

Guide to Requirements for Solaria in Victoria

This Guide summarizes and explains the licensing requirements that apply to the operations of solaria in Victoria under the Radiation Act 2005 and the accompanying regulations, the Radiation Amendment (Tanning Units and Fees) Regulations 2008 which commenced operation on 1 February 2009.

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SECTION 1 CONDITIONS ON YOUR MANAGEMENT LICENCE

This section outlines the requirements stipulated in the *Conditions imposed on a management licence that authorises a person to possess a commercial tanning unit (in force from 1 February 2009)*.

Requirement	Details / Comments
<i>Provision of protective eyewear</i>	
<p><u>Condition 1</u></p> <p>The management licence holder must ensure that protective eyewear is available for use by all clients when undertaking a tanning session at the solarium.</p>	<p>The eyewear should form a light tight seal against the skin surrounding the eyes and provide a secure attachment over the eyes suitable for stand-up and lay down units.</p>
<i>Exposure limits</i>	
<p><u>Conditions 2 & 3</u></p> <p>The management licence holder must implement a procedure that enables staff to determine the maximum period of time a client with skin type 2, skin type 3, skin type 4, skin type 5, and skin type 6 may be exposed to ultraviolet radiation from each of the commercial tanning units at the solarium without causing erythema (mild reddening) to the client's skin.</p>	<p><u>Exposure Schedules</u></p> <p>The management licence holder is able to satisfy this condition by providing staff with a written exposure schedule specifying maximum exposure times graduated according to the defined skin types for each of the tanning units at the solarium.</p> <p>It is strongly recommended that the exposure schedule differentiate between initial and subsequent exposures by specifying separate and lesser maximum exposure times for initial exposures.</p>
<i>Display of warning notices</i>	
<p><u>Condition 4 & 5</u></p> <p>Conditions 4 & 5 make it mandatory for a warning notice with prescribed text to be displayed in the reception/entry area of the solarium and also in each tanning unit cubicle.</p>	<p>The prescribed warning notice is available at: www.health.vic.gov.au/environment/downloads/radiation/warninnotice.pdf</p> <p>The warning notices should be prominently displayed so that they are highly visible.</p>
<i>Exemption from requirement to hold a use licence</i>	
<p><u>Condition 6 & 7</u></p> <p>The management licence holder must be familiar with any Notice of Exemption from the requirement to hold a use licence, applicable to their staff and ensure that their staff are able to comply with the terms, conditions and limitations specified in that Notice of Exemption.</p>	<p>A Notice of Exemption, made under section 16 of the <i>Radiation Act 2005</i>, was published in the <i>Victoria Government Gazette No. S 14</i>, dated 27 January 2009. The Notice of Exemption came into effect on 1 February 2009.</p> <p>The conditions in the Notice of Exemption (the use licence exemption conditions) are outlined in Section 2 of this Guide.</p>

SECTION 2 USE LICENCE EXEMPTION CONDITIONS

This section outlines the conditions stipulated in the *Notice of Exemption* made under section 16 the *Radiation Act 2005* from the requirement to hold a use licence in respect of a commercial tanning unit and published in the *Victoria Government Gazette No. S 14, 27 January 2009*. The conditions in the Notice of Exemption (known as the use licence exemption conditions) came into operation on 1 February 2009.

