

NEW LAWS TO REGULATE TANNING UNITS IN SOLARIA

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Section: Katy Gallagher, MLA | Media Releases

ACT Health Minister, Katy Gallagher today announced amendments to the Radiation Protection Regulation 2007 that will regulate the use of tanning units in solaria in the ACT. These new regulations will come into effect on 17 November 2010.

"The effect of the amendments is to require that tanning units, commonly referred to as sun beds, will need to be registered as a source of radiation. Furthermore, persons who possess a tanning unit used in a solarium, whether as owner or as a lessee, will require a licence, as will operators of tanning units in solaria," MsGallagher said.

"The amendments impose a range of obligations on those in the solaria industry designed to protect the public, and have been based on a proposed national model that is still awaiting endorsement from the Australian Health Minister's Council."

"Under the new laws the use of tanning units by persons under 18 will not be permitted. The use of tanning units by people with a skin type that burns rather than tans (pale white skin) will also not be permitted," she said.

Obligations imposed on persons operating a tanning unit in a solarium include a requirement to:

- Perform a skin assessment of every customer before the customer can use a tanning unit,
- Ensure that all persons using tanning units are required to read and sign a consent form that advises them of the risks associated with use of the units and precautions to be taken,
- Ensure the customer's level of exposure from the tanning unit is limited, as is the frequency of the customer's exposure; and
- Ensure appropriate eyewear is worn by the customer when using a tanning unit.

The holder of a solarium licence also has a range of obligations, which includes a requirement to:

- Ensure operators of tanning units to appropriately trained,
- Display appropriate warning notices in the solarium; and
- Keep and retain certain records.

"The obligations under the new laws are similar to those imposed by NSW legislation, but a crucial difference is the requirement to hold a licence."

"This achieves cross border consistency in regard to the obligations and penalty levels imposed. It also ensures, however, that ACT Health as the Regulator has information about the existence of each solarium in the Territory, and has adequate mechanisms to regulate those businesses."

"The new laws will commence later in the year on a date yet to be fixed. In the meantime, however, ACT Health will be writing to affected businesses to inform them of the new laws, and what action they must take to be compliant," the Health Minister said.

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