

# Tattooing, body modification & body piercing of youths



**A new section has been inserted in the *Police Offences Act 1935* at section 35A to provide for the offences of performing tattooing, body piercing and body modification of youths. A youth is a person who is less than 18 years of age.**

## **OFFENCE ONE**

The first offence is a person must not perform a body modification procedure on a youth. A body modification procedure means:

- (a) tattooing;
- (b) body branding;
- (c) body implantation;
- (d) earlobe stretching;
- (e) tongue splitting;
- (f) body scarification; and
- (g) any other procedures prescribed by Regulations.

## **OFFENCE TWO**

The second offence is a person must not perform an intimate body piercing on a youth. An intimate body piercing means the piercing of a person's genitalia, anal region, perineum, nipples or uvula.

## OFFENCE THREE

The third offence is a person must not perform any other body piercing on a youth (so any other piercing that is not in an intimate area), unless the youth is aged at least 16 years old, without the youth's guardian being present at the time the body piercing is being carried out.

This means that if a person is aged 16 or 17, then he or she can have a piercing of the body in a non-intimate area without parental permission. If a person is aged 15 years or under the youth's guardian must give his or her consent and be present during the piercing process.

## OTHER INFORMATION

It is not an offence if the tattooing, body piercing or body modification procedure is performed in the course of medical treatment or for medical or therapeutic purposes as prescribed by Regulations.

A defence is provided to the three offences if a youth or another person makes a false statement or produces false evidence. The person who seeks to rely on this defence must produce the identifying details or a copy of the evidence offered at the time of the offence.

For all three offences the penalty is a fine not exceeding 100 penalty units or imprisonment for a term not exceeding 12 months.

**Please go to [www.police.tas.gov.au](http://www.police.tas.gov.au) for further information.**