



## 2011 CHAPTER 19

### *Offences*

#### **Requirements in relation to training**

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

(2) The operator must—

- (a) meet such requirements in relation to training as may be prescribed; and
- (b) secure that such employees or agents of the operator as may be prescribed meet such requirements in relation to training as may be prescribed.

(3) A person (the “seller”) who sells a sunbed to any person and who fails to meet such requirements in relation to training as may be prescribed commits an offence.

(4) A person (the “hirer”) who hires a sunbed to any person and who fails to meet such requirements in relation to training as may be prescribed commits an offence.

(5) 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.

(6) In proceedings for an offence under subsection (3), 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.

(7) In proceedings for an offence under subsection (4), 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.

(8) 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.