

**Radiation Amendment (Tanning Units and Fees)
Regulations 2008
S.R. No. 167/2008**

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STATUTORY RULES 2008

S.R. No. 167/2008

Radiation Act 2005

**Radiation Amendment (Tanning Units and Fees)
Regulations 2008**

The Governor in Council makes the following Regulations:

Dated: 16 December 2008

Responsible Minister:

DANIEL ANDREWS
Minister for Health

RYAN HEATH
Clerk of the Executive Council

1 Objective

The objective of these Regulations is to—

- (a) amend the Radiation Regulations 2007 to—
- (i) prescribe a commercial tanning unit to be a non-ionising radiation apparatus; and
 - (ii) prescribe management licence fees for the possession of a commercial tanning unit; and
 - (iii) make provision for the waiver, reduction or refund of the application processing component of the prescribed fee for an application for a use license; and
- (b) revoke the Radiation (Tanning Units Amendment) Interim Regulations 2007.

2 Authorising provision

These Regulations are made under section 139 of the **Radiation Act 2005**.

3 Commencement

- (1) These Regulations (except regulation 9) come into operation on 1 February 2009.
- (2) Regulation 9 comes into operation on 30 January 2009.

4 Principal Regulations

In these Regulations, the Radiation Regulations 2007¹ are called the Principal Regulations.

5 Definitions

- (1) In regulation 4 of the Principal Regulations, **insert** the following definitions—

"commercial tanning unit means a tanning unit that is not a domestic tanning unit;

domestic tanning unit means a tanning unit that is—

- (a) located at residential premises; and
 - (b) not used for fee or reward;".
- (2) In regulation 4 of the Principal Regulations, for the definition of *tanning unit* **substitute**—

"tanning unit means an electrically powered apparatus designed to produce tanning of the human skin by utilising ultraviolet radiation;".

6 New regulation 6A substituted

For regulation 6A of the Principal Regulations
substitute—

"6A Non-ionising radiation apparatus

For the purpose of paragraph (b) of the definition of *non-ionising radiation apparatus* in section 3(1) of the Act, a commercial tanning unit is prescribed to be a non-ionising radiation apparatus."

7 New regulation 22 inserted

After regulation 21 of the Principal Regulations
insert—

"22 Secretary may reduce, waive or refund payment of application use licence fee

The Secretary may, in relation to an application for a use licence—

- (a) reduce; or
- (b) waive; or
- (c) refund payment in whole or in part—

the application processing component of the prescribed fee referred to in regulation 11(a)."

8 Licence fees for possession of non-ionising radiation apparatuses that are tanning units

In Schedule 6 to the Principal Regulations, for the item relating to possession of a non-ionising radiation apparatus that is a tanning unit
substitute—

"Possession of a non-ionising radiation apparatus that is a commercial tanning unit	10 fee units per apparatus	19 fee units per apparatus	27 fee units per apparatus".
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9 Revocation of interim regulations

The Radiation (Tanning Units Amendment)
Interim Regulations 2007² are **revoked**.

ENDNOTES

¹ Reg. 4: S.R. No. 89/2007 as amended by S.R. No. 148/2007.

² Reg. 9: S.R. No. 148/2007.