

*These notes refer to the Anti-Social Behaviour Act 2003  
(c.38) which received Royal Assent on 20 November 2003*

# ANTI-SOCIAL BEHAVIOUR ACT 2003

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 6: the Environment**

#### **Aerosol Paints**

#### *Section 54: Sale of aerosol paint to children*

117. This section makes it an offence to sell aerosol spray paints to persons aged under 16. The objective is to reduce the incidence of criminal damage caused by acts of graffiti. *Subsection (2)* contains a definition of aerosol spray paints. *Subsection (3)* sets out the maximum penalty for the offence which is a fine of £2,500. *Subsection (4)* provides a defence for those who took all reasonable steps to determine the purchaser's age and reasonably believed he was 16 or over. *Subsection (5)* provides a defence for someone who is charged with an offence but did not carry out the sale themselves (such as a shopkeeper) if they took all reasonable steps to avoid the commission of an offence.