



Department of
**Health, Social Services
and Public Safety**

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AN ROINN

**Sláinte, Seirbhísí Sóisialta
agus Sábháilteachta Poiblí**

MÁNNYSTRIE O

**Poustie, Resydènter Heisin
an Fowk Siccar**

REGULATION OF THE SUNBED INDUSTRY IN NORTHERN IRELAND

A PUBLIC CONSULTATION

19 November 2009

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FOREWORD

In Northern Ireland, the incidence of recorded malignant melanoma skin cancer cases has increased over the past twenty-five years, from around 80 cases in 1984 to 233 in 2007. In addition nearly 2,800 non-melanoma skin cancers were diagnosed in 2007, making it the most common type of cancer diagnosed in Northern Ireland.

The desire to acquire a tan for fashion or cosmetic purposes has led to a large increase in the use of artificial tanning sunbeds in most developed countries. The use of sunbeds for tanning continues to increase in popularity, especially among young women.

For many people, sunbeds appear to offer an effective, quick and harmless alternative to natural sunlight but there is significant and growing evidence linking sunbed usage with the development of all skin cancers. The contribution of sunbeds to malignant melanoma has been estimated at 100 deaths per year in the United Kingdom.

In Northern Ireland the commercial provision of sunbeds and other tanning devices is not subject to specific regulation.

I am therefore considering a range of possible measures for regulating the sunbed industry in Northern Ireland, with particular regard to the need to protect the health of children and young people under the age of 18.

I am now inviting views on the options for formal regulation of the sunbed industry in Northern Ireland, and on what scope such regulation should have.

Michael McGimpsey MLA
Minister of Health, Social Services & Public Safety

EXECUTIVE SUMMARY

The incidence of skin cancer has been rising throughout the world in recent decades. Factors that have been linked with this trend include exposure of the skin to ultraviolet (UV) radiation associated with an increase in foreign holidays and increased use of indoor tanning facilities (sunbeds).

Sunbed usage has increased significantly in recent years. Their usage was unusual before 1980 but by the end of the 1990s more than 60% of women and 50% of men aged 18-50 years¹ had reported using a sunbed. As sunbeds emit ultraviolet radiation, many UK, European and global public health organisations have expressed concern about the increase in use of sunbeds, particularly among young people.

In Northern Ireland, at present, the indoor tanning industry is not subject to any form of direct statutory regulation. However, under health and safety at work legislation, employers and self-employed people have a duty to assess the risks to workers and any other people who may be affected by their work or business. There are no statutory age restrictions to protect children and young people.

There is a perception that sun-tanned skin or a bronzed body equates to health and beauty. This may explain the substantial increase in the number of sunbed outlets in Northern Ireland. The predominant skin type of the indigenous population of Northern Ireland – known as Celtic skin – has a higher risk factor than other skin types of developing cancer from ultraviolet radiation.

Sunbeds are provided in a wide range of cosmetic and leisure outlets in Northern Ireland, including non-traditional premises, such as video shops. The Department is not aware at present, of any “self-service” sunbeds in unsupervised commercial premises in Northern Ireland although it is aware that they are in use in other parts of the UK.

¹ Bataille V, Boniol M, De Vries E, Severi G, Brandberg Y, Sasieni P et al. A multicentre epidemiological study on sunbed use and cutaneous melanoma in Europe. *Eur J Cancer* 2005; **41**:2141-49.

Increasingly, research is highlighting the risks of exposure associated with ultraviolet radiation from sunbeds. Of particular concern is the strength of modern commercial sunbeds which are capable of producing irradiation equivalent to midday Mediterranean sunlight.

In June 2009, the Committee on Medical Aspects of Radiation in the Environment (COMARE) published a report on *'The health effects and risks arising from exposure to ultraviolet radiation from artificial tanning devices'* which among others, recommended that the commercial use of sunbeds by under 18 year olds should be prohibited.

In August 2009, the International Agency for Research on Cancer (IARC), published a report which reclassified sunbeds into the highest cancer risk category, ie. 'carcinogenic to humans' (Group 1). IARC made its decision following a review of research which concluded that the risk of melanoma is increased by 75% when use of tanning devices starts before 30 years of age.

The absence of sector-specific regulation or a requirement to register premises means that information is limited in relation to the number, type, distribution and maintenance of commercial sunbed facilities. Self regulation of the industry is currently inconsistent and largely unmonitored. The Sunbed Association, the industry trade body, estimates that around 16% of salons are members.

The purpose of this consultation document is to provide background and information on the recognised risks factors linking sunbed usage and skin cancer and to seek views on whether and by what means the sunbed industry should be regulated in Northern Ireland.

Note: in this document, the term "sunbed" is used to represent all types of artificial ultraviolet tanning devices utilised for cosmetic purposes.

