

What else is the NSW Government doing to fight graffiti?

The *Summary Offences Amendment (Display of Spray Paint Cans) Act 2006* forms part of the NSW Government's comprehensive strategy to drive down the incidence of graffiti on trains, public transport infrastructure and other community facilities.

The Government's anti-graffiti strategy also includes:

- establishment of an Anti-Graffiti Action Team, which brings together experts from Government agencies, retailers and the paint industry in order to co-ordinate and implement new graffiti initiatives
- increasing use of Community Service Orders to make offenders repair the damage caused by graffiti vandalism
- identifying graffiti 'hot spots' and stepping up enforcement and surveillance, especially through CCTV
- assisting councils and government utilities to develop Graffiti Management Plans targeting high graffiti environments
- local councils accrediting community groups and volunteers to remove graffiti
- continuing the work of Operation Chalk, which involves covert operations on RailCorp property, including railway stations, stabling yards, commuter carparks and the rail corridor.



BUYING spray paint?

**some things
you should know**



Graffiti vandalism is a problem which costs the NSW community tens of millions of dollars each year.

Much of this vandalism is carried out using stolen spray paint cans.

This is why the NSW Government has introduced the *Summary Offences Amendment (Display of Spray Paint Cans) Act 2006*.

This Act aims to reduce the amount of graffiti in the community by reducing the theft of spray paint cans.

Spray paint must be securely stored

The *Summary Offences Amendment (Display of Spray Paint Cans) Act 2006* requires NSW retailers who sell spray paint cans to keep those cans either:

- in a locked cabinet
- in or behind a counter in such a way that customers cannot gain access to the cans without the assistance of shop staff
- on a shelf of height 2.1 metres or more, or
- in any other manner prescribed by the regulations.

Spray paints which are colourless and transparent are exempt from the new law.

Spray paint cannot be sold to minors

In NSW it is illegal to sell spray paint to anyone under the age of 18 years.

If a customer appears to be under 18, a retailer may ask them for proof of age such as:

- a Roads and Traffic Authority (RTA) Proof of Age card
- driver licence
- passport
- birth certificate, or
- other official document with the customer's name and age or date of birth.

A retailer has the right to question customers about how the products they are buying will be used, and to refuse to sell products to a customer if the retailer suspects they will be used for graffiti.

What are the penalties for graffiti vandalism?

The following penalties apply to graffiti vandalism offences:

- a maximum fine of \$2,200 or imprisonment for 6 months for damaging or defacing property using spray paint
- a maximum fine of \$1,100 or imprisonment for 3 months for possessing a spray can with intent to damage or deface property
- a maximum penalty of imprisonment for 5 years for malicious damage involving graffiti.

A court can order an offender to undertake community service work instead of imposing a fine or prison sentence. The court can require the offender to remove the graffiti and restore the appearance of the property.