Requirement	Details / Comments
<i>Assessment of client's skin</i>	
<p><u>Condition 6</u></p> <p>A staff member must conduct a skin type assessment on a client before the client is allowed to undertake the initial tanning session at the solarium.</p> <p><u>Condition 7</u></p> <p>This condition defines the 6 skin types according to the Fitzpatrick system</p>	<p>For information on skin type definitions and advice regarding the performance of skin type assessments, refer to the document <i>Guidelines for Solariums – Conducting and Recording Skin Type Assessments</i> in Appendix 2.</p>
<i>Supervision</i>	
<p><u>Condition 8</u></p> <p>At all times when the tanning units at the solarium are in use a member of staff must be present to supervise the clients' exposure to ultraviolet radiation from the units.</p>	<p>Supervision would require that a staff member be within earshot of the client but not constantly in the same room as the client.</p>
<i>Restrictions on who can be exposed to ultraviolet radiation from a commercial tanning unit</i>	
<p><u>Condition 9</u></p> <p>The staff must exclude persons with Skin Type 1 from undertaking a tanning session at the solarium.</p>	<p><u>Persons with Skin Type 1</u></p> <p>If a person is assessed as Skin Type 1, that person must not be allowed to undergo ultraviolet exposure from a commercial tanning unit.</p>
<p><u>Condition 10</u></p> <p>The staff must exclude persons who are under the age of 18 from undertaking a tanning session at the solarium.</p> <p><u>Condition 11</u></p> <p>In cases where persons may possibly be under the age of 18, the staff must ask to see an evidence of age document (as defined in the <i>Tobacco Act 1987</i>).</p>	<p><u>Minimum Age</u></p> <p>The minimum age for a person to be allowed to undergo ultraviolet exposure from a commercial tanning unit is 18.</p> <p>The following evidence of age documents are specified in the <i>Tobacco Act 1987</i>:</p> <p>Victorian (or interstate) proof of age card or driver licence, passport, an approved issuer document with photo and information indicating age (e.g. learner's permit, keypass).</p>
<p><u>Condition 12</u></p> <p>The staff must ensure that clients have read and signed the prescribed client consent form before the initial tanning session.</p>	<p><u>Prescribed Client Consent Form</u></p> <p>Refer to Appendix 1 of this Guide for a copy of the form. The client consent form can also be downloaded from the internet at: www.health.vic.gov.au/environment/radiation/solarium_bus.htm</p> <p>The prescribed client consent form may be included as part of a general client registration form provided it is reproduced in whole in one section on a single page - there must be no departure from the text of the approved form.</p>

SECTION 2 USE LICENCE EXEMPTION CONDITIONS (continued)

Requirement	Details / Comments
<p>Minimum interval between consecutive exposures</p>	
<p><u>Condition 14 & 15</u></p> <p>Staff must ensure that there is a minimum interval of 48 hours between consecutive exposures of a client.</p>	<p><u>Recording clients' tanning sessions</u></p> <p>The solarium should maintain records of clients' tanning sessions (e. g. computer records, index cards, daily time sheets) in order to ensure this minimum interval between exposures.</p>
<p>Determination of maximum exposure time</p>	
<p><u>Condition 16</u></p> <p>Staff must determine and control the maximum period of time that a client is exposed to ultraviolet radiation from a tanning unit, which must be less than the period of time that would be sufficient to cause erythema (mild reddening) in the skin of an individual with the client's skin type.</p> <p>The maximum exposure time must be determined in accordance with the procedure implemented by the licence management holder.</p>	<p><u>Determining a client's maximum exposure time</u></p> <p>The management licence holder should provide staff with a written exposure schedule specifying the maximum exposure times graduated according to the defined skin types for each of the tanning units at the solarium.</p> <p><u>Setting and controlling the maximum exposure time</u></p> <p>There must be an effective system of control which ensures that the maximum exposure time is set and controlled by staff, and not by clients.</p> <p>The preferred method for controlling exposure times is a central control panel with an automatic timer for each tanning unit.</p> <p>Tokens are acceptable as an alternative method of controlling the exposure time provided that:</p> <p>(a) the distribution of tokens is strictly monitored and supervised by staff in conformity with all licensing conditions; and</p> <p>(b) a token provides for an exposure time no greater than 5 minutes - a lesser time limit may apply depending on the power of the tanning unit. In general, the exposure time provided by a token should not be for more than half the normal operating time of the tanning unit.</p>
<p>Protective eyewear</p>	
<p><u>Condition 17</u></p> <p>The staff must not expose a client to ultraviolet radiation from a tanning unit at the solarium unless the client wears protective eyewear throughout the tanning session.</p>	<p>The management licence holder must ensure that protective eyewear is available for use by all clients when undertaking a tanning session at the solarium.</p> <p>Staff should take steps to ensure that clients wear protective eyewear.</p>
<p>Training</p>	
<p><u>Condition 18</u></p> <p>All staff at the solarium must have participated in training covering the points specified in this condition.</p>	<p>The management licence holder should provide staff with information on operational procedures and the topics specified in this condition.</p> <p>An online training program will be implemented and become mandatory during 2009.</p>

