

Licensing of Special Procedures Consultation
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Building a Brighter Future
for Injured People

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Dear Sir/ Madam,

Draft regulations and statutory guidance for mandatory licensing of special procedures

APIL is grateful for the opportunity to provide comments to the Welsh Government about the draft regulations and guidance to establish the mandatory licensing of special procedures.

We welcome the draft regulations and the statutory guidance. We are pleased to see the insurance requirements in the special procedure licences regulations and in the approved premises and vehicles regulations. APIL had a meeting last September with the Welsh Government following our response to the first consultation on the scheme. We highlighted the importance of ensuring that the mandatory insurance requirements forming part of the licensing scheme provide adequate cover, namely treatment insurance, should someone be injured by a business operating in tattooing, piercing, acupuncture or electrolysis. We believe that the definition of insurance cover in the draft regulations is comprehensive and effectively sets out various possible harm scenarios that should be covered by the insurance policy.

We have concerns about the enforcement of the insurance requirements. APIL believes the regulations should make it clearer that the insurance cover must be valid for the three-year duration of the licence. Insurers will usually only provide annual cover and there is a risk of licence holders' insurance lapsing at the end of the first year and not being renewed after the granting of the licence. The regulations should emphasize that the insurance cover must be held for the whole duration of the licence. We also recommend that the regulations introduce an enforcement mechanism whereby licence holders would have to demonstrate proof of appropriate insurance cover annually from the date that the license was granted.

At the moment, Schedule 4 26) provides that "*Licence holders must ensure that their insurance cover remains valid for the duration of their licence period.*" We suggest the following amendment:

"The licence holder must have valid insurance cover for the duration of the licence period. In the event that the evidence provided of valid insurance cover upon application for a special procedure licence is valid for less than the period of the licence granted the licence holder must provide evidence of renewed insurance cover annually during the licence period."

The regulations should also provide authorised inspection officers with the power to revoke a licence upon the lapsing of insurance cover and the failure by a licence holder to show evidence of renewal.

We hope that our comments prove useful.

Yours sincerely,



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