



Children and Young Persons (Protection from Tobacco) Act 1991

1991 CHAPTER 23

5 Enforcement action by local authorities in England and Wales.

- (1) It shall be the duty of every local authority to which this section applies—
 - (a) to consider, at least once in every period of twelve months, the extent to which it is appropriate for them to carry out in their area a programme of enforcement action relating to section 7 of the ^{M1}Children and Young Persons Act 1933 and sections 3 and 4 above, and
 - (b) accordingly to carry out in their area any programme which is for the time being considered by them to be appropriate under paragraph (a) above.
- (2) In subsection (1)(a) above the reference to a programme of enforcement action relating to the provisions there mentioned is a reference to a programme involving all or any of the following, namely—
 - (a) the bringing of prosecutions in respect of offences under those provisions;
 - (b) the investigation of complaints in respect of alleged offences under those provisions;
 - (c) the taking of other measures intended to reduce the incidence of offences under those provisions;
 - (d) the making of complaints under section 7(2) of the Act of 1933 and, with a view to determining whether such complaints should be made, the monitoring of the use of such machines for the sale of tobacco as are mentioned in that provision.
- (3) This section applies to the following local authorities, namely—
 - (a) the council of a county, a metropolitan district^{F1}, county borough] or a London borough;
 - (b) the Common Council of the City of London; and
 - (c) the Council of the Isles of Scilly.

Status: Point in time view as at 29/04/2013. This version of this provision has been superseded.

Changes to legislation: Children and Young Persons (Protection from Tobacco) Act 1991, Section 5 is up to date with all changes known to be in force on or before 17 August 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)

Textual Amendments

F1 Words in s. 5(3)(a) inserted (12.1.2010) by [Health Act 2009 \(c. 21\)](#), s. 40(7)(b), [Sch. 4 para. 1](#)

Commencement Information

I1 S. 5 wholly in force at 1.3.1992 see s. 8(2) and [S.I. 1992/332](#), [art. 2](#)

Marginal Citations

M1 [1933 c. 12.](#)

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