



Hairdressers (Registration) Act 1964

CHAPTER 89

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ELIZABETH II



1964 CHAPTER 89

An Act to provide for the registration of hairdressers; and for purposes connected therewith. [31st July 1964]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) There shall be a body to be called the Hairdressing Council which shall have the functions assigned to it by this Act. Establishment of Hairdressing Council.

(2) The Hairdressing Council shall be constituted in accordance with Part I of Schedule 1 to this Act and the supplementary provisions contained in Part II of that Schedule shall have effect with respect to the Council.

2. The Hairdressing Council shall before the appointed day establish and thereafter maintain a register to be called "the register of hairdressers" containing the names, addresses, qualifications and such other particulars as may be prescribed of all persons who are entitled under the provisions of this Act to be registered therein and who apply in the prescribed manner to be so registered, and the form of hairdressing which such persons are qualified to practise. Register of hairdressers.

3.—(1) Subject to the provisions of this Act and to rules under section 6 of this Act, a person shall be entitled to be registered by the Hairdressing Council in the register if he applies for registration after such date as the Council may by order appoint for the purposes of this section and satisfies the Council that— Qualifications for registration.

(a) he has—

(i) served a period of apprenticeship ; or

(ii) attended a course of training approved by the Council under section 4 of this Act conducted at an institution so approved or partly at one such institution and partly at another or others ; and

(b) he has attained a reasonable and sufficient standard to qualify him to practise the form of hairdressing in respect of which he makes the application.

(2) Subject as aforesaid, a person shall be entitled to be registered by the Hairdressing Council in the register if he applies for registration and satisfies the Council that he has been engaged in or practising hairdressing (other than as an apprentice or while undergoing a course of training in hairdressing) for a period of not less than three years before the appointed day.

(3) On registering any person under this section the Council shall issue to him a certificate of registration.

Approval
of courses,
qualifications
and
institutions.

4.—(1) Subject to the provisions of this section, the Hairdressing Council may approve for the purposes of this Act—

(a) any course of training which the Hairdressing Council considers is designed to confer on persons completing it sufficient knowledge and skill for the practice of hairdressing ;

(b) any qualification which, as the result of an examination taken in conjunction with a course of training approved by the Hairdressing Council under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the Council, that they have sufficient knowledge and skill to practise hairdressing ;

(c) any institution which the Hairdressing Council considers is properly organised and equipped for conducting the whole or any part of a course of training approved by the Hairdressing Council under this section ;

and may refuse its approval under this section or withdraw such an approval previously given ; and notice of the giving, refusal or withdrawal of such an approval shall be served by the Hairdressing Council on the body or person affected.

(2) The power of approval conferred on the Hairdressing Council by subsection (1) of this section shall include power to approve—

(a) a course of training prepared by the Hairdressing Council and conducted either under arrangements made by the Hairdressing Council or otherwise ;

(b) a qualification awarded by the Hairdressing Council as a result of an examination held under arrangements made by the Hairdressing Council.

(3) The withdrawal of an approval under this section shall not prejudice the registration or entitlement to registration of any person who was registered or entitled to registration by virtue of that approval immediately before it was withdrawn.

(4) Any reference in this section to a body or person affected, in relation to an approval, is a reference to the body or person who applied for the approval.

5. It shall be the duty of the Hairdressing Council to keep themselves informed of the nature of the instruction given at institutions approved under section 4 of this Act to persons attending courses approved under that section and of the examinations in hairdressing the passing of which may be prescribed by the Council as being a condition of registration under this Act. Supervision of approved institutions and examinations.

6.—(1) The Hairdressing Council may make rules with respect to the form and keeping of the register and the making of entries, alterations and corrections therein and, in particular— Supplementary provisions as to the register.

- (a) regulating the making of applications for registration and providing for the evidence to be produced in support of any such application ;
- (b) providing for the notification to the Council of any change in the particulars entitling a person to be registered ;
- (c) prescribing a fee to be charged on the entry of a name in, or the restoration of a name to, the register ;
- (d) prescribing a fee to be charged in respect of the retention in the register of any name in any year subsequent to the year in which that name was first entered in the register ;
- (e) authorising the registrar of the Hairdressing Council to refuse to enter a name in or restore it to the register until a fee prescribed for the entry or restoration has been paid and to remove from the register the name of a person who, after the prescribed notices and warnings, fails to pay the fee prescribed in respect of the retention of that name in the register ;
- (f) prescribing anything required or authorised to be prescribed by the provisions of this Act relating to the register.

