



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 8

#### REGULATION OF PROVISION OF SUNBEDS

##### *Offences*

#### **100 Duty to provide information to sunbed users**

- (1) An operator of sunbed premises who, without reasonable excuse, fails to comply with the requirement in subsections (2) and (3) commits an offence.
- (2) The operator must provide a person who proposes to use a sunbed on sunbed premises with such information regarding the effects on health of sunbed use as may be prescribed in accordance with subsection (5).
- (3) That information is to be provided each time the person proposes to use a sunbed on those premises.
- (4) In proceedings for an offence under subsection (1), it is a defence for the operator to prove that the operator (or an employee or agent of the operator) exercised all due diligence and took all reasonable steps to avoid committing the offence.
- (5) The Scottish Ministers may prescribe—
  - (a) the information which is to be provided;
  - (b) the form and manner in which that information is to be provided.

#### **Commencement Information**

- I1** S. 100 in force at 1.4.2009 for specified purposes by S.S.I. 2009/9, art. 2(b), Sch. 2
- I2** S. 100 in force at 1.12.2009 in so far as not already in force by S.S.I. 2009/404, art. 2(1), Sch. 1

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 100.