

SUNBED SHOCKER: new study shows solarium operators are not complying with Victorian legislation

Research by Cancer Council Victoria published today reveals 80% of Melbourne solarium operators surveyed allowed access to teenagers who concealed their age or claimed to be 18, despite the ban on under 18s using solariums.

Other key findings show that almost half of the surveyed operators granted access to people with fair skin (skin type 1), who are also banned from solarium use under Victorian legislation. Shockingly just 10% of operators surveyed were fully compliant with all conditions of the regulations assessed by the study.

“This compliance research shows that the vast majority of solarium operators surveyed are disregarding the laws that have been designed to protect the consumer,” said SunSmart Manager, Sue Heward.

“If operators continue to flout the law, they need to be prepared to face the full extent of the consequences and pay the price. There are substantial fines applicable if licence conditions are not adhered to.”

“The bottom line is there are no circumstances where using a solarium is safe. The levels of UV radiation emitted can be up to three times as strong as the midday sun. People who use a solarium before the age of 35 have a 75% greater risk of melanoma than those who do not use solariums,” Ms. Heward said.

“There is no such thing as a safe tan – whether from the sun or a solarium. Tanning is a sign your skin cells are in trauma and the more your skin is exposed to UV radiation, the greater your risk of skin cancer.”

It has been estimated that each year in Australia, 281 new melanoma cases, 43 melanoma-related deaths, and 2,572 new cases of squamous cell carcinoma are attributable to solarium use, at a cost to the health system of around \$3 million.

While the results show there is still a lot of work to do, the number of solarium sites across Victoria has dropped by 65% since the introduction of legislation in 2008, following the death of anti-solarium campaigner, Clare Oliver, in 2007. The research also highlights some other positive changes since a 2003 study.

“Only one of the operators allowed access to an underage teenager without parental consent who declared being under 18, in comparison with 52% in 2003, and the percentage of operators allowing access to customers with very fair skin almost halved, dropping to 47% in comparison with 90% in 2003. While 97% of operators provided some kind of warning to customers regarding the risk of skin cancer compared to just 70% in 2003, only 7% of staff actually verbally communicated this risk.”

Background: Solarium legislation in Victoria

The solarium industry in Victoria has been regulated since 2008. Any person or business that possesses sells or maintains a tanning unit needs to hold a management licence. In February 2009, the Victorian Government introduced further changes making management licences for tanning units consistent with the revised Australian standard (which was released in January 2009).

The legislation was then revised again in late 2010, after this study was carried out, stipulating that records of proof-of-age documentation must be kept for all customers and the State Government introduced an annual mystery shopper compliance-monitoring program. The Victorian licence requires that operators must:

- Sight evidence of age documents for all clients
- Ban people under 18 years of age from using their solarium
- Ban people with very fair skin (skin type 1) from using their solarium
- Display mandatory health warnings
- Provide a consent form outlining the risks of solarium use for customers to read and sign
- Complete a skin assessment of all clients
- [Ensure all staff have completed training](#) in carrying out skin assessments and determining exposure times
- Ensure clients wear protective eyewear.

These apply to the operation of all solariums in Victoria. Failure to comply with every licence condition can result in a fine of \$732,840 for body corporate (or \$146,568 for a person).

Currently, there are approximately **145 businesses licensed in Victoria who possess a total of 475 tanning units**. These businesses are physically located at **153 sites across Victoria**. These figures are still slowly decreasing over time due to businesses closing their tanning unit operations. Prior to the regulations coming into effect on Feb 1st 2008, there were approx. **436 sites in Victoria operating 1021 tanning units**.

The Cancer Council Victoria survey was conducted in 2009 through surveys and in-person visits to 30 businesses in Melbourne, Australia. The survey was funded by the Victorian Department of Health.