



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.

Commencement Information

II S. 54 in force at 31.3.2004 by [S.I. 2004/690](#), [art. 2\(a\)\(ii\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 54.