

## Getting a tattoo, piercing or other body modification

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### The Law

New laws about body piercing and tattooing, scarification, tongue splitting, branding and beading, apply from 1 January 2009.

The new changes can be found in the ***Summary Offences Amendment (Tattooing and Body Piercing) Act 2008***.

### How old you have to be?

#### *Intimate piercing*

- You need to be over 18 to get an *intimate piercing* (piercing of the nipples, genitalia, anal region or perineum).

#### *Non-Intimate piercing*

- If you are under 16, you will need your parents' or guardians' written consent for any non-intimate piercing – they must give their written consent in person to the body piercer. If you are older than 10 years old and have capacity to consent, you must also give your written consent in writing to the body piercer.

#### *Tattoos, scarification, tongue splitting, branding and beading*

You need to be 18 years old to undergo:

- Tattooing;
- Scarification;
- Tongue splitting; or
- Branding and beading.

### Been caught? What happens next?

If you have been caught getting a tattoo, body piercing or other body modification (like branding or scarification), you won't get in trouble but the person who did the work will - they may face serious fines or even criminal prosecution.

## How to be sure and safe

Tattoos and piercings can last a long time, so you might want to have think about a few things before you get something done:

- Even though laser techniques have improved, it's still really expensive to remove tattoos if you change your mind later.
- There's always the chance of infection, either when you are getting your tattoo or piercing or when you don't properly take care of the tattoo or piercing afterwards during the healing process (you might want to read this hand out from Department of Health Victoria: [http://www.health.vic.gov.au/\\_data/assets/pdf\\_file/0008/20033/tatooing.pdf](http://www.health.vic.gov.au/_data/assets/pdf_file/0008/20033/tatooing.pdf) ).
- Is the shop you are going to registered? A 'certificate of registration' should be available for you to look at.

### Dictionary

- “**Body piercer**”: a person of 16 years or over who:
  - carries on a body piercing business; or
  - is employed in a body piercing business; or
  - performs body piercing for a fee, wage or other payment in kind.
- “**Intimate body piercing**” is the piercing of the nipples, genitalia, anal region or perineum (area between the anus and the scrotum in the male and between the anus and the vulva in the female)
- “**Non-intimate piercing**” is any piercing except of the nipples, genitalia, anal region or perineum.
- “**Beading**” means the cutting of the skin of a person and then the insertion of an object beneath the skin to produce a lump in a certain design or pattern
- “**Branding**” is the intentional scarring of a person with a hot or cold substance so that the skin of a person produces scar tissue according to a design
- “**Scarification**” is the cutting of the skin of a person to create scar tissue
- “**Tongue splitting**” means the cutting of the tongue of a person to divide the tongue, or part of the tongue, into 2 or more separate segments

### For more information

- for information by phone or email, contact Youthlaw on 9611 2412, [info@youthlaw.asn.au](mailto:info@youthlaw.asn.au)
- if you are a young person under 25 years , drop in and see us at Youthlaw for some free legal advice, Monday to Friday, 2pm to 5pm, 19 King Street, Melbourne, 3000, or
- for a copy of the laws <http://www.legislation.vic.gov.au>

*You are welcome to copy and use this FACT sheet.*