



Responsible Retailers Program

Aim

To improve awareness amongst retailers of spray cans of relevant legislation and methods in which they can support graffiti prevention in the community.

Rationale/Background

The Government has implemented legislation to restrict the sale of aerosol spray paints in NSW. Section 7 of the Graffiti Control Act 2008 bans the sale of spray paints to young people under the age of 18 years and carries a maximum penalty of \$1,100.

The NSW Government introduced the Graffiti Control Act 2008 to restrict access to spray cans at retail shops to target the proliferation of unsightly graffiti across the State. Retailers who sell spray paint cans are required to properly secure them if they are displayed in areas where the public has access. Retailers can be fined up to \$1,100 by NSW Police Force and the Office of Fair Trading who fails to properly secure spray paint cans in accordance with the law.

Under the Act, a spray paint is **properly secured** if it is displayed:

- In a locked cabinet, or
- In or behind a counter so that customers cannot gain access to the can without the assistance of shop staff, or
- In any other manner prescribed by the regulations.

Partners

Sutherland Shire Council.

NSW Police Force represented by Miranda and Sutherland Local Area Commands.

Office of Fair Trading.

Expected Outcomes

1. Retailers of spray cans are more aware of relevant legislation and their role in graffiti prevention.
2. Educate retailers of their obligations under the *(Display of Spray Paint Cans) Act 2006*.
3. Reduce the accessibility of spray cans to young people by ensuring all retailers are aware of, and abide by, the legislation regarding the sale of spray cans to minors.
4. Retailers are more likely to display spray cans in a way which prevents the opportunity of theft.
5. Stores which are blatantly selling spray cans to minors or acting in ways which contribute to graffiti in the community are referred to the NSW Police Force and the Office of Fair Trading for investigation and potential prosecution under the above listed legislation.

