



# Children and Young Persons (Protection from Tobacco) Act 1991

## 1991 CHAPTER 23

### 1 Amendment of section 7 of the Children and Young Persons Act 1933.

- (1) Section 7 of the <sup>M1</sup>Children and Young Persons Act 1933 (sale of tobacco, etc. to persons under 16) shall be amended as follows.
- (2) In subsection (1)—
- (a) the word “apparently” shall be omitted; and
  - (b) for the words from “on summary conviction” onwards there shall be substituted “ on summary conviction to a fine not exceeding level 4 on the standard scale. ”
- (3) After subsection (1) there shall be inserted—
- “(1A) It shall be a defence for a person charged with an offence under subsection (1) above to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.”
- (4) In subsection (2)—
- (a) for “is being extensively used by persons apparently” there shall be substituted “ has been used by any person ”; and
  - (b) for the words from “to a fine” onwards there shall be substituted “ to a fine not exceeding level 4 on the standard scale. ”

#### Commencement Information

- II** S. 1 wholly in force at 1.3.1992 see s. 8(2) and [S.I. 1992/332, art. 2](#)

#### Marginal Citations

- M1** [1933 c. 12.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Young Persons (Protection from Tobacco) Act 1991, Section 1.