

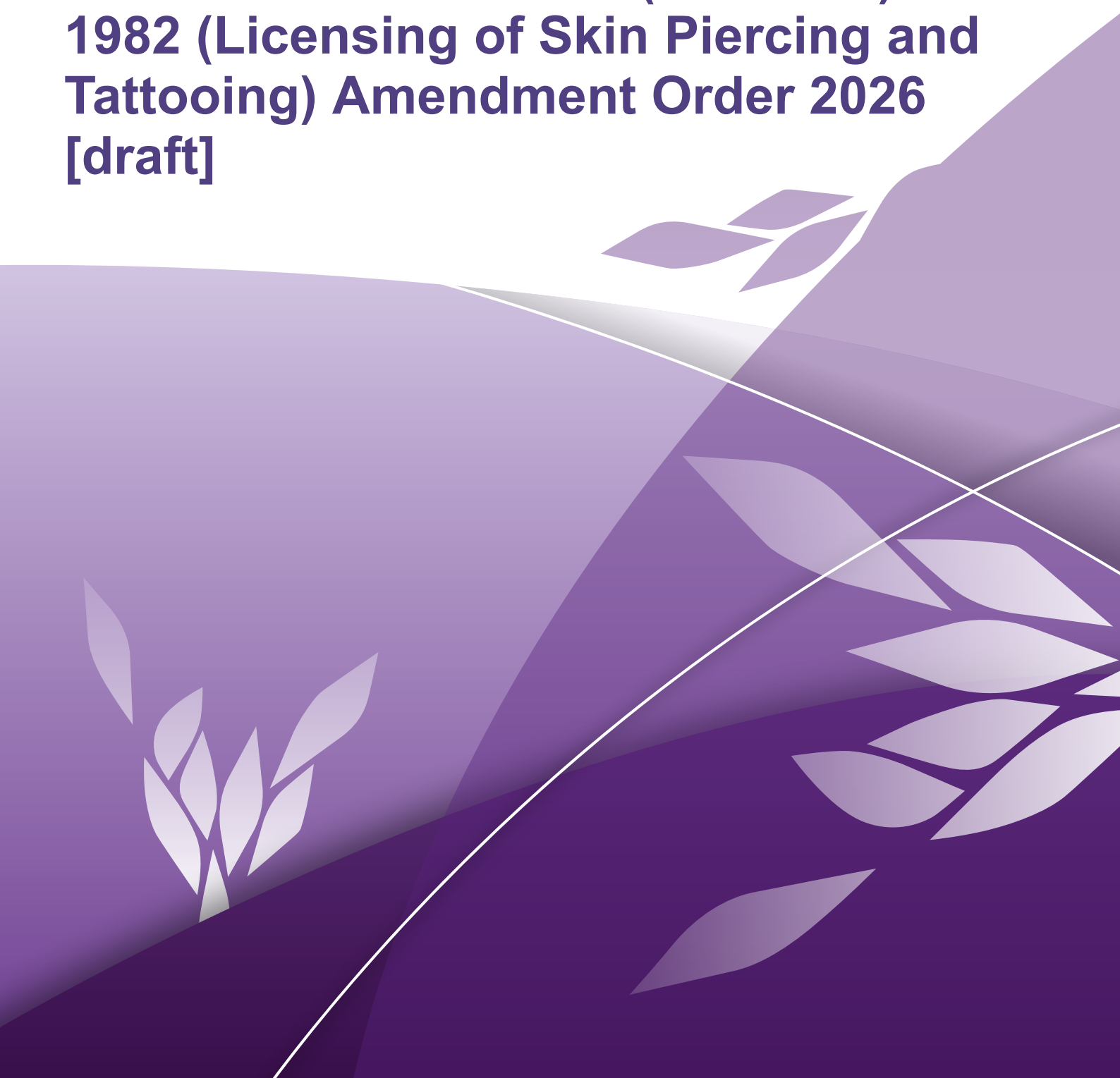


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Health, Social Care and Sport Committee

The Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Amendment Order 2026 [draft]



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Health, Social Care and Sport Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Health and Social Care.

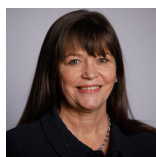


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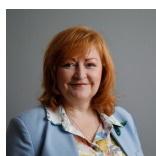
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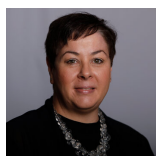
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Introduction

1. This report sets out the Health, Social Care and Sport Committee's consideration of the following Scottish Statutory Instrument (SSI) at its meeting on 3 March 2026 - [The Civic Government \(Scotland\) Act 1982 \(Licensing of Skin Piercing and Tattooing\) Amendment Order 2026 \[draft\]](#).
2. The instrument, laid in draft, is subject to the affirmative procedure – which means it cannot be made unless it has been approved by a resolution of the Parliament.
3. The minutes of the meeting have been published on the Committee's webpages. The Official Report of the meeting will also be published on the Committee's webpages.

The Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Amendment Order 2026 [draft]

4. This instrument amends the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006 (“the Order”), which regulates skin piercing and tattooing by giving local authorities in Scotland powers to license and inspect businesses carrying out these activities. It provides for consistent controls over businesses in order to manage and reduce the risks faced by potential clients, in relation to health and specifically the transmission of bloodborne viruses. It places requirements on such businesses including acupuncture therapists to comply with in terms of health and hygiene.
5. The amendments to the Order made by this instrument remove the requirements for acupuncture therapists to wear disposable non-latex gloves should they know the client they are treating is infected with a blood-borne virus.
6. The [Policy Note](#) accompanying the instrument further explains:
 - ” The requirements to wear disposable non-latex gloves in all circumstances may restrict operators performing acupuncture, which is not to the benefit of the client. The disposable non-latex gloves potentially create a barrier which can cause difficulty for the acupuncturist to pinpoint the exact location to insert the needles and provide the most effective results.
7. The Policy Note further states that "due to advances in medication and treatment of blood-borne viruses, those undergoing treatment for blood-borne viruses present a very low risk of transmission."
8. The Policy Note also states:
 - ” The amendments will still allow for acupuncturists to complete their own risk assessment when consulting with clients and wear disposable non-latex gloves if they see fit to do so, but removes the legal requirement to wear them if they know the client is living with a blood-borne virus.

Operators will continue to be required to wear disposable non-latex gloves where the operator has an open lesion on their hands, the operator is handling items that may be contaminated with blood or other bodily fluids, or the client is bleeding or has an open lesion on an exposed part of their body.
9. A further benefit of the regulations is suggested by the Policy Note as being that:
 - ” The amendments will also contribute to reducing the stigma that people who live with bloodborne viruses face when accessing healthcare services and provide parity of treatment for people who are aware of their status. The amendments will remove the risk of people feeling obliged to declare their status when accessing acupuncture treatment, when they may not feel comfortable doing so.

10. The Policy Note includes a summary of consultation undertaken on the instrument and the anticipated financial effects.
11. The following impact assessments have been carried out in relation to this instrument:
 - [Child Rights and Wellbeing Impact Assessment \(CRWIA\)](#)
 - [Equality Impact Assessment \(EQIA\)](#)
 - [Business and Regulatory Impact Assessment \(BRIA\)](#).

Delegated Powers and Law Reform Committee Consideration

12. The Delegated Powers and Law Reform (DPLR) Committee is required to consider every instrument laid before the Parliament and decide whether to draw it to the attention of the Parliament on any of the “reporting grounds” set out in Rule 10.3 of the Parliament's standing orders.
13. The DPLR Committee considered the instrument on 3 February 2026 and reported on it in its [16th Report, 2026](#). The DPLR Committee made no recommendations in relation to the instrument.

Health, Social Care and Sport Committee consideration

14. The Health, Social Care and Sport Committee is required to consider and report on the instrument.
15. The Committee took evidence on the instrument from the Minister for Public Health and Women's Health and supporting officials at its meeting on 3 March 2026.
16. In oral evidence to the Committee, the Minister for Public Health and Women's Health said:

” Since the original Order came into force in 2006, there have been many advances in the treatment of blood-borne viruses. Vaccinations and antiviral medication mean people can maintain healthy lives, through the treatment options available. These advances mean transmission of HIV has greatly reduced. The Hepatitis B vaccine offered today for babies and people at high risk provides protection against acquisition. Hepatitis C can also now be cleared in most cases with medication.

17. The Minister continued:

” I must highlight that acupuncture is considered a low-risk procedure. Should therapists continue to feel they need to ask their client about blood-borne viruses and treat them differently if they confirm a positive status, then this is no longer considered to be justified given the advances in treatment and the low risk posed by this procedure.

18. The Minister concluded:

” Sadly, people living with blood-borne viruses still face forms of stigma on a daily basis. This can be from their friends, colleagues, family members or general interactions with other members of the public. The Scottish Government remains committed to helping reduce this stigma. The Parliament's Equalities, Human Rights and Civil Justice Committee held a short inquiry in 2024 focusing on the importance of reducing HIV stigma. They heard from people living with HIV in Scotland, who spoke about the stigma they encounter and the effects of this, particularly within healthcare settings.

We aim to address this stigma through promoting the positive impact of effective treatment and prevention available today, and by championing the changes required to ensure people who have blood-borne viruses are not treated any differently to others, without good reason. These amendments will assist in ensuring people are not asked unnecessary questions when they are seeking treatment and supports us in delivering our commitment.

19. Following the evidence session, the Minister moved motion [S6M-20591](#):

That the Health, Social Care and Sport Committee recommends that the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Amendment Order 2026 [draft] be approved.

20. The motion was agreed to.

21. The Health, Social Care and Sport Committee recommends to the Scottish Parliament that the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Amendment Order 2026 be approved.

