



Province of Alberta

## PUBLIC HEALTH ACT

# PERSONAL SERVICES REGULATION

### **Alberta Regulation 1/2020**

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### Extract

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**ALBERTA REGULATION 1/2020**

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*Table of Contents*

<b>1</b>	Definitions
<b>2</b>	Application
<b>3</b>	Personal Services Standards
<b>4</b>	Operator's duties
<b>5</b>	General facility requirements
<b>6</b>	Reprocessing area requirements
<b>7</b>	Mobile sink requirements
<b>8</b>	Design and construction or set-up
<b>9</b>	Personal service worker's duties
<b>10</b>	Repeal
<b>11</b>	Expiry
<b>12</b>	Coming into force

**Definitions**

**1** In this Regulation,

(a) “cosmetic product” means a substance or mixture of substances that is manufactured, sold and represented for use by application on or injection into the body for the purpose of

(i) enhancing, preserving or altering the appearance of the skin, hair, nails or teeth, or

(ii) cleansing the skin, hair, nails or teeth,

but does not include an antiseptic product applied for the purpose of reducing, inactivating or preventing the growth of micro-organisms on the skin before a personal service is performed;

(b) “dentist” means a regulated member of the Alberta Dental Association and College under the *Health Professions Act* who holds a practice permit respecting the practice of dentistry;

- (c) “energy-emitting equipment” means equipment that emits electromagnetic energy, thermal energy, electric energy or mechanical energy waves, or applies low temperatures, to grow, restore, damage, kill, shrink, stimulate or modify the functioning of cells;
- (d) “health service” means a health service as defined in Schedule 7.1 of the *Government Organization Act*;
- (e) “mobile sink” means a sink with a water supply that is not connected to a permanent potable water system;
- (f) “operator”, in respect of a personal services business, means a person who owns, operates, manages or controls the personal services business;
- (g) “personal service” means any of the following activities performed on, in or to a person’s skin, hair, nails or teeth, or other parts of the body of a person, for the primary purpose of enhancing, preserving or altering the person’s appearance:
  - (i) puncturing;
  - (ii) cutting;
  - (iii) shaving;
  - (iv) exfoliating;
  - (v) applying pressure;
  - (vi) inserting, implanting, attaching or removing objects;
  - (vii) applying suction;
  - (viii) using energy-emitting equipment;
  - (ix) removing;
  - (x) styling;
  - (xi) applying or injecting cosmetic products;
- (h) “personal service facility” means premises in which
  - (i) a personal service is offered or provided to a member of the public,
  - (ii) equipment or supplies used in connection with the provision of personal services to members of the public are stored, or

- (iii) equipment used in connection with the provision of personal services to members of the public is reprocessed;
- (i) “personal service worker” means an individual who
  - (i) provides a personal service to a member of the public, or
  - (ii) reprocesses reusable equipment, or stores equipment or supplies, used in connection with the provision of a personal service to a member of the public;
- (j) “personal services business” means a business or undertaking in which personal services are offered or provided to members of the public;
- (k) “Personal Services Standards” means the Personal Services Standards developed by the Minister and published on the Government of Alberta website, as amended from time to time;
- (l) “reprocess”, in respect of equipment used in connection with the provision of a personal service, means to clean, disinfect or sterilize the equipment so that it is safe and effective for reuse.

**Application**

**2** This Regulation does not apply in respect of the following:

- (a) a health service;
- (b) a service provided in
  - (i) an area within an approved hospital, as defined in the *Hospitals Act*,
    - (A) in which health services are provided, and
    - (B) that is subject to auditing for hospital accreditation purposes,
  - (ii) a facility accredited under Schedule 21 of the *Health Professions Act*, by the Medical Facility Assessment Committee continued under that Schedule or by the council of the College of Physicians and Surgeons of Alberta, or
  - (iii) the premises in which a dentist carries on the practice of dentistry.

**Personal Services Standards**

**3** The Personal Services Standards are declared in force and form part of this Regulation.

**Operator's duties**

**4** An operator of a personal services business shall ensure that a personal service facility used in connection with the personal services business is equipped, operated and maintained in accordance with

- (a) this Regulation, and
- (b) the Personal Services Standards.

**General facility requirements**

**5(1)** A personal service facility must

- (a) be maintained in good repair,
- (b) be maintained in a clean and sanitary condition,
- (c) be supplied with hot and cold running water,
- (d) be supplied with water from a potable source,
- (e) have adequate lighting,
- (f) have adequate ventilation,
- (g) have an adequate number and type of waste disposal receptacles,
- (h) have a washroom, with toilets and handwashing facilities in operating condition, on site or accessible for use by personal service workers and clients, and
- (i) have adequate storage space for equipment and supplies.

**(2)** All work surfaces located in areas of a personal service facility in which a personal service is provided or reusable equipment used in connection with the provision of personal services is reprocessed must be smooth, non-porous and easily cleanable.

**Reprocessing area requirements**

**6(1)** This section applies in respect of a personal service facility in which a personal service is provided using reusable equipment that

- (a) punctures the body,

- (b) contacts mucous membrane, or
- (c) contacts or may contact non-intact skin.

**(2)** A personal service worker who provides a personal service described in subsection (1) must have access, within the personal service facility in which the personal service is provided or in a personal service facility to which contaminated reusable equipment used in connection with the provision of the personal service can be readily transported, to

- (a) sufficient work surface area to adequately accommodate the placement of contaminated reusable equipment,
- (b) a sink that is connected to a permanent potable water system that is capable of producing hot and cold running water, and
- (c) sufficient work surface area to adequately accommodate the placement of cleaned equipment.

**(3)** The work surface area and sink referred to in subsection (2)

- (a) must be located in an area to which client access is restricted, and
- (b) must not be located in a room that contains a toilet.

#### **Mobile sink requirements**

**7** A mobile sink must not be used in a personal service facility except for the following purposes:

- (a) hand washing;
- (b) the reprocessing of reusable equipment used in the provision of personal services other than reusable equipment described in section 6(1).

#### **Design and construction or set-up**

**8** A personal service facility must be designed and constructed, or set up, so that client service areas and areas in which the reprocessing of reusable equipment used in connection with the provision of personal services occurs are protected from contamination.

#### **Personal service worker's duties**

**9** A personal service worker shall, when providing a personal service or reprocessing equipment, or storing equipment or

supplies, used in connection with the provision of a personal service,

- (a) maintain good personal hygiene, and
- (b) comply with the Personal Services Standards.

**Repeal**

**10** The *Personal Services Regulation* (AR 20/2003) is repealed.

**Expiry**

**11** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on June 30, 2025.

**Coming into force**

**12** This Regulation comes into force on July 1, 2020.











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