



Children and Young Persons Act 1933

1933 CHAPTER 12 23 and 24 Geo 5

PART I

PREVENTION OF CRUELTY AND EXPOSURE TO MORAL AND PHYSICAL DANGER

[^{F1}Persistent sales of tobacco [^{F1}or nicotine products] to persons under 18

[^{F1}12C Enforcement

- (1) If—
 - (a) a person sells on any premises any tobacco^[F2], cigarette papers or nicotine product] in contravention of a restricted premises order, and
 - (b) the person knew, or ought reasonably to have known, that the sale was in contravention of the order,the person commits an offence.
- (2) If a person fails to comply with a restricted sale order, the person commits an offence.
- (3) It is a defence for a person charged with an offence under subsection (2) to prove that the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (4) A person guilty of an offence under this section is liable, on summary conviction, to ^[F3]a fine].
- (5) A restricted premises order is a local land charge and in respect of that charge the applicant for the order is the originating authority for the purposes of the Local Land Charges Act 1975.]

Textual Amendments

- F1** Ss. 12A-12D and preceding cross-heading inserted (1.4.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), [ss. 143\(2\)](#), 153; S.I. 2009/860, [art. 2\(c\)](#)

Changes to legislation: Children and Young Persons Act 1933, Section 12C is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- F2** Words in s. 12C(1)(a) substituted (1.10.2014 for specified purposes, 1.10.2015 in so far as not already in force) by [Children and Families Act 2014 \(c. 6\), ss. 93\(5\), 139\(6\)](#); [S.I. 2014/2609, art. 2](#); [S.I. 2015/375, art. 3](#)
- F3** Words in s. 12C(4) substituted (12.3.2015) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\), reg. 1\(1\), Sch. 4 para. 1](#) (with [reg. 5\(1\)](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12D(1A)-(1F) inserted by [2017 anaw 2 s. 51](#)
- s. 39(2A) inserted by [2010 c. 26 Sch. 3 para. 3](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 49(12)-(14) inserted by [1999 c. 23 Sch. 2 para. 3\(9\)](#)