



2011 CHAPTER 19

Offences

Requirements in relation to sunbeds

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

(2) The operator must secure that each sunbed which the operator makes available for use on those premises meets such requirements as may be prescribed.

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

(4) The seller must secure that a sunbed referred to in subsection (3) meets such requirements as may be prescribed.

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

(6) The hirer must secure that a sunbed referred to in subsection (5) meets such requirements as may be prescribed.

(7) 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.

(8) 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.

(9) In proceedings for an offence under subsection (5), 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.

(10) 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.