

South Australia

Radiation Protection and Control (Non-Ionising Radiation) Regulations 2013

under the *Radiation Protection and Control Act 1982*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Radiation Protection and Control (Non-Ionising Radiation) Regulations 2013*.

2—Commencement

These regulations will come into operation on 31 December 2014.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Radiation Protection and Control Act 1982*;

cosmetic tanning business means a business consisting of or involving the provision of a cosmetic tanning service;

cosmetic tanning service means a service of tanning human skin for cosmetic purposes by use of a tanning unit;

tanning unit means electrically powered apparatus designed to produce tanning of human skin by exposure of the skin to ultraviolet radiation emitted by the apparatus;

ultraviolet radiation means radiation for which the wavelengths are within the range of 100 to 400 nanometres.

Part 2—Radiation protection and control

Division 1—Licence to possess a radiation source

4—Licence to possess a radiation source

For the purposes of section 33A(2)(b) of the Act, a thing that emits non-ionising radiation is prescribed.

Division 2—Prohibition on provision of commercial cosmetic tanning services

5—Offence to provide a commercial cosmetic tanning service

A person must not, for fee or reward, or in the course of carrying on a business (whether or not for fee or reward), provide or offer to provide, a cosmetic tanning service to another person.

Maximum penalty: \$10 000.

6—Requirement to keep documents and records

- (1) A person who, before the commencement of these regulations, carried on a cosmetic tanning business must retain a copy of each written consent given by a person to whom a cosmetic tanning service was provided for at least 2 years from the date of the consent and keep it readily available for inspection by an authorised officer.

Maximum penalty: \$5 000.

- (2) The owner of a tanning unit must—

- (a) make a written record detailing any maintenance or servicing of the unit that took place while it was being used to provide a cosmetic tanning service for fee or reward; and
- (b) retain the record for at least 2 years; and
- (c) keep the record readily available for inspection by an authorised officer.

Maximum penalty: \$5 000.

- (3) If a person sells or otherwise disposes of a tanning unit that the person has used to provide a cosmetic tanning service for fee or reward, that person must—

- (a) make a written record of the date on which the unit was sold or otherwise disposed of and the name and address of the new owner of the unit; and
- (b) retain the record for at least 2 years after the sale; and
- (c) keep the record readily available for inspection by an authorised officer; and

- (d) give the new owner a copy of any records relating to the maintenance and servicing of the unit undertaken in the 2 years preceding the sale or other disposal.

Maximum penalty: \$5 000.

Schedule 1—Revocation of regulations

1—Revocation of regulations

The following regulations are revoked:

Radiation Protection and Control (Cosmetic Tanning Units) Regulations 2008

Radiation Protection and Control (Non-ionising Radiation) Regulations 2008.

Made by the Governor

with the advice and consent of the Executive Council
on 14 November 2013

No 254 of 2013

12MSECCS043