1. BACKGROUND

Health effects and Skin Cancer

- 1.1 Non-ionising ultraviolet (UV) radiation originates primarily from the sun, but also from artificial sources. There is scientific evidence relating to cumulative UV radiation exposure and the potential it has to cause damage, such as sunburn, skin cancer and photokeratitis of the eyes. There is an increased risk of skin cancer and cataracts, and ageing of the skin occurs at a greater rate. The immune system can also be suppressed. Therefore, the UV radiation from the sun and artificial sources is a public health concern. Evidence suggests that these risks are greater in younger people.²
- 1.2 There are two main types of skin cancer. **Malignant melanoma** is the most serious type of skin cancer and it usually develops in cells in the outer layer of the skin. **Non-melanoma skin cancer** is more common and the majority are either basal cell carcinomas or squamous cell carcinomas, both of which are highly treatable and survival rates are very high. Both tend to be slow growing, appearing commonly on sun-exposed areas. Malignant melanomas are less common but are more frequently fatal. Episodes of burning UV radiation exposure at an early age are implicated as a major risk factor for melanoma.

Statistics

- 1.3 Globally, between 2 and 3 million non-melanoma skin cancers and approximately 130,000 malignant melanomas occur each year. It is estimated that 66,000 deaths occur annually worldwide from all skin cancers.³
- 1.4 In the UK, skin cancer is one of the most common cancers and the number of people who develop it is increasing. In 2006, more than 81,600 cases of non-melanoma skin cancers were registered (but it is estimated that the actual number is at least 100,000 cases each year) and more than 10,400 new cases

² COMARE 13th Report: The health effects and risks arising from exposure to ultraviolet radiation from artificial tanning devices 2009.

³ World Health Organisation (WHO) Ultraviolet Radiation and the INTERSUN Programme.

of malignant melanoma were diagnosed. In 2007 there were 2,042 deaths from malignant melanoma in the UK.⁴

- 1.5 The mortality from melanoma due to sunbed use alone is estimated to be about 100 deaths⁵ per year in the UK.
- 1.6 In Northern Ireland, skin cancer is the most common cancer accounting for 28% of all individuals diagnosed with cancer. In 2007, 233 cases of malignant melanoma and 2,772 cases of non-melanoma skin cancer were recorded. In 2007, malignant melanoma caused 55 deaths, and left many people with extensive scarring as a result of surgery carried out to remove melanomas.⁶
- 1.7 In an audit of 248 patients with melanoma by the Northern Ireland Cancer Registry, 24% had significant sun exposure recorded in their notes. This exposure arose as a consequence of sunny holidays, multiple sunburn, previous sunbed use and sun exposure in youth.

Key risk factors

- 1.8 The major risk factors for skin cancer are:-
 - fair skin;
 - a large number of moles;
 - sunbathing; and
 - the use of sunbeds.
- 1.9 Ultraviolet radiation from sunlight and from sunbeds can cause DNA damage and tissue damage. DNA damage causes mutation, which in turn leads to cancer and premature ageing. The main preventable factor for melanoma in white people is excess exposure to ultraviolet radiation. A person's skin type, hair and eye colour and number of moles all affect the risk of melanoma. The severity and consequences of UV damage vary considerably between

⁴ Cancer Research UK.

⁵ Diffey, B. A quantitative estimate of melanoma mortality from ultraviolet A sunbed use in the UK. *Br J Dermatol* 149, 578-81 (2003).

⁶ NI Cancer Registry

individuals, and the effects of UV exposure may take years to develop and persist permanently. UV exposure can also result in immuno-suppression and eye damage, including cataract formation.

2. SUNBED USE

- 2.1 Sunbeds are the most common type of artificial ultraviolet (UV) tanning device and their popularity has risen significantly since the 1990s. There are now approximately 400 outlets in Northern Ireland offering sunbed sessions. In addition, many individuals have purchased or hired sunbeds for private use at home.
- 2.2 Factors such as the fashion for tanned skin, and the lack of consistent sunshine in this part of the world have contributed to the increase in the use of sunbeds.
- 2.3 The perceived benefits of sunbed use are largely psychological and cosmetic. There is little value in terms of protection from sunburn. The fact that the skin has changed colour is a sign of damage. Without goggles, UV from sunbeds can also damage the eye and lead to irritation, conjunctivitis and cataract formation. It is not always possible immediately to see the damage that UV causes because it builds up gradually over time.
- 2.4 Vitamin D synthesis is promoted by some outlets as a potential health benefit from the use of sunbeds but as vitamin D can be supplied in the diet without exposure to artificial UV radiation, the benefit of sunbed use as a source of vitamin D is considered to be outweighed by the risks.
- 2.5 Research shows that using sunbeds before the age of 35 can increase the risk of developing melanoma skin cancer by up to 75%⁷ and the surgical treatment for skin cancer can result in serious scarring.
- 2.6 Due to the documented causal relationship between skin cancer and sunbed use, many international and UK health organisations have publicly recommended that sunbeds should not be used, or their use should be limited and regulated to protect public health.

