

**House of Assembly—No 48**

As received from the Legislative Council and read a first time, 13 November 2008

South Australia

**Summary Offences (Piercing and Scarification)  
Amendment Bill 2008**

A BILL FOR

An Act to amend the *Summary Offences Act 1953*.

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**The Parliament of South Australia enacts as follows:**

### **Part 1—Preliminary**

#### **1—Short title**

This Act may be cited as the *Summary Offences (Piercing and Scarification) Amendment Act 2008*.

#### 5 **2—Commencement**

This Act will come into operation 1 month after the date of assent.

#### **3—Amendment provisions**

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

### 10 **Part 2—Amendment of *Summary Offences Act 1953***

#### **4—Substitution of heading to Part 4**

Heading to Part 4—delete the heading and substitute:

#### **Part 4—Tattooing, piercing etc**

#### **5—Amendment of section 21A—Tattooing or scarifying of minors prohibited**

- 15 (1) Section 21A(1)—after "tattoos" insert:
  - or scarifies
- (2) Section 21A(1)—after "tattoo" insert:
  - or scarification
- 20 (3) Section 21A(2)—after "tattoo" insert:
  - or scarification

(4) Section 21A(2)—after "tattooed" insert:  
or scarified

(5) Section 21A—after subsection (2) insert:

(3) In this section—

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*scarification* includes branding.

## 6—Insertion of section 21B

After section 21A insert:

### 21B—Piercing of minors

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(1) A person must not pierce any part of the body of a minor unless the minor is accompanied by a parent or guardian and the parent or guardian consents to the piercing of that part of the minor's body.  
Maximum penalty: \$1 250.

(2) This section does not apply in relation to piercing of the earlobes or a piercing performed for a medical or therapeutic purpose.

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(3) It is a defence to a charge of an offence under this section to prove that, at the time the piercing was performed, the defendant had reasonable cause to believe, and did believe, that the person pierced was of or over the age of 18 years.

(4) In this section—

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*parent* includes a person in loco parentis.