(2) Rules under this section which provide for the erasure of a name from the register on failure to pay a fee shall provide for its restoration thereto on the making of the prescribed application in that behalf and on payment of that fee and any additional fee prescribed in respect of the restoration.

(3) Rules under this section prescribing fees may provide for the charging of different fees in different classes of cases.

Publication of register.

7.—(1) The Hairdressing Council shall cause the register to be published within six months of the appointed day and as often thereafter as they think fit.

(2) Where the register is not published in any year after the first publication thereof, the Council shall cause any alterations in the entries in the register which have been made since the last publication thereof to be published within that year.

Investigating and disciplinary committees.

8.—(1) The Hairdressing Council shall set up two committees to be known as the investigating committee and the disciplinary committee respectively, of which—

(a) the investigating committee shall be charged with the duty of conducting a preliminary investigation into any case where it is alleged that a person registered by the Hairdressing Council is liable to have his name removed from the register, and of deciding whether the case should be referred to the disciplinary committee ; and

(b) the disciplinary committee shall be charged with the duty of considering and determining any case referred to it by the investigating committee and any other case of which the disciplinary committee has cognisance under subsection (3) of the next following section.

(2) The provisions of Part I of Schedule 2 to this Act shall have effect with respect to the constitution of the investigating and disciplinary committees, and the provisions of Part II of that Schedule shall have effect with respect to the procedure of the disciplinary committee.

Removal of names from register for crime, etc.

9.—(1) Where—

(a) a person who is registered by the Hairdressing Council is convicted by any court in the United Kingdom of a criminal offence which, in the opinion of the disciplinary committee, renders him unfit to be registered ; or

(b) such a person is judged by the disciplinary committee to be guilty of serious negligence in any professional respect ; or

(c) the disciplinary committee is satisfied that the name of such a person has been fraudulently entered on the register maintained by the Hairdressing Council :

the committee, may, if it thinks fit, direct that the person's name shall be removed from the register.

(2) When the disciplinary committee directs that a person's name shall be removed from the register, the committee shall cause notice of the direction to be served on that person.

(3) A person whose name is removed from the register in pursuance of a direction of the disciplinary committee under this section shall not be entitled to be registered in the register again except in pursuance of a direction in that behalf given by the committee on the application of that person; and a direction under this section for the removal of a person's name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application) as may be specified in the direction.

10. Where the name of any person is removed from the register in pursuance of this Act that person shall within seven days of receiving notice thereof deliver up to the Council his certificate of registration. Return of certificates of registration.

11.—(1) In this Act the expression “ notice ” means a notice in writing. Notices, etc.

(2) Any notice authorised or required to be served under this Act may, without prejudice to any other method of service but subject to any provision to the contrary in rules under this Act be served by post; and for the purpose of the application to this subsection of section 26 of the Interpretation Act 1889 (which relates to service by post) the proper address of a person to whose registration such a notice relates shall be his address on the register. 52 & 53 Vict. c. 63.

12.—(1) There shall be a registrar of the Hairdressing Council and he shall hold and vacate office in accordance with the terms of his appointment. The Registrar.

(2) The first registrar and each of his successors shall be appointed by the Hairdressing Council.

13.—(1) The Council shall keep accounts of all sums received or paid by them and the accounts shall be audited by auditors appointed by the Council. Accounts.

(2) No person shall be qualified to be appointed an auditor under the last foregoing subsection unless he is a member or, in the case of a firm, all the partners therein are members of one or more of the following bodies:—

the Institute of Chartered Accountants in England and Wales;

the Institute of Chartered Accountants of Scotland ;
 the Association of Certified and Corporate Accountants ;
 the Institute of Chartered Accountants in Ireland ;
 any other body of accountants established in the United
 Kingdom and for the time being recognised for the
 purposes of section 161(1)(a) of the Companies Act
 1948 by the Board of Trade.