⁷ World Health Organisation(WHO)/International Agency for Research on Cancer Working Group (IARC) Exposure to artificial UV radiation and skin cancer 2006.

2.7 The mortality from melanoma due to sunbed use alone is estimated to be about 100 deaths⁸ per year in the UK.

Removal of sunbeds from local authority premises

2.8 In Northern Ireland, District Councils have recognised the health risks posed by sunbeds and as a result, have removed all sunbeds from their premises.

Medicinal use

2.9 There are patients with certain skin diseases that can benefit from therapeutic UV radiation exposure but this should only take place under carefully controlled conditions. It will usually be combined with photo-activated drugs. These procedures should be carried out in a clinical setting under medical supervision.

⁸ Diffey, B. A quantitative estimate of melanoma mortality from ultraviolet A sunbed use in the UK. *Br J Dermatol* 149, 578-81 (2003).

3. CHILDREN AND YOUNG PEOPLE

- 3.1 It is well established that excessive solar Ultraviolet radiation exposure in the first two decades of life increases the risk of melanoma developing later in life. It is therefore possible that exposure to UV radiation emissions from sunbeds in childhood and adolescence could be even more damaging to the skin in the long term, than use after the age of 20 years.⁹
- 3.2 Sunbed usage is increasing in the teenage population; reasons given for this include peer pressure and the feeling of well being and improved self confidence. The perceived association between a tan and health and beauty may explain the higher incidence of tanning in younger people especially for school events, religious ceremonies and dancing competitions.
- 3.3 Although there is longstanding advice that young people should not use sunbeds, a growing number of reports show that this advice is being ignored and significant numbers of young people are using sunbeds. Around 6% of young people aged 11-17 in the UK have used a sunbed¹⁰ (around 9% were female and 2% male. A survey in Scotland¹¹ showed that almost 7% of 8-11 year old children had used a sunbed. It seems that girls are consistently more frequent users of sunbeds than boys.¹²
- 3.4 Childhood sunbed use seems to be more common in relatively deprived areas and the concentration of commercial tanning salons is higher in deprived urban areas even after taking into account differences in population density. This finding is consistent across all four UK administrations.¹³

⁹ COMARE 13th Report: The health effects and risks arising from exposure to ultraviolet radiation from artificial tanning devices 2009.

¹⁰ DoH Cancer Reform Strategy: Maintaining momentum, building for the future – first annual report 2008.

¹¹ Hamlet and Kennedy 2004.

¹² Lazovich and Forster 2005.

¹³ COMARE 13th Report: The health effects and risks arising from exposure to ultraviolet radiation from artificial tanning devices 2009.

- 3.5 There have been several recent national media articles highlighting incidents of young persons under 18 obtaining severe burns after using sunbeds in tanning salons.
- 3.6 A number of international and UK health organisations have recommended that sunbeds should not be used by persons under 18 years of age including:-
- the World Health Organisation (WHO);
 - the International Agency for Research on Cancer (IARC);
 - Cancer Research UK;
 - Committee on Medical Aspects of Radiation in the Environment (COMARE).

4. RESEARCH, SURVEYS AND REPORTS

Northern Ireland Sunbed Survey 2007

- 4.1 In 2007 the first NI-wide survey of operating practices in tanning bed parlours was carried out to assess operational safety and user protection measures. The survey was carried out by Environmental Health Practitioners (EHPs) who visited tanning parlours under health and safety legislation. A total of 332 premises were surveyed in 25 District Council areas.
- 4.2 Five issues were examined:-
- staff and training;
 - client vetting;
 - governing of frequency and duration of use;
 - safety issues; and
 - maintenance of machinery.
- 4.3 The main findings give cause for concern. In general the survey reveals a wide variation in operating practices and poor standards of operation and client protection among some providers.
- 4.4 It reveals a wide range of tanning devices used in premises, with 62.1% of premises surveyed unaware of the ultraviolet (UV) type or power of their devices and over 25% operating type 4 devices against internationally agreed standards of practice.
- 4.5 There were insufficient steps taken to educate fair skinned users and prevent minors from using devices. Some providers use a token system to encourage clients to control duration and frequency of exposure, but this and other measures to limit exposure appear inadequate. A home sunbed service was provided by 3.4% of the premises surveyed.
- 4.6 Basic maintenance of devices was poor, with 38.5% of sunbeds not regularly maintained. Staff training is supplied by multiple sources but there was no

clearly defined standard. Basic hygiene was an issue in a number of premises with around 20% of premises relying on the user to clean the sunbed after usage.

