Tattoo Industry

Application for an Operator Licence

Tattoo Industry Act 2013

This form is effective from 1 July 2022

ABN: 13 846 673 994

ueensland Government

OFFICE USE ONLY	Instructions
Date received	 Please use BLOCK letters when you fill out this form and attach extra sheets if necessary. All dates should be DD/MM/YYYY. Check our website to confirm current fees. Notes to assist you in completing this form can be found in the margins and at the beginning of the document. Licence applications, supporting documentation and fees under the <i>Tattoo Industry Act 2013</i> can be lodged by mail or at the one of our regional offices or at a Queensland Government Service Centre. Average processing times for a complete application is four to six weeks. Make sure you provide all the information required with your application to avoid delays.
Payment details	Privacy statement—please read The Office of Fair Trading (OFT) collects information, including personal information, on this form as
Amount allocated \$ CHC amount \$ Fingerprint amount \$	required by the <i>Tattoo Industry Act 2013</i> to process your licence application. In accordance with this Act, some personal information and business information may be passed on to police services in Australia (including federal, states and territories) for criminal history searches. Enquiries may also be made with the Department of Home Affairs to verify eligibility to work in Australia. Your name, business address, business information and postal address will be placed on a register which may be inspected by the public. Additionally, information on this form can be disclosed without your consent where authorised or required by law. Under the <i>Fair Trading Act 1989</i> information may also be shared on a confidential basis with other Australian fair trading agencies.
Total amount \$	If you give the OFT an email address to communicate with you, the personal information in these communications will be stored on your email service provider's servers. These servers may be outside of Australia. By giving us your email address, you are consenting to the personal information contained within the emails to and from the OFT to be transferred outside Australia.
 Entity	Criminal history check
Lincity	If you were born in New Zealand or have a New Zealand passport, you need to get a copy of your

Entity number

PLEASE NOTE:

It is a requirement of the Act that all records relating to the operation of a tattoo business be kept on the licensed premises at all times. It is the responsibility of the applicant to ensure that all the necessary approved forms are completed and lodged with the Office of Fair Trading. The application will not be considered without all declarations and identification documents. You must hold a certificate in Maintain Infection Prevention for Skin Penetration Treatments (HLTINF005) to tattoo in Queensland.

Form 1

criminal history or a letter indicating you have no criminal history from New Zealand. For more information, visit the New Zealand Ministry of Justice website www.justice.govt.nz

We can only accept original documents dated within one month of the date you send them to us. Please note, it can take up to 20 working days to process a request for a New Zealand criminal history check. There is no fee payable for you to get a New Zealand criminal history check.

Fees

To find the fees for your licence, visit www.publications.qld.gov.au/dataset/office-of-fair-trading-feeschedule. No GST is payable on the fee.

A mandatory fingerprinting fee is payable in addition to the licensing fees and criminal history check fee. The fingerprinting fee is payable at the time of lodging the original application and will not need to be paid again unless your licence expires.

So that your application for a licence can be considered, all applicants are required to have fingerprints taken by the Queensland Police Service. You will be advised in writing of the process to have your fingerprints taken after you application is lodged. An appointment must be made before attending a police station to have your fingerprint taken for the purpose of this licence. You should read the mandatory fingerprinting privacy information statement attached to this application.

Already fingerprinted

While you have a current licence under the Tattoo Industry Act 2013 you only need to have your fingerprints taken once. This applies even if you apply for any additional tattoo licences.

However, you do need to give your fingerprints again if you have had them taken for another reason. For instance, you may have been fingerprinted if you hold a gaming or weapons licence or hold a blue card.

