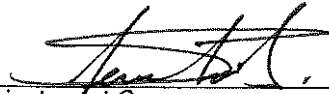


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 664, Approved and Ordered SEP 25 2012


Lieutenant Governor

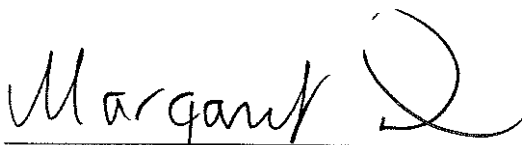
Executive Council Chambers, Victoria

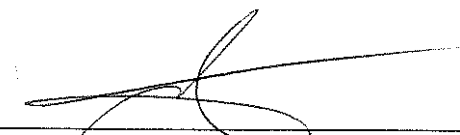
On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective October 15, 2012,

- (a) the *Regulated Activities Regulation, B.C. Reg. 161/2011*, is amended as set out in the attached Schedule 1, and
- (b) the *Violation Ticket Administration and Fines Regulation, B.C. Reg. 89/97*, is amended as set out in the attached Schedule 2.



Minister of Justice and Attorney General


Minister of Health


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Public Health Act, S.B.C. 2008, c. 28, ss. 111 (1) (f), 115 (d) and (e) and 126 (8)*
Offence Act, R.S.B.C. 1996, c. 338, ss. 14 (1) and 132 (2)

Other: OIC 423/2011; 262/97

September 7, 2012

R/304/2012/3

SCHEDULE 1

1 *Section 2 (1) of the Regulated Activities Regulation, B.C. Reg. 161/2011, is repealed and the following substituted:*

(1) In this Division:

“personal service establishment” means an establishment in which a person provides a service to or on the body of another person, and includes a barbershop, beauty parlour, health spa, massage parlour, tattoo shop, sauna and steam bath;

“tanning equipment” means equipment designed to cause tanning of the skin through ultraviolet irradiation of one or more parts of the body, and includes each component of such equipment;

“tanning facility” means a personal service establishment in which a person makes tanning equipment available for use by another person.

2 *The following sections are added to Division 1:*

Minors prohibited from using tanning facilities

- 3.1** (1) Subject to subsection (2), the operator of a tanning facility must not permit a person who is less than 18 years of age to use tanning equipment located in the operator's tanning facility.
- (2) Subsection (1) does not apply in respect of a person who is less than 18 years of age and holds a written prescription, issued by a medical practitioner or a nurse practitioner, directing the person to use tanning equipment.
- (3) An operator must ensure that a person referred to in subsection (2) uses tanning equipment located in the operator's tanning facility only in accordance with the directions contained in the prescription.

Sign must be posted

- 3.2** (1) An operator of a tanning facility must display in a prominent place where customers purchase services a sign that
- (a) is clearly visible,
 - (b) states clearly “It is illegal to permit persons under 18 to use UV tanning equipment in this facility without a prescription.”, and
 - (c) is in the form provided by the minister for the purposes of this section.
- (2) If a sign under subsection (1) is provided electronically, the sign must be printed
- (a) without any changes, and
 - (b) in accordance with the directions of the minister, including directions in respect of size and print and background colour.

Offences

- 3.3** A person commits an offence for the purposes of sections 18 (3) and 99 (2) (a) of the Act if the person contravenes any of the following provisions of this Division:
- (a) section 3.1 [*minors prohibited from using tanning facilities*];

(b) section 3.2 [sign must be posted].

SCHEDULE 2

1 *Schedule 1 of the Violation Ticket Administration and Fines Regulation, B.C. Reg. 89/97, is amended in Item 20 by adding the following paragraph to Column 2:*

(g) Regulated Activities Regulation, B.C. Reg. 161/2011.

2 *Schedule 2 is amended by adding the following, as indicated, under the heading "Public Health Act":*

1	2	3	4	5
		Victim Surcharge Ticketed		
Provision	Contravention	Fine	Levy	Amount
Regulated Activities Regulation, B.C. Reg. 161/2011				
section 3.3 (a)	Unlawfully permit minor to use tanning equipment	\$300	\$45	\$345
section 3.3 (b)	Fail to post sign as required	\$300	\$45	\$345