businesscompanion
trading standards law explained

Sunbeds

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Wales

The risks to health caused by over-exposure to ultraviolet (UV) rays from sunlight and the use of sunbeds are well documented. The risks are greater for those over-exposed to UV rays at a young age. It is for this reason that the Sunbeds (Regulation) Act 2010 imposes duties on those who operate sunbed businesses to prevent sunbed use by children.

If you own, manage or have control over a sunbed business, you are advised to have effective systems in place to avoid committing an offence.

The law

If you own a tanning salon where sunbeds are available for use on the premises, or a business (such as a beauty salon, fitness centre or hotel) where sunbeds that are under your management or control are available for use on the premises, then the Sunbeds (Regulation) Act 2010 applies to you.

The Act was introduced in recognition of the fact that young people are at greater risk of developing skin cancer from over-exposure to UV rays. A person who has a sunbed business is legally required to prevent sunbed use by children.

The Act defines a 'sunbed' as "an electrically-powered device designed to produce tanning of the human skin by the emission of ultraviolet radiation". Vertical tanning booths, lie-flat sunbeds, canopy sunbeds, sun showers and sun lamps are all examples of what the law considers a sunbed.

There is no requirement for payment to be made for the use of sunbeds in order to satisfy the definition of a sunbed business.

The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011 supplement the Act and provide additional requirements for a business operating in or from Wales.

Requirements

Under the Act and the Regulations, a person who carries on a sunbed business in premises that they occupy, manage or have control over (including sunbed premises that are domestic premises) must make sure that:

- no one under the age of 18 uses a sunbed on those premises to which the business relates
- no one under the age of 18 purchases or hires a sunbed (this also applies if the order for the purchase or hire was taken by a premises outside Wales but despatched from a premises in Wales)
- no offer is made by, or on behalf of, the sunbed business to make a sunbed available for use on the premises to a person under the age of 18
- no person under the age of 18 is present at any time in a restricted zone* unless they are providing services to the sunbed business - for example, if they are an employee
- the use of sunbeds is supervised by a competent person. The supervisor must be present on the sunbed premises at all times when a person would like to use, or is using, a sunbed. You are not permitted to operate unsupervised 'coin operated' tanning facilities
- the supervisor is competent to make enquiries and provide assistance and guidance
- the prescribed health information is provided every time a person wishes to use a sunbed
- the prescribed health information is provided on an A4 document using black characters on a yellow background
- the prescribed health information is also displayed on an A3 poster using black characters at least 20 mm in size on a yellow background
- appropriate protective eyewear is available or ensure that each person has their own protective eyewear
- material relating to the health effects of sunbeds is not displayed, except for the prescribed health information

[*A 'restricted zone' is a wholly or partly enclosed space (for example, a partitioned area) within relevant premises where the sunbed is located and which is reserved for people who are using that sunbed. If the sunbed is located in a room, but not within a wholly or partly enclosed space within that room, then the entire room is classed as a restricted zone.]

Supervisors are required to:

- verify that the user is 18 or over
- assist the user to assess their skin type
- provide guidance on sunbed use according to the person's skin type, skin conditions or other medical conditions apparent or disclosed to them
- provide advice on safe operation of the sunbed
- provide the prescribed health information as required by the Regulations
- ensure the provision and use of protective eyewear

Copies of the prescribed information in both leaflet and poster format may be available from your local authority. The sunbed leaflet and posters are also available on the Welsh Government website.

Exemption for medical treatment

A person under the age of 18 can use a 'dedicated sunbed' (one that is used only for medical treatment) if it is for the purpose of medical treatment under the supervision and direction of a registered medical practitioner, and is located in, or provided by, a healthcare establishment. The Act has a specific definition of what 'healthcare establishment' means.

Defence

If you are charged with an offence under this Act, you have the defence that you took all reasonable precautions and exercised all due diligence to avoid committing it. Note the exemption for medical treatment, which is explained above.

Keeping within the law

If you own, manage or have control over a sunbed business, it is your responsibility to ensure that no one under the age of 18 uses or is offered the use of a sunbed.

In order to keep within the law and satisfy the legal defence, you are advised to introduce an age-verification policy and have effective systems in place to prevent use by under-18s. To ensure these systems stay effective, they need to be regularly monitored and updated (where necessary) to identify and put right any problems or weaknesses, and to keep pace with any advances in technology.

Key best practice features of an effective system include the following.

Age verification checks

Always ask young people to produce proof of their age. The Chartered Trading Standards Institute, the Home Office and the National Police Chiefs' Council support the UK's national Proof of Age Standards Scheme (PASS), which includes a number of card issuers. You can be confident that a card issued under the scheme and bearing the PASS hologram is an acceptable proof of age.

A passport or a UK photocard driving licence is also acceptable, but make sure that the card matches the person using it and the date of birth shows they are 18 or over. Military identification cards can be used as

proof of age, but (as with other forms of identification) make sure the photo matches the person presenting the card and check the date of birth. Be aware that military identification cards can be held by 16 and 17-year-old service people.

You do not have to accept all of the above forms of identification, and it may be best to exclude any type of document that your staff are not familiar with.

Some young people may present false identification cards, so it is advisable to also check the look and feel of a card. For example, the PASS hologram should be an integral part of a PASS card and not an add-on.

If the person cannot prove that they are at least the minimum legal age, or if you are in any doubt, refuse the service.

Please see the Home Office *False ID Guidance* for more information.

Operate a Challenge 21 / Challenge 25 policy

This means that if the person appears to be under 21 / 25, they will be asked to verify that they are 18 or over by showing valid proof of age.

Staff training

Make sure your staff are properly trained. They need to know that the use of sunbeds is age restricted, what the age restriction is, and the action they must take if they believe a person under the age of 18 is attempting to use the service. It is important that you can prove your staff have understood what is required of them under the legislation.

This can be done by keeping a record of the training and asking your staff to sign to say that they have understood it. These records can then be checked and signed on a regular basis by management or the owner.

Maintain a refusals log

It is best practice to record all refusals (date, time, incident, description of potential buyer). Maintaining a refusals log will help to demonstrate that you actively refuse sales and have an effective system in place. It is advisable that the manager / owner checks the log to ensure that all members of staff are using it.

A specimen refusals log is attached.

Some tills have a refusals system built in. If you use a till-based system, ensure that refusals can be retrieved at a later date. Be aware that some refusals are made before a product is scanned.

Till prompts

If you possess an EPoS system, it may be possible to use it to remind staff of age restrictions via a prompt.

Signage

In addition to the requirement to display the prescribed health information, notices must be displayed stating that no one under the age of 18 can use a sunbed and that no one under the age of 18 can enter a restricted zone. This would then deter potential users and act as a reminder to members of staff.

If there is still doubt, do not allow the person to use the sunbed and do not allow them entry to a restricted zone.

If you employ members of staff who are under the age of 18, you must ensure they do not use the sunbeds, even if they are allowed in a restricted zone.

Further information

The Department of Health and Social Care has produced guidance on the law relating to sunbeds, which is available on the GOV.UK website.

Guidance on the Welsh Regulations can be found on the Welsh Government website.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

No major changes.

Last reviewed / updated: September 2025

Key legislation

- Sunbeds (Regulation) Act 2010
- Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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