APPENDIX 1

CLIENT CONSENT FORM

Please read carefully the following information:

1. Exposure to ultraviolet radiation such as from a tanning unit contributes to the skin ageing process and may cause skin cancer.
2. People with fair skin who are unable to tan will not be allowed to undergo exposure to a commercial tanning unit.
3. Intentional exposure to a tanning unit should be avoided for 48 hours before and after sunlight or tanning unit exposure.
4. Protective eyewear must be worn at all times while undergoing exposure to a commercial tanning unit. You must not read while the commercial tanning unit is in operation.
5. There is additional risk, and tanning unit exposure is not recommended if you -
 - (a) have ever been treated for solar keratoses or skin cancer;
 - (b) have a large number of moles, freckles and/or naevi;
 - (c) have a history of frequent childhood sunburn;
 - (d) burn easily;
 - (e) have ever suffered from an abnormal reaction, or allergy, to light.
6. There may be further risk if you are pregnant, taking certain medications by mouth or applying medications or certain cosmetics to the skin.

If there is any doubt in your mind in relation to any of the particulars described in Items 2, 5, and 6 above, consult your doctor before undergoing any ultraviolet exposure.

I,, am aged 18 years or over, acknowledge that the trained operator has made an assessment of my skin type, and have carefully read and fully understand the above information and choose to undergo ultraviolet exposure in this establishment.

Signed: Date:

Name of establishment:

APPENDIX 2

Guidelines for Solariums – Conducting and Recording Skin Type Assessments

General requirements for assessments

- A member of staff must carry out a skin type assessment on a person before that person is allowed to undertake a tanning session at the solarium (condition 6 of the use licence exemption conditions).
- As specified by condition 7 of the use licence exemption conditions, there are six classifications of skin types against which persons are to be assessed. The six skin types are:

Skin Type 1 means skin which always burns and never tans (pale white skin)

Skin Type 2 means skin which always burns easily and tans minimally (white skin)

Skin Type 3 means skin which burns moderately and tans uniformly (light brown skin)

Skin Type 4 means skin which burns minimally and always tans well (moderate brown skin)

Skin Type 5 means skin which rarely burns and tans profusely (dark brown skin)

Skin Type 6 means skin which never burns (deeply pigmented dark brown to black skin)

- **If, as a result of the skin type assessment conducted by a staff member, it is determined that a person has Skin Type 1, the solarium staff must not allow that person to undergo exposure to ultraviolet radiation from a tanning unit at the solarium (condition 9 of the use licence exemption conditions).**
- Where a person is assessed as Skin Type 2, Skin Type 3, Skin Type 4, Skin Type 5, or Skin Type 6, the skin type classification is used to determine that person's maximum exposure time as specified in the written exposure schedule provided to staff by the management licence holder.

Staff training for assessments

Solarium staff must have participated in training on a range of specified matters including how both to determine a person's skin type and to determine which people are at increased risk of harm from exposure to ultraviolet radiation from a tanning unit (condition 18 of the use licence exemption conditions).

Conducting and documenting assessments

- The solarium should have documentation for performing and recording skin type assessments. The form for skin type assessments may be included as a section within a general client registration form. The form should be clearly labelled "For completion by solarium staff only" or similar wording.

- As a basic minimum, the solarium's form for skin type assessments should have descriptions/criteria/questions for classifying the 6 skin types and these should be consistent with the descriptions in condition 7 of the use licence exemption conditions (refer above). The form should list the 6 skin types as defined in condition 7 above.