11 & 12 Geo.
 6. c. 38.

(3) Copies of the accounts of the Council shall be furnished to any person on application and on payment of such reasonable sum as the Council may determine.

Limitation on
 powers of
 Council.

14. The Hairdressing Council shall have no powers as regards negotiating questions of service, charges, wages or conditions of employment of hairdressers as between employer and employees or otherwise.

Interpreta-
 tion.

15. In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say :—

“ the appointed day ” means the 1st January 1966 ;

“ functions ” includes powers and duties ;

“ hairdressing ” means the following :—

shaving, cutting, shampooing, tinting, dyeing, bleaching, waving, curling, straightening, setting, or dressing of the hair, upon the scalp or face, with or without the aid of any apparatus or appliance, preparation or substance ; the hand or vibro massage of the scalp or face ;

“ prescribed ” means prescribed by rules under this Act ;

“ the register ” means the register of hairdressers to be maintained in pursuance of section 2 of this Act ;

“ registered person ” means a person who is registered under section 3 of this Act.

Short title
 and extent.

16.—(1) This Act may be cited as the Hairdressers (Registration) Act 1964.

(2) This Act shall not extend to Northern Ireland.

SCHEDULES

SCHEDULE 1

CONSTITUTION OF THE COUNCIL AND SUPPLEMENTARY PROVISIONS

Section 1.

PART I

CONSTITUTION OF THE COUNCIL

1. The Council shall consist of:—

- (1) four persons, who (subject to the provisions of paragraph 2 of this Schedule) shall be registered persons and who shall be employers of persons engaged in hairdressing, or self-employed persons engaged in hairdressing, of whom two shall be appointed by the National Hairdressers Federation and two shall be appointed by the Incorporated Guild of Hairdressers, Wigmakers and Perfumers ;
- (2) four persons, who (subject to the provisions of paragraph 2 of this Schedule) shall be registered persons and who shall be employees engaged in hairdressing, to be appointed by the Union of Shop, Distributive and Allied Workers ;
- (3) one person appointed by the President of the British Medical Association ;
- (4) one person appointed by the President of the Royal College of Physicians of London ;
- (5) five persons appointed (subject to the provisions of paragraph 2 of this Schedule) by the members of the Council appointed under sub-paragraphs (1) and (2) of this paragraph from among persons appearing to them to have had wide experience of, and shown capacity in, industry, commerce, administration, finance, or the practice of the law, or to have, in some other respect, special knowledge or experience that would be of value to the Council in the exercise and performance of its functions.

2.—(1) The persons first to be appointed in pursuance of sub-paragraphs (1) and (2) of paragraph 1 of this Schedule shall not be registered persons but shall be persons who at the passing of this Act are employers of persons engaged in hairdressing or persons self-employed in hairdressing or (as the case may be) employees engaged in hairdressing and shall be persons registered by the Hairdressers' Registration Council, that is to say, the company registered by that name under the Companies (Consolidation) Act 1908.

8 Edw. 7. c. 69.

(2) The persons first to be appointed in pursuance of sub-paragraph (5) of paragraph 1 of this Schedule shall be appointed by the Hairdressers' Registration Council from among persons appearing to it to have the qualifications mentioned in that sub-paragraph.

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3.—(1) Before the National Hairdressers Federation and the Incorporated Guild of Hairdressers, Wigmakers and Perfumers proceed to appoint the Members of the Hairdressing Council under sub-paragraph (1) of paragraph 1 of this Schedule they shall consult together and shall ensure that not less than two of the persons to be appointed under the said sub-paragraph (1) shall be persons engaged in ladies' hairdressing.

(2) Not less than two of the persons to be appointed under sub-paragraph (2) of paragraph 1 of this Schedule shall be persons engaged in ladies' hairdressing.

PART II

SUPPLEMENTARY PROVISIONS RELATING TO THE HAIRDRESSING COUNCIL

4. The Hairdressing Council shall be a body corporate with perpetual succession and a common seal.

5. The first members of the Hairdressing Council shall be appointed within six months of the passing of this Act.

6.—(1) Of the members first appointed under sub-paragraphs (1) and (2) of paragraph 1 of this Schedule one-fourth shall retire on the thirty-first day of December in each of the years 1965, 1966, 1967 and 1968.