For further information on mandatory fingerprinting and palmprinting, please read the Fingerprints, Palm Prints and National Police Check information statement attached to this application and refer to our website www.qld.gov.au/fairtrading

Name of applican	t	
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Note: Applicant must be an individual.	
Licence term Please note: licence fees may change on 1 July each year.	☐ 1 year ☐ 3 years

Part A—Applicant details	
Applicant details An application for an operator licence may only be made by an individual. NOTE: if you hold a Queensland drivers licence, your name, date of birth and	Preferred title Mr Mrs Ms Miss Other (specify) Surname Middle name(s) Middle name(s) Middle name(s) Phone (business hours) Fax Phone (after hours)
residential address must be entered as shown on your licence.	Email
	State/Territory/Country of issue
You must provide evidence of each change of name. ie certified copies of marriage or change of name certificate.	Is the applicant known by or have they ever been known by any other name? (ie Maiden name or Also Known As (AKA)) No Yes—Provide details of other names
Date and place of birth Note: Refer to notes section	Date of birth $\square \square / \square M M / \square P P P$
for a list of identification documents to verify 100 points.	Place of birth: Town
Citizen or residency status Note: If you are not an	Are you an Australian citizen? Yes No Are you an Australian resident? Yes No
Australian Citizen or an Australian Resident you are not eligible to apply for this licence.	ImmiCard number (if applicable)
licence.	Passport country
	Passport type: Government Private UN refugee
Residential address	Unit/flat number Street number
	Street name
Postal address	Postal address
(if different from above)	Suburb State Postcode
Part B—Photographs	
Photographs Two recent scannable passport	The reverse side of each photograph must be certified and signed by a person (other than the applicant) who has known the applicant for at least 12 months, using the following wording:
size photographs of the applicant must accompany this	This is a true photograph of « insert applicant's name »
application. Note: Only passport quality	The person who certifies and signs the reverse side of the photographs must also complete the information below and sign in the space provided.
photos can be accepted. The photographs should be placed in	Full name
an envelope and stapled to the front of this application form.	Residential address
This is a true photograph of	Suburb State Postcode
- your name - E	Phone Fax
(signature of person that completes this section)	Mobile
Section → → → → → → → → → → → → → → → → → → →	Signature: Date $\square \square / \square \square / □ \square \square = 0$

Part C—Tattoo studio operator

An application for an operator licence in connection with a body art tattooing business that is owned or operated by, or on behalf of a corporation, partnership, or trust, must be made by an individual nominated by the corporation, partners, or trustees, to be the licence holder. The nominated licence holder must complete this application form.	As the nominated licence holder, I will be: Conducting business on behalf of a partnership—complete Parts D , G , H and onwards. Conducting business on behalf of a corporation—complete Parts E , G , H and onwards. Conducting business on behalf of a trust—complete Parts F , and G then onwards from Part H . Conducting business as a sole trader—complete Part G then onwards from Part I .
Part D—Partnership	
All executive officers of the corporations listed here and individual partners listed here must also be listed in PART G of this application form. If space is insufficient, you will need to photocopy this page for additional partners and attach to this application.	Corporation partners Corporation name ACN Orporation name Corporation name ACN
If corporations are trading in Partnership please provide details here.	Individual partners Individual name Individual name
If individuals are trading in Partnership please provide details here.	Individual name

Individual name

Individual name

If trusts are trading in partnership, please photocopy and complete Part F for all trusts in

Part E—Corporation

partnership.

If the business is operated on behalf of one corporation (no other partners involved in the business), the name and details of the corporation are required in this section.	Corporation name ACN ABN
	Postal address
	Phone Email
All executive officers of the corporation listed here must be listed in PART H of this application form.	Executive officers Name Name Name Name Name

Part F—Trust	
If the business is operated on behalf of a trust, the names of all trustees (corporations included) are required in this section. If a corporation acts as a trustee for the trust, you must remember that all executive officers of the corporation and relevant persons must be listed in Part H of this application form. If space is insufficient, you will need to photocopy this page for additional trustees and attach to this application.	Trust name ABN ACN CN C
Part G—Business details	
Business name The business name used by the tattoo business.	Business name (if any)
 Business type and description Premises is defined as: a) a building or other structure, or part of a building or other structure that has a permanent address, or b) a vehicle, building or other structure ordinarily moved from place to place. 	Fixed premises Mobile premises Mobile business details: Type of mobile premises Type of mobile premises Vehicle registration (if applicable) Description of mobile premises Image: Comparison of mobile premises
Fixed premises business address This is the address where the tattoo studio operates. If application is for a mobile business, this address must be a fixed address where all business records will be kept.	Shop/Unit number Street number Street name State Suburb Postcode Phone Fax Email Website
Business postal address Enter 'as above' if the same as street address.	AddressSuburb State Dostcode Dostc

