



New graffiti laws and sale of aerosol paint containers

New graffiti laws

(Police Offences Act 1935)

It is now illegal to:

- distribute, sell or supply graffiti equipment (such as aerosol paint containers) to a person who is under 18 years
- mark graffiti (such as marking, drawing, writing or otherwise defacing property)
- possess, carry or use graffiti equipment (such as aerosol paint containers) in a public place without a lawful excuse.

What happens if you get caught?

If you are in a public place, police can stop, detain and search you or your vehicle if they have a reasonable belief that you possess or carry graffiti equipment without a lawful excuse. Police do not need a warrant to do this.

New penalties

If you are found guilty a court may impose a fine, and/or a community service order.

What is a lawful excuse?

A lawful excuse includes, the pursuit of a lawful occupation, duty or activity, or participation in a lawful sport, recreation or entertainment environment.

Carrying written proof, for example a business card, statutory declaration, letter or membership card may help you prove that you have a lawful excuse.

The Commissioner of Police has the authority to exempt people from the offence provisions.

www.police.tas.gov.au