



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}12D Interpretation

- (1) In sections 12A and 12B a [^{F2}“tobacco or nicotine offence”] means—
- an offence committed under section 7(1) on any premises (which are accordingly “the premises in relation to which the offence is committed”),
^{F3} . . .
 - an offence committed under section 7(2) in respect of an order relating to any machine kept on any premises (which are accordingly “the premises in relation to which the offence is committed”)[^{F4}, ^{F5} . . .
 - an offence committed under section 3A of the Children and Young Persons (Protection from Tobacco) Act 1991 in respect of any machine kept on any premises (which are accordingly “the premises in relation to which the offence is committed”).][^{F6}, or
 - an offence committed under section 92 of the Children and Families Act 2014 on any premises (which are accordingly “the premises in relation to which the offence is committed”).]
- (2) In sections 12A to 12C the expressions “tobacco” and “cigarette” have the same meaning as in section 7.
- [In sections 12A to 12C “nicotine product” means a nicotine product within the
^{F7}(2A) meaning of section 92 of the Children and Families Act 2014 the sale of which to persons aged under 18 is for the time being prohibited by regulations under subsection (1) of that section.]
- (3) In sections 12A and 12B “notice” means notice in writing.]

Changes to legislation: *Children and Young Persons Act 1933, Section 12D is up to date with all changes known to be in force on or before 12 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*

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\(c\)](#)
- F2** Words in s. 12D(1) 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\(6\)\(a\)](#), [139\(6\)](#); S.I. 2014/2609, [art. 2](#); S.I. 2015/375, [art. 3](#)
- F3** Word in s. 12D(1)(a) repealed (12.11.2009 for specified purposes, 1.10.2011 in so far as not already in force for E., 1.2.2012 in so far as not already in force for W.) by [Health Act 2009 \(c. 21\)](#), [ss. 22\(2\)\(a\)](#), [40\(1\)\(6\)\(b\)](#), [Sch. 6](#); S.I. 2010/1068, [art. 2\(1\)\(a\)\(b\)](#) (as amended (9.5.2011) by S.I. 2011/1255, [art. 2\(a\)\(b\)](#)); S.I. 2011/2362, [art. 2](#)
- F4** S. 12D(1)(c) and word inserted (12.11.2009 for specified purposes, 1.10.2011 in so far as not already in force for E., 1.2.2012 in so far as not already in force for W.) by [Health Act 2009 \(c. 21\)](#), [ss. 22\(2\)\(b\)](#), [40\(1\)\(6\)\(b\)](#); S.I. 2010/1068, [art. 2\(1\)\(a\)](#) (as amended (9.5.2011) by S.I. 2011/1255, [art. 2\(a\)\(b\)](#)); S.I. 2011/2362, [art. 2](#)
- F5** Word in s. 12D(1)(b) omitted (1.10.2014 for specified purposes, 1.10.2015 in so far as not already in force) by virtue of [Children and Families Act 2014 \(c. 6\)](#), [ss. 93\(6\)\(b\)](#), [139\(6\)](#); S.I. 2014/2609, [art. 2](#); S.I. 2015/375, [art. 3](#)
- F6** S. 12D(1)(d) and preceding word inserted (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\(6\)\(b\)](#), [139\(6\)](#); S.I. 2014/2609, [art. 2](#); S.I. 2015/375, [art. 3](#)
- F7** S. 12D(2A) inserted (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\(6\)\(c\)](#), [139\(6\)](#); S.I. 2014/2609, [art. 2](#); S.I. 2015/375, [art. 3](#)

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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\(9\)](#)