4.7 Eye protection did not conform to the relevant European standard in almost 30% of premises. The practice of charging users for eye protection was observed in 35% of premises.

4.8 Of the operators who were surveyed, only 16% were registered with the Sunbed Association, with 79% not registered and 5% of staff not knowing whether the salon was registered.

4.9 Findings from the survey can be found at http://www.careinthesun.org/index.php?option=com_content&task=view&id=42&Itemid=52

Northern Ireland Omnibus Survey 2008

4.10 A Care in the Sun module ran in the September 2008 Northern Ireland Omnibus Survey. The survey was based on a sample of addresses drawn from the Land and Property Services Agency list of private addresses. 2,200 addresses were selected for interview with 1,213 co-operating. The following are key findings in relation to sunbeds:-

- 19% of respondents indicated that they have used sunbeds in the past and 1% reported currently using them;
- 29% of females have used sunbeds in the past compared with 8% of males;
- of those who have ever used a sunbed, the majority (70%) reported having less than 10 sessions per year, however 19% had between 10 to 20 sessions, and 10% had more than 20 sessions per year;
- when asked about which groups of people should not use a sunbed, 61% of respondents indicated that 'no one should ever use sunbeds'.

- 4.11 Further information on the survey can be found at http://www.careinthesun.org/index.php?option=com_content&task=view&id=42&Itemid=52

International Agency for Research on Cancer (IARC)

- 4.12 In August 2009, the International Agency for Research on Cancer (IARC), published a report which reclassified sunbeds into the highest cancer risk category, ie. 'carcinogenic to humans' (Group 1). IARC made its decision following a review of research which concluded that the risk of melanoma is increased by 75% when use of tanning devices starts before 30 years of age. In addition, several case-control studies linked the sunbed use to a raised risk of developing melanoma of the eye.¹⁴

Committee on Medical Aspects of Radiation in the Environment (COMARE)

- 4.13 The Committee on Medical Aspects of Radiation in the Environment (COMARE) is an expert committee that offers independent advice to UK Government Departments and Devolved Administrations on the health effects of natural and man-made radiation. It also assesses the adequacy of available data and advises on the need for further research.
- 4.14 In 2007, the four UK Departments of Health requested that COMARE provide advice regarding the safety of UV sunbeds in the UK. COMARE's 13th report: *'The health effects and risks arising from exposure to ultraviolet radiation from artificial tanning devices'* was published in June 2009 and makes four recommendations which are summarised below:-

Recommendation 1

Regulation of commercial use of sunbeds should be introduced and should:

- (i) prohibit commercial use of sunbeds by under-18s, and sale or hire of sunbeds to under-18s;
- (ii) prohibit unsupervised use and/or self-determined operation of sunbeds in commercial outlets;

¹⁴ IARC. A review of human carcinogens – Part D: radiation. Lancet Oncology Vol 10 August 2009.

- (iii) require all staffed commercial outlets to be licensed and registered, and require registration of the types and power of machines on the premises;
- (iv) require outlets to ensure that adequate protective eyewear is provided for users and make their use compulsory;
- (v) require detailed written information on the health risks associated with the use of sunbeds to be provided to users and to be clearly and easily visible on machines, both in commercial settings and for home use; and require informed consent to be obtained from clients prior to use;
- (vi) prohibit commercial outlets and sunbed retailers from using information promoting unproven and/or net health benefits of sunbed use, and
- (vii) require all sunbeds to adhere to both the British Standard (BS EN 60335-2-27: 2003) and the recommendations from the Scientific Committee on Consumer Products, in particular not exceeding a sunbed irradiance of 0.3 W m^{-2} .

Recommendation 2

A duty should be placed on local authorities to periodically inspect commercial outlets to determine compliance with whatever level of regulation is imposed. Local authorities should also be given appropriate powers of entry, access to relevant information and sanctions. The need to provide trained, competent staff should form part of the regime.

Recommendation 3

Government should review its funding for campaigns raising awareness of risk factors for skin cancer; and stronger publicity campaigns should be run on the risks of UV exposure and sunbeds that are directed at children and potential sunbed users. In addition, the appropriate authorities should review the advertising employed by the sunbed industry.

Recommendation 4

Further research is recommended into sunbed usage and the risk and aetiology of malignant melanomas and non-melanoma skin cancers, and should include reference to ageing effects. Additional research is also recommended into the potential and reported eye damage resulting from use

of sunbeds without adequate eye protection. Population-based research should be done to correlate skin damage and sunbed exposure, including research into the social and psychological aspects of sunbed use.

- 4.15 The full report can be accessed at <http://www.comare.org.uk/documents/COMARE13thReport.pdf>

Further Research in Northern Ireland

- 4.16 The Department intends to carry out a Health survey in 2010/11 and this will include questions designed to establish the prevalence of sunbed use in Northern Ireland, including specific questions on sunbed use of persons under 18 years of age.

