

South Australia

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

under the *Radiation Protection and Control Act 1982*

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Legislative history

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.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations

Year	No	Reference	Commencement
2013	254	<i>Gazette 14.11.2013 p4230</i>	31.12.2014: r 2