

---

WELSH STATUTORY INSTRUMENTS

---

**2011 No. 1130**

**The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011**

**Supervision of sunbed use**

**4.—**(1) A person who carries on a sunbed business must secure that the use of sunbeds to which the business relates is supervised by a supervisor.

(2) In this regulation—

- (a) “supervised” (“*cael ei oruchwyllo*”) means that a supervisor is present on the sunbed premises at any time a person is seeking to use or is using a sunbed on those premises and, in relation to such a person, that the supervisor has fulfilled the requirements set out in sub-paragraph (b); and
- (b) “supervisor” (“*goruchwyllydd*”) means a person who carries on a sunbed business or an employee or agent of that person who, in relation to a person seeking to use a sunbed on the sunbed premises, is required to—
  - (i) verify that the person is aged 18 or over;
  - (ii) assist the person to assess their skin type;
  - (iii) provide guidance to the person on use of the sunbed taking into account the person’s assessment of their skin type and any skin conditions or other relevant medical conditions apparent or disclosed to them;
  - (iv) advise the person as to the safe operation of the sunbed;
  - (v) provide the prescribed health information as required by regulation 7; and
  - (vi) ensure the provision and use of protective eyewear as required by regulation 8.

(3) A person who carries on a sunbed business must ensure that a supervisor is competent and a supervisor is competent where he or she has sufficient training and experience or knowledge and other qualities to enable him or her properly to fulfil the requirements of paragraph (2).

(4) A person who carries on a sunbed business who fails to comply with paragraph (1) or paragraph (3) commits an offence.

(5) In proceedings for an offence under this regulation, it is a defence for a person who carries on a sunbed business to prove that the person (or an employee or agent of the person) took all reasonable precautions and exercised all due diligence to avoid committing it.

(6) A person guilty of an offence under this regulation is liable on summary conviction to a fine not exceeding level 5 on the standard scale.