5. REGULATION OF SUNBEDS ELSEWHERE

- 5.1 Scotland introduced regulation of the provision of sunbeds in the Public Health etc (Scotland) Act 2008. The provisions of the Act are expected to come into effect later this year and include:
- prohibition on allowing use of sunbeds by persons under 18;
 - prohibition on sale or hire of sunbeds to persons under 18;
 - prohibition of unsupervised use of commercial sunbeds;
 - a duty on operators to provide information to sunbed users, and
 - a duty on operators to display an information notice.
- 5.2 England and Wales are currently working on legislation to create powers to regulate the sunbed industry in those jurisdictions.
- 5.3 The Department of Health and Children in the Republic of Ireland launched a public consultation in 2008 on proposed legislation to regulate sunbeds, including a ban on the use of sunbeds by the under 18s; controls on the sale and/or rental of sunbeds; inspections to ensure compliance; registration with the competent authority; and exemptions for medical use. A bill is currently being drafted.
- 5.4 Specific legislation controlling the use of sunbeds exists in Belgium, Finland, France, Norway, Portugal, Spain, Sweden, USA, Australia and New Zealand.

6. OPTIONS BEING CONSIDERED

6.1 The Department has surveyed a range of provisions that are in place or are being introduced in other parts of the UK and taken account of recommendations that have been made for regulating the sunbed industry.

6.2 The Department is considering each of the following measures and any combination of these measures. It is not considering a general prohibition on the use of sunbeds.

Measure 1: Prohibit the use of sunbeds by anyone under 18 years of age in commercial premises;

Measure 2: Prohibit the sale or hire of sunbeds to anyone under 18 years of age;

Measure 3: Place a duty upon the operator of sunbed premises to display a public information notice on the health risks associated with sunbed use;

Measure 4: Place a duty upon the operator of sunbed premises to provide customers with detailed written information on the health risks associated with sunbed use;

Measure 5: Prohibit an operator of sunbed premises from making unfounded or unproven claims attributing health benefits to sunbed use;

Measure 6: Place a duty upon the operator of sunbed premises to ensure adequate protective eyewear is worn by the customer;

Measure 7: Place a duty on the operator of sunbed premises to register with a local authority or other body with regulatory functions;

Measure 8: Place a duty upon the operator of sunbed premises to limit the number and/or frequency of sunbed sessions that they provide to any individual;

Measure 9: Place a duty upon the operator of sunbed premises to ensure that staff are trained to a specified standard;

Measure 10: Prohibit the provision of user-operated sunbeds in unsupervised commercial premises;

Measure 11: Place a duty upon the operator of sunbed premises to ensure that all sunbeds adhere to specified British and European standards.

7. CONSULTATION QUESTIONS

7.1 The Department is now inviting your views to the options and measures being considered for regulation of the sunbed industry and on any other issues raised in this consultation. A summary of the questions are listed below and a template for responses is provided in the questionnaire booklet in the **Annex** attached at the end of this document.

Question 1: In respect of each of the measures listed in Section 6, please state whether you support or do not support its implementation and explain your reasons.

Question 2: Please provide any other measures that could be considered for regulating the industry.

Question 3: Please provide any issues or difficulties that would need to be resolved regarding the enforcement of any of the measures listed.

Question 4: Are any of the measures listed likely to have an adverse impact on any group of people correlating to one or more of the nine distinctions made in Section 75(1) of the Northern Ireland Act 1998.

Question 5: Please provide any general comments or evidence on the possible health, economic and social impacts of regulation, whether adverse or beneficial.

8. IMPACT ASSESSMENTS

Equality

- 8.1 Under Section 75 of the Northern Ireland Act 1998, the Department is required to have due regard to the need to promote the equality of opportunity:
- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
 - between men and women generally;
 - between persons with a disability and persons without; and
 - between persons with dependants and persons without.
- 8.2 In addition, without prejudice to the above obligation, the Department is also required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
- 8.3 In developing any proposals for sunbed regulation in Northern Ireland, the Department will complete a screening exercise to determine whether an Equality Impact Assessment is needed.

Human Rights

- 8.4 The Department is committed to the safeguarding and promotion of human rights in all aspects of its work. The Human Rights Act 1998 gives effect in UK law to the European Convention on Human Rights and requires legislation to be interpreted so far as is possible in a way which is compatible with the Convention rights and makes it unlawful for a public authority to act incompatibly with the Convention rights. All public authorities have a positive obligation to ensure that respect for human rights is at the core of their day to day work. In developing any proposals for sunbed regulation in Northern Ireland, the Department will have due regard to the requirements of the Human Rights Act.

