



2011 CHAPTER 19

Offences

Protective eyewear

7.—(1) An operator of sunbed premises who fails to comply with a requirement in subsection (2) or (3) commits an offence.

(2) The operator must make available protective eyewear for a person who proposes to use a sunbed on those premises.

(3) The operator must secure as far as reasonably practicable that a person who uses a sunbed on those premises wears protective eyewear.

(4) A person (the “seller”) who sells a sunbed to a person and who fails to comply with the requirement in subsection (5) commits an offence.

(5) The seller must provide a person who is buying the sunbed with protective eyewear.

(6) A person (the “hirer”) who hires a sunbed to a person and who fails to comply with the requirement in subsection (7) commits an offence.

(7) The hirer must provide a person who is hiring the sunbed with protective eyewear.

(8) Regulations may provide that the protective eyewear referred to in this section must meet such requirements as may be prescribed.

(9) 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) took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

(10) In proceedings for an offence under subsection (4), it is a defence for the seller to prove that the seller (or an employee or agent of the seller) took all

reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

(11) In proceedings for an offence under subsection (6), it is a defence for the hirer to prove that the hirer (or an employee or agent of the hirer) took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

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

(13) In this section “protective eyewear” means eyewear designed to protect the eyes of a person using a sunbed from ultraviolet radiation.