



Concordia Pacific
Environmental, Government and Town Planning Law

FACT SHEET FOR SOLARIUM OPERATORS

In May 2009, the New South Wales Department of Environment, Climate Change and Water (“DECCW”) enacted new requirements for businesses that provide tanning services for fee or reward. These regulations are known as the *Radiation Control Amendment (Tanning Units) Regulation 2009*.

The main requirements of the regulations are as follows:

- Tanning treatments cannot be given to any person who is under 18 years old or who has Skin Photo Type 1 as determined by the Fitzpatrick Skin Photo Type classification system (pale white skin which always burns and never tans).
- Tanning treatments cannot be given unless the client has signed a consent form for each session.
- Tanning treatments cannot be given unless the customer’s skin type has been assessed.
- The amount of ultraviolet radiation to which a person may be exposed must be limited according to her/his skin type.
- Treatment may not be given to any person more than once in any 48 hour time period.
- Persons who are exposed to ultraviolet radiation must be provided with protective eyewear that complies with *Australian/ New Zealand Standard 2635:2008*
- Clients must be supervised whenever they are using tanning units.
- Records must be kept concerning all skin assessments, tanning sessions and maintenance of tanning units.

The DECCW can also prosecute an offender either in the Local Court or the Supreme Court, with maximum penalties of \$11,000.

We have thirty years of environmental law experience, and have the expertise to help you with a compliance strategy that will satisfy the DECCW’s concerns. If you are facing an enforcement action by the DECCW, we can help you limit the consequences of any prosecution.

Please call us on **9233 4914** if you need our assistance.

Concordia Pacific

Level 8, 70 Castlereagh Street, Sydney NSW 2000
T: 02 9233 4914 M: 0434 006 948 E: conpacif@tpg.com.au
W: www.concordiapacific.com.au