9. HOW TO RESPOND

- 9.1 If you wish to comment on the issues raised in this document, please complete and return the response questionnaire which can be found in the **Annex** to this consultation document or may be downloaded from the E-Consultation section of the Department's website (http://www.dhsspsni.gov.uk/index/consultations/current_consultations.htm).
- 9.2 Additional copies of the consultation can be obtained by contacting the Department's Health Protection Branch (contact details below) or can also be downloaded from the E-Consultation section of the Departments website.
- 9.3 If you require any of these documents in another format or language, please contact the Department's Health Protection Branch.
- 9.4 The closing date for responses is **19 February 2010**. Responses received after this date will only be considered in exceptional circumstances and with prior agreement from the Department.
- 9.5 The completed response questionnaire can be returned by e-mail or post and all queries you may have regarding this consultation should be addressed to Department's Health Protection Branch.

Phone: 028 9052 8385 or 028 9052 2059

E-mail: sunbedregulation@dhsspsni.gov.uk

Address: Health Protection Branch
Department of Health, Social Services and Public Safety
Room C4.22
Castle Buildings
Belfast BT4 3SQ

- 9.6 Please ensure that the completed response questionnaire includes: your name, organisation (if relevant), address and telephone number, and whether

your comments represent your own view or the corporate view of your organisation.

- 9.7 Please note that responses to this consultation will be subject to the Freedom of Information Act 2000 which gives the right of access to information held by public authorities.

10. LIST OF STAKEHOLDERS CONSULTED

10.1 The following stakeholders have received copies of this consultation document. If there is an organisation that you feel might be able to contribute to this consultation, please let us know. Contact details are set out in the “How to Respond” section of this document.

Abbeyfield Society (NI Region)
AIDS Helpline
Accident Medical Negligence Association
Accord Catholic Marriage Counselling Service
Action Cancer
Action Mental Health
Action MS
Action on Elder Abuse
Adopt
Advice NI
Afro-Asian Residents Group NI
Age Concern
Age Sector Platform
Al-Anon Family Group
Al-Nisa Association
Alcohol Awareness for Youth
Amalgamated Transport & GW Union
Alzheimer’s Society
An Munia Tober
Archbishop of Armagh
Arthritis Research Campaign
Arthritis Care (NI)
Asthma UK NI
Association for Spina Bifida and Hydrocephalus
Association of Crossroads Care Attendants Schemes
Association of Independent Advice Centres
Association of Local Authorities in Northern Ireland
Association of Northern Ireland Colleges
Barnardos
Belfast Brook Advisory Centre
Belfast Hebrew Congregation
Belfast Healthy Cities
Blind Centre for Northern Ireland
Belfast Outreach Centre
Belfast Pride
Board of Social Witness, Presbyterian Church in Ireland
British Association of Social Workers (NI)
British Deaf Association (NI)
British Dental Association
British Diabetic Association

British Fluoridation Society
British Geriatric Society (NI)
British Psychological Society
British Red Cross
Bryson House
British Medical Association (NI)
Business Services Organisation
Butterfly Club
Cancer Relief – Macmillan Fund
Cancer Research UK
Carafriend
Care for NI
Carers National Association (NI)
Cedar Foundation
Central Personal Social Services Advisory
Chartered Society of Physiotherapy
Chief Officers 3rd Sector (CO3)
Child Action Prevention Trust
Child Poverty Action Group
Children in NI
Children’s Day Nursery Association
Children’s Law Centre
Chinese Welfare Association
Church of Ireland Board for Social Responsibility (NI)
College of Occupational Therapists
Committee for the Administration of Justice (CAJ)
Community Addiction Team
Community Development and Health Network
Community Evaluation (NI)
Community Information Network NI (CINNI)
Community Foundation for Northern Ireland
Community Relations Council
Community Work Education and Training Network
Confederation of Community Groups
Conservation Volunteers (NI)
Co-operation Ireland
Corrymeela Community
Councils – City, District and Borough (26 of)
Council for Catholic Maintained Schools (CCMS)
Council for the Advancement of Communication with Deaf People
Council for the Homeless
Council on Social Responsibility, Methodist Church in Ireland
Counteract
Craigavon Asian Women’s Centre
Craigavon Chinese Community Association
Craigavon Vietnamese Club
Cruse Bereavement Care
Derry Travellers Support Group
Derry Well Women
Diabetes UK