Part H—Details of relevant persons

Note: This page should be photocopied or printed and completed with the details of each person (executive officer of any corporation listed on this application, trustee or partner).

Relevant person type	Executive officer Trustee Partner
Individual name	Preferred title Mr Mrs Ms Miss Other (specify)
Only photocopies of documents certified as being a true copy of the original document by the following people can be accepted: Justice of the Peace; Commissioner for Declarations; barrister, solicitor; or Notary Public.	Surname Given name Given name Has this person been known by any other name No Yes Previous names If this person has been known by any other name you must provide evidence of each change eg: certified copies not originals of marriage certificates, change of name certificates etc, must be supplied with this form for each name change. Date of birth $D_D / M_M / Y_Y Y_Y$ Place of birth: Town State Country State
Residential address	Home address
	Suburb State DD Postcode DDD
Postal address Enter 'as above' if the same as residential address.	Address
Contact details	Phone (business hours) Phone (after hours) Fax (business hours) Mobile Email Preferred contact method
Identification documents Refer to the Office of Fair Trading website for a list of primary and secondary identification documents.	Have details been supplied previously for this person? Yes No – for each person you must provide: *certified copies* of primary and one secondary identity document. * an additional criminal history check fee.

Part I—Staff member det	ails
I don't employ staff O	R I employ staff (please provide details)
Note: This page should be photoco	opied or printed and completed with the details of each staff member (if required).
Employment details	Licence number
	Start date $\square \square / \square \square / \square \square / Y Y Y$
	Position held
Individual name	Preferred title Mr Mrs Ms Miss Other (specify)
	Surname
	Given name
Employment details	Licence number
	Start date $\Box \Box / \Box / \Box / \downarrow \downarrow \downarrow \downarrow \downarrow$
	Position held
Individual name	Preferred title Mr Mrs Ms Miss Other (specify)
	Surname
	Given name
Employment details	Licence number
	Start date $D D / M M / Y Y Y$
	D D M M Y Y Y Y Position held
Individual name	Preferred title Mr Mrs Ms Miss Other (specify)
	Surname
	Given name
Employment details	Licence number
	Start date $\square \square / \square \square / \square \square / \square \square / \square \square $
	Position held
Individual name	Preferred title Mr Mrs Ms Miss Other (specify)
	Surname
	Given name
	Given name