- In order to assess a person's skin type the staff member conducting the assessment will need to seek information regarding such matters as the person's physical characteristics (e.g. natural hair colour, colour of unexposed skin, extent of unexposed freckles) and history of past exposure to the sun (e.g. reaction of skin to sun exposure, sensitivity of the face to the sun, how easily does the person tan, how often does the person tan, when did the person last tan). It is recommended that the skin type assessment form include a set of questions covering the above points and other related matters.

- Skin type assessments must be performed by a member of staff who should fully complete the solarium's skin type assessment form with clients providing personal information as required. Clients should not fill in required information or details on the form - this information should be recorded by the staff member. Self-assessment by clients is not allowed and the solarium's form must not lend itself to self-assessment by, for example, inviting clients to do their own skin type assessment.

- After the member of staff has assessed a person's skin type, the result of the assessment should be recorded on the skin type assessment form. The form should also have provision for the staff member to print and sign his/her name and note the date of the assessment.

- The result of a client's skin type assessment should be readily accessible by the staff at the solarium so that it can be used by the staff in determining the maximum duration of the client's exposure to ultraviolet radiation from the tanning units.

Model skin type assessment form

A skin type assessment form that satisfies the above specifications is attached as a model form for general guidance and possible use by solariums. Please note that the total skin type score derived from the table in the form should be treated as a guide only. Staff will still need to check that the score result represents a correct outcome and that the classification is the appropriate one for the person being assessed.

Skin Type Assessment – for completion by solarium staff only

The table below provides questions for use by solarium staff when assessing a person's skin type.

Score	0	1	2	3	4	Score
Genetic Predisposition						
What is the colour of your eyes?	Light Blue, Grey or Green	Blue, Grey or Green	Blue	Dark Brown	Brownish Black	
What is the natural colour of your hair	Sandy/Red	Blonde	Chestnut/ Dark Blonde	Dark Brown	Black	
What is the colour of your skin (non-exposed areas)	Reddish	Very Pale	Pale with Beige Tint	Light Brown	Dark Brown	
Do you have freckles on unexposed areas	Many	Several	Few	Incidental	None	
					Total	

Reaction to Sun Exposure						
What happens when you stay in the sun too long?	Painful redness, blistering, peeling	Blistering followed by peeling	Burns sometimes followed by peeling	Rare burns	Never had burns	
To what degree do you turn brown?	Hardly or not at all	Light colour tan	Reasonable tan	Tan very easy	Turn dark brown quickly	
Do you turn brown within several hours after sun exposure?	Never	Seldom	Sometimes	Often	Always	
How does your face react to the sun?	Very sensitive	Sensitive	Normal	Very resistant	Never had a problem	
					Total	

Tanning Habits						
When did you last expose your body to sun/ solarium/ tanning cream?	More than 3 months ago	2 – 3 months ago	1 – 2 months ago	Less than a month ago	Less than 2 weeks ago	
Did you expose the area to be treated to the sun?	Never	Hardly ever	Sometimes	Often	Always	
					Total	

Skin Type Score	Fitzpatrick Skin Type
0 – 7	I
8 – 16	II
17 – 25	III
25 – 30	IV
Over 30	V – VI

Skin Type 1 means skin which always burns and never tans (pale white skin)

Skin Type 2 means skin which always burns easily and tans minimally (white skin)

Skin Type 3 means skin which burns moderately and tans uniformly (light brown skin)

Skin Type 4 means skin which burns minimally and always tans well (moderate brown skin)

Skin Type 5 means skin which rarely burns and tans profusely (dark brown skin)

Skin Type 6 means skin which never burns (deeply pigmented dark brown to black skin)

Name of Client: **Total Skin Type Score:**

Note: the total score above is to be treated as a guide only in determining a person's skin type.

Result of Skin Type Assessment

Skin Type 1 (If a person is assessed as Skin Type 1, the solarium must not allow that person to use a tanning unit)

Skin Type: 2 3 4 5 6 (Skin Type number to be circled)

Assessment conducted by: (print name) (signature)

Date of Assessment: / /