



Children and Young Persons (Protection from Tobacco) Act 1991

1991 CHAPTER 23

5 Enforcement action by local authorities in England and Wales

- (1) It shall be the duty of every local authority to which this section applies—
 - (a) to consider, at least once in every period of twelve months, the extent to which it is appropriate for them to carry out in their area a programme of enforcement action relating to section 7 of the Children and Young Persons Act 1933 and sections 3 and 4 above, and
 - (b) accordingly to carry out in their area any programme which is for the time being considered by them to be appropriate under paragraph (a) above.
- (2) In subsection (1)(a) above the reference to a programme of enforcement action relating to the provisions there mentioned is a reference to a programme involving all or any of the following, namely—
 - (a) the bringing of prosecutions in respect of offences under those provisions;
 - (b) the investigation of complaints in respect of alleged offences under those provisions;
 - (c) the taking of other measures intended to reduce the incidence of offences under those provisions;
 - (d) the making of complaints under section 7(2) of the Act of 1933 and, with a view to determining whether such complaints should be made, the monitoring of the use of such machines for the sale of tobacco as are mentioned in that provision.
- (3) This section applies to the following local authorities, namely—
 - (a) the council of a county, a metropolitan district or a London borough;
 - (b) the Common Council of the City of London; and
 - (c) the Council of the Isles of Scilly.