Part J—Suitability checklist		
If you answer 'Yes' to any of questions A–H, provide full details in the space provided. If necessary, attach an additional sheet.	 A. Do you personally perform body art tattooing? Yes – please attach your certificate for Maintain Infection Prevention for Skin Penetration Treatments (HLTINF005) No – go to question B 	
Please note: in relation to Question B, an order is issued by a court. It does not relate to training you have done under the <i>Public Health</i> (<i>Infection Control for Personal</i> <i>Appearance Services</i>) Act 2003.	 B. Are you subject to an order made by the Court under the <i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i> made in connection with the carrying out of skin penetration procedures? Yes No 	
	 C. If the application is on behalf of a body art tattooing business owned or operated on behalf of a corporation, is the corporation the subject of a winding-up order or has a controller or administrator been appointed? Yes No 	
relevant Minister means— (a) the Minister responsible for administering the Fair Trading Act 1989 and the Australian Consumer Law;	 D. Have you held any licence, permit or other authority under an Act administered by a relevant Minister that has been suspended, cancelled or revoked? Yes No 	
or (b) the Minister responsible for administering the Public Health (Infection Control for Personal Appearance	 Are you disqualified from holding a licence, permit or other authority under an Act administered by a relevant Minister? Yes No 	
Services) Act 2003; or (c) the Minister responsible for administering the Police Powers and Responsibilities Act 2000.	 F. Have you been convicted of an offence under the <i>Tattoo Industry Act 2013</i> or the previously repealed Act? Yes No 	
	 G. Is there a prohibition order in force under Part 3 of the Public Health (Infection Control for Personal Appearance Services) Act 2003 or the Public Health Regulation 2005 in connection with the carrying out of skin penetration procedures in respect of the proposed licensed premises? Yes No (If 'Yes', the application for an Operator Licence will be refused) 	
	H. Is there a closure order in force under Section 46 or 47 of the <i>Tattoo Industry Act 2013</i> in respect of the proposed licensed premises?	
Relevant control order : in relation to a licence, means a control order or registered corresponding control order that restrict the person to whom the order applies from carrying on a business, engaging in an occupation or performing an activity that requires the licence.	Control Orders You are not a suitable person to hold a licence under the <i>Tattoo Industry Act 2013</i> if you are subject to a relevant control order as defined under the <i>Tattoo Industry Act 2013</i> .	

Part K—Nominated licence holder approval (tattoo business owner/s)

This section does not apply to a tattoo studio operator conducting business as a sole trader. In the case of a corporation , a director of the corporation must sign (other than the nominated premises manager). In the case of partnership , each partner must sign. If a corporation is a partner , a director of each partner corporation must sign. In the case of trustees , each trustee must sign. Include the capacity of the signatory eg: director of XYZ Pty Ltd, partner or trustee.	I/We hereby approve the applicant listed on this application to be the nominated licence holder for the tattoo studio at the premises listed in Part G of this application: Signature (1)
T	nis area has been intentionally left blank.

Part L—Checklist and declaration

To find the fees for your licence, visit <u>www.publications.qld.gov.au/</u> <u>dataset/office-of-fair-trading-</u> <u>fee-schedule</u>	 Please check each statement and tick each box if you have met the following requirements: I have completed each part of this form honestly and correctly to the best of my knowledge. I have provided all relevant documentation to meet the 100 point identification verification check. I have enclosed the application fee. I have enclosed the criminal history check fee. I have enclosed the fingerprinting fee and I have read the mandatory fingerprinting privacy statement below. I have enclosed two recent certified passport sized photographs.
	 I have enclosed a copy of my hygiene certificate (if applicable). Please note: if you do not provide all the information requested on this form, your application will be delayed until the department receives the required information from you. I am applying for a tattoo operator licence under the <i>Tattoo Industry Act 2013</i> 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. [Please note that S.11 (12) of the Act states the S.6 of the <i>Criminal Law (Rehabilitation of Offenders)</i>
This declaration MUST be signed by the applicant. NOTE: It is an offence under the <i>Tattoo Industry Act 2013</i> to make a false or misleading statement on this form.	Act 1986, does not apply in relation to an application for a licence]. In submitting this application, I also consent to a criminal history check being conducted and for the police services in Australia (including federal, states and territories) to disclose my criminal history information and any impending charges to the Office of Fair Trading. I also understand any disclosure will be subject to applicable federal, state and territory legislation and/or applicable police service policy. I also understand that enquiries may be made with the Department of Immigration and Border Protection to verify my eligibility to work in Australia. By lodging this application I also consent to having my fingerprint and palm prints taken by a police officer in order to confirm my identity. Signature

Mandatory fingerprinting privacy statement

Under the *Tattoo Industry Act 2013* (the Act), the Office of Fair Trading requires your fingerprints to be taken to confirm your identity and to undertake ongoing probity checks under section 35E of the Act.

