



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 10

FURTHER CRIMINAL MEASURES

Sale of spray paint to children

122 Offence of selling spray paint to child

- (1) A person who sells to a person under the age of 16 a spray paint device shall be guilty of an offence.
- (2) In subsection (1), “spray paint device” means a device which—
 - (a) contains paint stored under pressure; and
 - (b) is designed to permit the release of the paint as a spray.
- (3) A person guilty of an offence under subsection (1) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) It shall be a defence for a person charged with an offence under subsection (1) to show that the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.