Disability Action
Down Cardiac Support Group
Down & Connor Family Ministry
Downs Syndrome Association
Dunlevey Substance Advice Centre
East Belfast Community Development Agency
Economic Research Institute for Northern Ireland (ERINI)
Education and Library Boards (5 of)
Employers' Forum on Disability
Equality 2000
Equality Coalition
Equality Commission
Equality Forum (NI)
European Infertility Network Ltd
Extern Association
Extra Care
Falls Community Council
Family Care Society
Family Planning Association NI
Federation of Small Businesses
Fermanagh Women's Network
Fire Brigade Union
First Key (NI)
Food Standards Agency
Food Safety Promotion Board
Forum for Action on Substance Abuse
Forum for Community Work Education (NI)
Four Seasons Healthcare
Foyle Down's Syndrome Trust
Foyle Friend
Foyle Women's Aid
Gay and Lesbian Youth Northern Ireland
General Consumer Council for NI
General Medical Council
Gingerbread Northern Ireland
GMB Union
Government Department Equality Officers
Guide Dogs for the Blind Association
Harmony Community Trust
Health and Social Care Board
Health and Social Care Trusts (6 of)
Help the Aged
Home Start (NI)
Human Rights Commission
Include Youth
Independent Living Fund
Indian Community Care
Institute of Directors (Northern Ireland)
Institute of Public Health
Irish Congress of Trade Unions – NI Committee

Issue, the National Fertility Association
Japan Society of NI
La Societa Italiana Irlanda Del Norde
Law Centre (NI)
Lesbian Line
Life (NI)
Manufacturing Science & Finance Union
Marie Curie Cancer Care (Belfast)
Mediation NI
MENCAP
Mental Health Commission
Moderator of the Presbyterian Church in Ireland
Moore, Tim (Research & Library Services, Northern Ireland Assembly)
Mulholland After-Care Services
Multi-Cultural Group
Multi-Cultural Resource Centre
Multiple Sclerosis Society (NI)
National Deaf Children's Society
National Society for the Prevention of Cruelty to Children (NSPCC)
Nevis Healthcare
NEWPIN (Foyle NI)
Newry and Mourne Senior Citizens' Consortium
Newry and Mourne Women
Newtownabbey Senior Citizens' Forum
Nexus Institute for NI
NIPSA
North West Community Network
North West Forum of People with Disabilities
Northern Ireland African Cultural Centre
Northern Ireland Anti-Poverty Network
Northern Ireland Association for Mental Health
Northern Ireland Association for the Care and Resettlement of Offenders
(NIACRO)
Northern Ireland Association of GP Fundholding Practices
Northern Ireland Blood Transfusion Agency
Northern Ireland Cancer Registry
Northern Ireland Chest, Heart and Stroke Association
Northern Ireland Child Minding Association (NICMA)
Northern Ireland Citizens Advice Bureau
Northern Ireland Commissioner for Children and Young People
Northern Ireland Confederation for Health and Social Services
Northern Ireland Council for Ethnic Minorities (NICEM)
Northern Ireland Council for Voluntary Action (NICVA)
Northern Ireland Council on Alcohol
Northern Ireland Deaf Youth Association
Northern Ireland Federation of Housing Associations
Northern Ireland Federation of Private Members Non Profit making, Sports,
Social & Recreational Clubs
Northern Ireland Filipino Association
Northern Ireland Fire & Rescue

Northern Ireland Foster Care Association (NIFCA)
Northern Ireland Gay Rights Association (NIGRA)
Northern Ireland Government Departments Permanent Secretaries
Northern Ireland Guardian Ad Litem Agency
Northern Ireland Home Accident Prevention Council
Northern Ireland Hospice
Northern Ireland Local Government Association
Northern Ireland Regional Medical Physics Agency
Northern Ireland Medical & Dental Training Agency (NIMDTA)
Northern Ireland Mother and Baby Action
Northern Ireland MPs, MEPs, MLAs
Northern Ireland Music Therapy Trust
Northern Ireland Office
Northern Ireland Ombudsman
Northern Ireland Political Party Leaders
Northern Ireland Practice and Education Council (NIPEC)
Northern Ireland Practice Managers Association
Northern Ireland Pre-School Playgroups Ireland Resident Magistrates'
Association
Northern Ireland Social Care Council
Northern Ireland Statistics and Research Agency (NISRA)
Northern Ireland Student Centre
Northern Ireland Volunteer Development Agency
Northern Ireland Women's Aid Federation
Northern Ireland Women's European Platform (NIWEP)
Northern Ireland Youth Forum
Office of Fair Trading
Office of Legislative Council
Omagh Ethnic Support Group
Omagh Women's Area Network
Pakistani Community Association
Patient & Client Council
Parents and Professionals and Autism (PAPA)
Parents Advice Centre (PAC)
Participation & Practice of Rights Project
Pharmaceutical Contractors' Committee (NI)
Pharmaceutical Society of Northern Ireland
Physically Handicapped and Able-Bodied (PHAB)
PlayBoard NI
POBAL
Press for Change
PRAXIS Mental Health
Public Health Agency
Queer Space
Rainbow Project
Rape Crisis and Sexual Abuse Centre
Registered Nursing Home Association
Regulation & Quality Improvement Authority
Relate
Royal British Legion