Your fingerprints will be taken by specially trained Queensland Police Service staff who are authorised to do so. Once your fingerprints are taken, they will be securely stored by the Queensland Police Service Fingerprint Bureau. Your fingerprints will also be uploaded onto the National Automated Fingerprint Identifications System (NAFIS). NAFIS is operated and secured by Crim Trac, the Australian Government agency that also provides the criminal history search service. As a Commonwealth agency, Crim Trac must operate in accordance with the *Commonwealth Privacy Act 1988*.

Criminal History Checks will still be conducted on every licensee and any additional names identified by the initial fingerprint identification process will also have criminal history searches conducted against them.

Ongoing probity checks will be performed daily by comparing fingerprints stored on NAFIS against unidentified latent fingerprints from unsolved crime scenes. This in addition to overnight matching of licence details against the Queensland Police Service database to determine if a licensee has been charged with a serious criminal offence.

Fingerprint records will also be available to other police services in Australia. However, your fingerprints will **NOT** be available to the Office of Fair Trading.

If your application is withdrawn or refused, the chief executive will ask the Commissioner of Police to destroy your fingerprints as soon as practicable. Destruction will be scheduled automatically after appeal rights are exhausted.

If you allow your tattoo licence to expire, you may apply to the Commissioner of Police to have your fingerprints, collection under section 35E, destroyed. If the Commissioner grants your request, your fingerprints will be destroyed as soon as practicable in the presence of a Justice of the Peace.

Lodgement details	
 IMPORTANT! Please make sure you: provide all necessary information and documentation sign the application return all pages of the application form. 	 Please lodge the completed application, any supporting documentation and applicable fees to the Office of Fair Trading at the address below, at one of our regional offices, or at a Queensland Government Service Office. By mail: Industry Licensing Unit, GPO Box 3111, Brisbane QLD 4001 In person: Visit www.qld.gov.au/fairtrading or call 13 QGOV (13 74 68) for information and your nearest Fair Trading Office or Queensland Government Service Office.
Change of details	If at any time your licence details or suitability requirements change, you must notify the Office of Fair Trading within 14 days. Please use Tattoo Industry Form 3 to update business and employee details.

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Payer details			
This section must be completed if payment has been made by another person on behalf of the applicant.	Name Postal address Suburb Suburb Mobile Receipt request Yes No Email		
Payment			
Payment details	Cash—pay in person Debit/Credit card Money order Cheque Do not send cash by mail Make money order or cheque payable to the Office of Fair Trading. A receipt will not be issued unless specifically requested.		
Debit/Credit card	OFT cannot accept debit/credit card details over the phone or email (including any attachments) in accordance with the Payment Card Industry Data Security Standard. If an email is received containing debit/credit card details, it will be deleted immediately and your application and payment will not be processed.		
Charge my:			
Debit/Credit card number:			
Cardholder's name:			
Amount authorised:	\$ Expiry date: / Y		
Cardholder's signature:			
By post	heque or money order can be posted in, together with the application form. ke money order or cheque payable to the Office of Fair Trading		
In person	You can also visit a Fair Trading Office or an applicable Queensland Government Service Office to lodge this application and pay the applicable fees over the counter.		
П.	Visit www.qld.gov.au/fairtrading or call 13 QGOV (13 74 68) for your nearest Fair Trading Office or Queensland Government Service Office.		

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Proceed to next section for payment details.

If you do not complete the payment section this form will be considered incomplete and may delay processing.

Tattoo Industry

Form 1 Notes



Application for an Operator Licence

Tattoo Industry Act 2013

This form is effective from 1 July 2022

ABN: 13 846 673 994

An application for an operator licence may only be made by an individual. An application made in connection with a body art tattooing business that is owned or operated by or on behalf of a corporation, partnership or trust must be made by an individual nominated by the corporation, partners or trustees to be the licence holder for the purposes of carrying on that business at the premises for which the licence is sought.

If you are also tattooing at your own studio—whether a fixed or mobile premises, you will not be required to obtain an individual tattooist licence as well.

If a body art tattooing business is to be carried out at more than one premises, a separate operator licence is required for each premises.