(2) The term of office of the members subsequently appointed under those sub-paragraphs shall be four years.

(3) For the purposes of sub-paragraph (1) of this paragraph the order of retirement of members shall be determined in default of agreement by lot at a meeting of the Council within four months after the first meeting of the Council, the lots being drawn under the direction of the person presiding at the meeting.

7. The term of office of the members appointed under sub-paragraphs (3) to (5) of paragraph 1 of this Schedule shall be three years.

8. A member of the Hairdressing Council may at any time by notice in writing addressed to the registrar resign his office.

9.—(1) A person appointed to fill a casual vacancy among the members of the Council shall hold office during the remainder of the term of office of the person in whose place he is appointed.

(2) Any vacancy other than a casual vacancy in the membership of the Hairdressing Council shall be filled before the date on which the vacancy will occur.

10.—(1) The Hairdressing Council shall have power to do anything which in their opinion is calculated to facilitate the proper discharge of their functions.

(2) The Council shall, in particular, have power :—

(a) to appoint, in addition to a registrar, such officers and servants as the Council may determine ;

- (b) to pay to the members of the Council or their committees such fees for attendance at meetings of the Council or their committees and such travelling and subsistence allowances while attending such meetings or while on any other business of the Council as the Council may determine ;
- (c) to pay to their officers and servants such remuneration as the Council may determine ;
- (d) as regards any officers or servants in whose case they may determine to do so, to pay to, or in respect of them, such pensions and gratuities, or provide and maintain for them such superannuation schemes (whether contributory or not), as the Council may determine.

SCH. 1

(3) The powers of the Council may be exercised notwithstanding any vacancy, and no proceedings of the Council shall be invalidated by any defect in the appointment of a member.

11. The Hairdressing Council may make regulations for regulating the meetings and proceedings of the Council.

12. No business shall be transacted at a meeting of the Hairdressing Council unless at least five members are present.

SCHEDULE 2

THE INVESTIGATING AND DISCIPLINARY COMMITTEE

Section 8.

PART I

CONSTITUTION OF THE COMMITTEES

1.—(1) The Council shall make rules regulating the membership of each of the committees, and the times and places of the meetings, quorum and mode of summoning members of the disciplinary committee ; but a person shall not be eligible for membership of either committee unless he is a member of the Council.

(2) Such rules shall secure that no person who acted as a member of the investigating committee with respect to any case shall act as a member of the disciplinary committee with respect to that case.

PART II

PROCEDURE OF DISCIPLINARY COMMITTEE

2.—(1) Subject to the next following sub-paragraph, the Council shall make rules as to the procedure to be followed and the rules of evidence to be observed in proceedings before the disciplinary committee, and in particular—

- (a) for securing that notice that the proceedings are to be brought shall be given, at such time and in such manner as may be specified by the rules, to the person alleged to be liable to have his name removed from the register ;

SCH. 2

- (b) for determining who, in addition to the person aforesaid, shall be a party to the proceedings ;
- (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the committee ;
- (d) for enabling any party to the proceedings to be represented by counsel or solicitor or (if the rules so provide and the party so elects) by a person of such other description as may be specified by the rules ;
- (e) for requiring proceedings before the committee to be held in public except so far as may be provided by the rules.

(2) As respects proceedings for the registration of a person whose name was previously removed from the register by direction of the disciplinary committee, the Council shall have power to make rules with respect to all or any of the matters mentioned in the foregoing sub-paragraph, but shall not be required to do so ; and separate rules under this paragraph may be made as respects such proceedings.

3.—(1) For the purpose of advising the disciplinary committee on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the committee who shall be a barrister, advocate or solicitor of not less than ten years standing.

(2) The power of appointing an assessor for the disciplinary committee shall be exercisable by the Council but if no assessor appointed by the Council is available to act in any particular proceedings the committee may itself appoint an assessor qualified as aforesaid for those proceedings.

(3) Except in the case of an assessor appointed by the committee itself under sub-paragraph (2) above, an assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings, and shall hold and vacate office in accordance with the terms of the instrument under which he is appointed.

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