



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 6

THE ENVIRONMENT

Aerosol paints

54 Sale of aerosol paint to children

- (1) A person commits an offence if he sells an aerosol paint container to a person under the age of sixteen.
- (2) In subsection (1) “aerosol paint container” 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 this section shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (4) It is a defence for a person charged with an offence under this section in respect of a sale to prove that—
 - (a) he took all reasonable steps to determine the purchaser’s age, and
 - (b) he reasonably believed that the purchaser was not under the age of sixteen.
- (5) It is a defence for a person charged with an offence under this section in respect of a sale effected by another person to prove that he (the defendant) took all reasonable steps to avoid the commission of an offence under this section.