Under the Act, 'premises' is now defined as:

- a) a building or other structure, or part of a building or other structure that has a permanent address: or
- b) a vehicle, building or other structure ordinarily moved from place to place

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

- a) is under the age of 18 years, or
- b) is not an Australian citizen or Australian resident, or
- c) has been found guilty of a serious or organised crime offence in the last 10 years, or is subject to a court issued control order.

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

You must hold a certificate in Maintain Infection Prevention for Skin Penetration Treatments (HLTINF005), if you personally perform body art tattooing in Queensland.

When your application is received by the Office of Fair Trading, it will be checked for completeness. If there is a problem with your application, you will be contacted for clarification. The Office of Fair Trading will carry out such investigations and inquiries in relation to your application as are considered necessary.

Fingerprints, Palm Prints and National Police Check

So that your application for an operator licence can be considered, all applicants are required to have fingerprints and palm prints taken to confirm your identity and to undertake ongoing probity checks. This is a requirement under section 35E of the *Tattoo Industry Act 2013*.

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

Your fingerprints will be taken by specially trained Queensland Police Service staff who are authorised to do so. You will be advised in writing of the process to have your fingerprints and palm prints taken after your application is lodged. An appointment must be made before attending a police station to have your fingerprints taken for the purpose of this licence.

Once your fingerprints are taken, they will be securely stored by the Queensland Police Service Fingerprint Bureau. Your fingerprints will also be uploaded onto the National Automated Fingerprint Identification System (NAFIS). NAFIS is operated and secured by CrimTrac, the Australian Government agency that also provides the criminal history search service.

As a Commonwealth agency, CrimTrac must operate in accordance with the *Commonwealth Privacy Act 1988*.

Criminal History Checks **may** be conducted on every applicant and any additional names identified by the initial fingerprint identification process **may** also have criminal history searches conducted against them.

Ongoing probity checks will be performed daily by comparing fingerprints stored on NAFIS against unidentified latent fingerprints from unsolved crime scenes. This is in addition to overnight matching of licence details against the Queensland Police Service database.

Fingerprint records will also be available to other police services in Australia. However, your fingerprints will **NOT** be available to the Office of Fair Trading.

If your tattoo operator licence is no longer current, because it has expired, the application has been withdrawn, or the Chief Executive has cancelled your licence or has refused to renew your licence, your fingerprints **may** be destroyed. The fingerprint records to be destroyed will only be the fingerprints taken as part of the tattoo industry licence process. The destruction will include the copy stored at the Fingerprint Bureau and the tattoo licence fingerprint record stored on NAFIS. The destruction will be performed by two highly qualified fingerprint specialists and will be done in the presence of a Justice of the Peace.

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.

Identity verification check

Personal identification 100 point check	Document	Points value
	Primary documents	
You must establish your identity by providing documents from the list (to the right) certified as true copies of the original (see note). Originals may also be sighted and copied by staff if you are lodging the application in person at a departmental counter.	Passport (current or expired within the past two years, but not cancelled)	50
	Birth certificate/extract	50
	ImmiCard	50
	Australian driver's licence	50
	Photo identification card/Adult proof of age card	50
	Secondary documents	
Different types of identity documents are worth different points (see table). You can use different combinations of documents to make up your 100 points, but you must include at least one primary document as part of your 100 points. Note: This office will only accept photocopies of documents certified by the following people: Justice of the Peace, Commissioner for Declarations, barrister/ solicitor or Notary Public. Note: You must supply certified identification in your current name.	Australian Citizenship certificate	40
	Public service employee ID card	40
	Health care card	40
	Tertiary education student ID card	40
	Mortgage documents	40
	Letter from employer (current or within past two years)	25
	A rating authority e.g. land rates	25
	Utility bill* e.g. electricity, gas, telephone	25
	ATM card, credit card, bank book statement*	25
	Council rates notice	25
	Medicare card	25
	Marriage certificate	25

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