



Tattooing or Branding and Children Frequently Asked Questions for Businesses

Section 103 Children and Community Services Act 2004

Can I tattoo or brand a child under 16 years of age?

No. A child younger than 16 years of age cannot have a tattoo or branding on any part of their body. Any person who tattoos or brands a child under the age of 16 years may be fined \$12,000 and imprisoned for one year under s.103(1) of the *Children and Community Services Act 2004* (the Act).

Can I tattoo or brand a child who is 16 years of age or older?

You can only tattoo or brand a child who is 16 years of age or older if the child has the written consent of his or her parent. The parent's written consent must include:

- a description of the type of tattoo or brand approved by the parent; and
- stipulate where the tattoo or brand is to be placed on the child's body.

Any person who tattoos or brands a child aged 16 years or older without written parental consent may be fined \$12,000 and imprisoned for one year under s.103(2) of the Act.

Section 103 of the Act does not apply to tattooing or branding carried out for a medical or therapeutic purpose.

How do I ensure I have written consent from the child's parent?

You will need to have a completed written consent form stating the type and location of the tattoo or branding they are consenting to. If you have concerns about the legitimacy of the written consent, you should contact the parent by telephone to confirm their permission or request that the parent be present for the tattoo or branding.

A sample consent form is available on the Department for Child Protection and Family Support website at www.childprotection.wa.gov.au. It is recommended that you retain the consent form for your records.

What do I do if a parent contacts the business after a tattoo or branding stating they have not given their written consent?

You should show the parent a copy of the written consent obtained to perform the tattoo or branding. If you have any further concerns please contact the Department for Child Protection and Family Support on (08) 9222 2555.