

UNIVERSITI TEKNOLOGI MARA

**DEVELOPING A REGULATORY
FRAMEWORK FOR LASER AND
LIGHT TREATMENTS BY
NON-MEDICAL PRACTITIONERS
IN MALAYSIAN BEAUTY
INDUSTRY**

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ABSTRACT

Advancement of technology has led to the introduction of laser and light treatments in the beauty industry. These operator-friendly devices are known to pose significant risk of complications to the customers. It has attracted a score of registered medical practitioners as well as non-medical practitioners to participate in the industry. Whilst the registered medical practitioners providing such services are heavily regulated, the same set of regulations are not applicable to non-medical practitioners. Current regulatory framework is found to be inadequate in governing non-medical practitioners providing such services. There is a wide regulatory loopholes in terms of academic qualifications, continuous professional development as well as the regulations of premises, facilities, and devices used by non-medical practitioners providing laser and light treatments in Malaysia. It is therefore pertinent to develop a viable regulatory framework on the subject of discussion. Such regulatory framework is deemed necessary to protect the health and safety of the customers. By adopting qualitative research method involving doctrinal and comparative analysis, a viable regulatory framework of laser and light treatments for non-medical practitioners in Malaysian beauty industry is then proposed. The proposed regulatory framework ensures a safer and higher quality of laser and light treatments in our beauty industry.

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TABLE OF CONTENTS

	Page
CONFIRMATION BY PANEL OF EXAMINERS	ii
AUTHOR'S DECLARATION	iii
ABSTRACT	iv
ACKNOWLEDGEMENT	v
TABLE OF CONTENTS	vi
LIST OF TABLES	x
CHAPTER ONE: INTRODUCTION	1
1.1 Background of Study	1
1.1.1 Regulatory Framework	1
1.1.2 Laser and Light Treatments	1
1.1.3 Beauty Industry	2
1.1.4 Beauty Industry Players and Practitioners	3
1.2 Problem Statements	4
1.2.1 Complications of Laser and Light Treatments	4
1.2.2 Lacuna in existing regulatory framework	5
1.2.3 Differing Playing Field for Registered Medical Practitioner Against Non-Medical Practitioners	6
1.3 Research Questions	7
1.4 Research Objectives	7
1.5 Literature Review	8
1.5.1 Journals, Articles and Thesis Write-Up	8
1.5.2 Related Laws	9
1.5.3 Previous Work	10
1.6 Research Methodology	11
1.7 Chapterisation	15
1.8 Scope and Limitation of Research	15
1.9 Significance of Contribution of Research	16

CHAPTER ONE

INTRODUCTION

1.1. Background of Study

1.1.1 Regulatory Framework

Regulatory framework refers to any laws, regulations, decrees and policies officially developed and approved by the government, for the purposes of regulating a particular legal issue. The laws itself comprised of an Act, or Order, Regulation, Statutory Instrument or the like. Being a democratic country with a written constitution, development of a regulatory framework in Malaysia is governed under the Malaysian Federal Constitution. The Federal Constitution is a source of legal authority in developing any act of the parliament as well as the subsequent legally-binding regulations or policies (Arifin, 2018).

A regulatory framework is developed for one or more of the following purposes: i) to regulate safety, order and security, ii) to regulate disclosure of information, or iii) to regulate the standards set by the government, industry or professional bodies. Different countries may have differing regulatory frameworks, each uniquely and specifically developed to cater a country's social, developmental, or economical needs. Some countries regulate a particular legal issue at federal or national level, while some others have regulatory frameworks on the same legal issue being legislated at state level. Even countries with the same historical and legal stature such as the Commonwealth countries can have differing regulatory framework from one another on the same subject of legislative aspect.

1.1.2 Laser and Light Treatments

The quest to be beautiful and aesthetically pleasing has brought customers to all sorts of ways, from as simple as dietary advices and topical applications, up to the complex surgical procedures such as partial gastrectomy (removal of part of stomach to surgically reduce its size) or body contouring surgeries (Sioka et al, 2015). Within