time being in force and of the names and addresses and other particulars of the persons licensed. 30

(7) Applicants for examination or for a license shall pay the prescribed fee. 35

(8) Upon the loss or accidental destruction of any license a duplicate license may be issued on payment of the prescribed fee.

7. (1) The license of any person may be suspended or cancelled by the Minister upon proof to his satisfaction that he— Suspension
of licenses.

- 5 (a) has been licensed erroneously, or in consequence of any false or fraudulent statement or document;
- (b) is incompetent;
- (c) is a person of bad character;
- 10 (d) has inserted or caused to be inserted in a newspaper any advertisement which is false or misleading;
- (e) has failed to pay the prescribed fee;
- (f) has applied for suspension or cancellation;
- 15 (g) has become an insane person, an insane patient, or an incapable person within the meaning of the Lunacy Act, 1898.

(2) Any person whose license is suspended or cancelled may appeal in the prescribed manner to the Industrial Commission against the determination of the 20 Minister suspending or cancelling such license.

8. (1) For the purpose of ascertaining whether any Inspectors. of the provisions of this Act or the regulations thereunder has been or is being contravened any inspector, in addition to the powers already conferred upon him by the 25 Industrial Arbitration Act, 1912, or any amendment thereof, may at any reasonable time enter any place or premises where any hairdressing work is being carried on and make such inquiries therein as he deems fit.

(2) Any person who hinders or obstructs any such 30 inspector in the exercise of any power conferred by this Act or who refuses entrance to such inspector or unduly delays such inspector in entrance during any time as aforesaid, to any premises shall be liable to a penalty not exceeding *fifty* pounds.

35 9. Where any person carrying on the business of a hairdresser lets any chair or part of his shop to any other person for the purposes of the business of a hairdresser, the person to whom the chair or part of the shop is let shall be deemed to be the employee of the person Renting of
chairs and
premises.
who

who lets the same, for the purposes of the Industrial Arbitration Act, 1912, or any amendment thereof, and any industrial awards or industrial agreements made thereunder.

Teaching
of trade.

10. (1) No person shall teach or undertake to teach any person the trade of hairdressing (except under conditions prescribed by any industrial award made in pursuance of the provisions of the Industrial Arbitration Act, 1912, or any amendment thereof) unless he is authorised to do so in writing by the Minister. 5 10

(2) The Minister may by notice in writing authorise any person to teach the trade of hairdressing upon such terms and conditions as he may determine.

Penalties.

11. (1) Any person who contravenes or fails to carry out any provision of this Act shall, where no other penalty is provided, be liable on conviction to a penalty not exceeding *twenty* pounds. 15

(2) Any penalties under this Act or the Regulations made thereunder may be imposed and recovered by and before a stipendiary magistrate or police magistrate or any two justices in petty sessions. 10

Regulations.

12. (1) The Governor may make regulations for carrying the provisions of this Act into effect, and in particular and without limiting the generality of the foregoing power, the Governor may make regulations— 25

- (a) prescribing the functions of the Committee;
- (b) imposing a penalty of not more than *twenty* pounds for any breach of such regulations.

(2) The regulations shall—

- (a) be published in the Gazette; 30
- (b) take effect from the date of such publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after the commencement of the next session. 35

If

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, 5 such regulation or part shall thereupon cease to have effect, but without prejudice to the validity of anything done in the meantime.

W. J. ...

It is ...
with ...
and ...
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and ...

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