

SUNBEDS (REGULATION) ACT 2010

EXPLANATORY NOTES

SUMMARY AND BACKGROUND

3. The Act seeks to prevent persons aged under 18 from using sunbeds. Businesses which offer sunbeds for use on their premises would be banned from allowing persons aged under 18 to use or have access to their sunbeds, and from offering their sunbeds for use by persons aged under 18. The Act includes regulation-making powers which would allow the further regulation of sunbed use.
4. The incidence of skin cancer is increasing; malignant melanoma is among the five most common cancers in 15-24 year olds in England and Wales. Approximately 80% of melanomas are thought to be caused by exposure to ultraviolet (UV) light – both natural (from the sun) and artificial. In 2003, the World Health Organisation (WHO) issued the guide “Artificial Tanning Sunbeds: Risks and Guidance” to assist government health authorities in the development of public health policy relating to sunbeds. The guide says that there is increasing evidence from both experimental and epidemiological data that cumulative exposure to UV radiation increases the risk of skin cancers. Therefore, the added exposure from UV tanning appliances is likely to add to the detrimental consequences of natural solar exposure. The guide includes a recommendation that no one under the age of 18 should use a sunbed.
5. The Scientific Committee on Consumer Products (SCCP) to the European Commission issued an opinion in July 2006 warning of the risks to health of sunbeds, noting that the risk of melanoma seemed particularly high when sunbeds were used at a young age. The SCCP recommended that those under 18 years should not use UV tanning devices. The EU adopted the opinion and the European Commission has called upon Member States to ensure an appropriate use of sunbeds.
6. The Committee on Medical Aspects of Radiation in the Environment (COMARE), an independent expert advisory committee which advises Government and the devolved authorities on the health effects of natural and man-made radiation, considered the health effects and risks arising from exposure to UV radiation from sunbeds. Their thirteenth report, published in June 2009, confirmed that UV radiation from sunbeds was capable of inducing skin cancer and that young people were particularly vulnerable. One of the recommendations in the report is that the commercial use of sunbeds by persons aged under 18 is prohibited.
7. The International Agency for Research on Cancer Working Group (IARC), an intergovernmental agency of the World Health Organisation who conduct and coordinate research into the causes of cancer, announced in July 2009 that it was raising the classification of sunbeds from ‘probably carcinogenic to humans’ to ‘carcinogenic to humans’.
8. Presently, in England and Wales there is no legislation that provides specifically for the regulation of sunbeds. Legislation was enacted in Scotland in 2008 to prohibit the use of commercial sunbeds by persons aged under 18, the sale or hire of sunbeds to persons aged under 18, and the use of commercial sunbeds without supervision (see Part 8 of the [Public Health etc. \(Scotland\) Act 2008 asp 5](#)).