Royal College of General Practitioners (NI)
Royal College of Midwives
Royal College of Nursing (Northern Ireland)
Royal College of Obstetricians & Gynaecologists
Royal College of Psychiatry
Royal College of Speech & Language Therapists
Royal Institution of Chartered Surveyors in Northern Ireland
Royal National Institute for Deaf People (RNID)
Royal National Institute for the Blind (RNIB)
Royal Society for the Prevention of Accidents (ROSPA)
Rural Community Network
Rural Development Council
Rural Support
Samaritans
Save the Children Fund
Sense (National Deaf-Blind and Rubella Association)
Shelter
Sikh Cultural Centre
Simon Community
Social Care Association (NI)
The Society of Chiropodists and Podiatrists
Society of St Vincent de Paul
Sperrin Lakeland Senior Citizens' Consortium
Staff Commission for Education and Library Boards
The Baptist Centre
The Most Reverend, The Lord Archbishop of Armagh
The Society & College of Radiographers
The Sunbed Association
Threshold
Twins and Multiple Births Association (TAMBA)
Ulster Cancer Foundation
Ulster Chemists Association
Ulster Institute for the Deaf
Ulster Quaker Service Committee
Unison
Unite
Voice of Young People in Care (NI)
Voluntary Services Belfast (VSB)
Women into Politics
Women's Information Group
Women's Resource and Development Agency
Women's Support Network
Young Help Trust
Youth Council for Northern Ireland

Produced by:
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Department of
**Health, Social Services
and Public Safety**

www.dhsspsni.gov.uk

AN ROINN

**Sláinte, Seirbhísí Sóisialta
agus Sábháilteachta Poiblí**

MÁNNYSTRIE O

**Poustie, Resydènter Heisin
an Fowk Siccar**

REGULATION OF THE SUNBED INDUSTRY IN NORTHERN IRELAND

Consultation Response Questionnaire

CONSULTATION RESPONSE QUESTIONNAIRE

You can respond to the consultation document by e-mail or in writing.

Before you submit your response, please read **Appendix 1** at the end of this questionnaire, regarding the Freedom of Information Act 2000 and the confidentiality of responses to public consultation exercises.

Responses should be sent to:

By e-mail: sunbedregulation@dhsspsni.gov.uk

In writing: Health Protection Branch
Department of Health, Social Services and Public Safety
Room C4.22
Castle Buildings
Belfast
BT4 3SQ

RESPONSES CANNOT BE CONSIDERED AFTER 19 FEBRUARY 2010

I am responding: as an individual on behalf of an organisation
(please tick a box)

Name: _____
Job Title: _____
Organisation: _____
Address: _____

Tel: _____
Fax: _____
e-mail: _____

Q1. In respect of each of the measures listed in Section 6, please state whether you support or do not support its implementation and explain your reasons.

Measure 1: Prohibit the use of sunbeds by anyone under 18 years of age in commercial premises.

Measure 2: Prohibit the sale or hire of sunbeds to anyone under 18 years of age.

Measure 3: Place a duty upon the operator of sunbed premises to display a public information notice on the health risks associated with sunbed use.

Measure 4: Place a duty upon the operator of sunbed premises to provide customers with detailed written information on the health risks associated with sunbed use.

Measure 5: Prohibit an operator of sunbed premises from making unfounded or unproven claims attributing health benefits to sunbed use.

Measure 6: Place a duty upon the operator of sunbed premises to ensure adequate protective eyewear is worn by the customer.

Measure 7: Place a duty on the operator of sunbed premises to register with a local authority or other body with regulatory functions.

Measure 8: Place a duty upon the operator of sunbed premises to limit the number and/or frequency of sunbed sessions that they provide to any individual.

Measure 9: Place a duty upon the operator of sunbed premises to ensure that staff are trained to a specified standard.

Measure 10: Prohibit the provisions of user-operated sunbeds in unsupervised commercial premises.

Measure 11: Place a duty upon the operator of sunbed premises to ensure that all sunbeds adhere to specified British and European standards.

Q2. Please provide any other measures that could be considered for regulating the industry.

Response:

Q3. Please provide any issues or difficulties that would need to be resolved regarding the enforcement of any of the measures listed.

Response:

Q4. Are any of the measures listed likely to have an adverse impact on any group of people correlating to one or more of the nine distinctions made in Section 75(1) of the Northern Ireland Act 1998.

Response:

Q5. Please provide any general comments or evidence on the possible health, economic and social impacts of regulation, whether adverse or beneficial.

Response:

THANK YOU FOR TAKING THE TIME TO RESPOND TO THIS CONSULTATION

FREEDOM OF INFORMATION ACT 2000 – CONFIDENTIALITY OF CONSULTATIONS

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. **Before** you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature; and
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see website at:

<http://www.informationcommissioner.gov.uk/>).