An essential guide to
age-restricted products
Preventing sales of age restricted products to young people is important both for their health and safety and for that of our communities.

**Remember:**
- Illegal sales often result in antisocial behaviour
- Antisocial behaviour has a negative impact on the local community
- You may lose your licence if you or your staff sell alcohol to an under-age customer
- The owner of a business and the licensee could be prosecuted and fined if an illegal sale takes place
- People who start smoking or drinking when young find it harder to give up and are more likely to suffer long term ill health
Introduction

This guidance pack from Islington Council’s Trading Standards team has been produced to help you and your staff avoid selling age-restricted products to children and young people.

The Trading Standards team is responsible for giving advice on and enforcing a range of laws that deal with the sale of age-restricted products such as alcohol, tobacco, knives and fireworks.

The law recognises that mistakes can happen which is why the advice in this pack, especially in relation to record keeping is important. If you can show that staff are trained, sales are refused and that you have systems in place to prevent sales, formal action may not be taken.

If you would like more advice we are here to help. You can find contact details for the team and our partners, including the Police, on the back page.

Bu bilginin kısaltılmış hali Türkçe olarak mevcuttur.
Top tips to avoid under-age sales

If in doubt refuse to sell.

- Operate a “Challenge 25” policy – ask for proof of age from anyone who looks younger than 25 years old
- Operate a “No ID, No Sale” policy – if young people cannot produce proof of age, do not sell
- Make sure staff are effectively trained and record details. You can use the training record book enclosed with this pack
- If possible set up a ‘prompt’ on your till to remind staff to ask for proof of age when selling age-restricted products
- If you or your staff refuse a sale, record this in the refusals book (enclosed with this pack). Monitor this book regularly
- Do not sell to a child even if they say the product is for a parent or other adult
- Ensure statutory notices, for example for fireworks and tobacco, are prominently displayed
- Display the enclosed poster to make adults aware that they may be fined for buying restricted items for young people and that you have the right to refuse to sell to them if you are suspicious

Using this information pack will give your staff the confidence to say no.
Challenge 25

It is difficult to judge how old young people are so it is vital that you take steps to ensure that you and your staff are trained to prevent the sale of restricted items to young people.

Be realistic – to get what they want many youngsters will attempt to look older and may lie when asked their age, so you cannot just accept their word.

To be on the safe side we recommend you operate a “Challenge 25” policy to build in a margin of error. This means always asking to see photo proof of age identification of anyone you think may be under 25 years of age.

You will never sell to underage people when Challenge 25 is properly used.
Proof of Age – ‘PASS’ cards

Only accept proof of age cards that carry the ‘PASS’ hologram. These cards will also show a photograph and date of birth. The hologram is forge-proof and recognisable. The Home Office, the Association of Chief Police Officers and Trading Standards support the scheme.

Passports and driving licences are acceptable but remember that a person can have a driving licence from the age of 17, so the date of birth must be checked.

Always examine proof of age closely – you need to ensure it belongs to the person using it. If you are suspicious about anything offered as proof of age, do not sell.
Refusals book

When anyone refuses to sell, keep a record of this in a ‘refusals book’. This shows us that your business is serious about avoiding sales to young people. It may also help identify problem schools, individuals and other issues that may be useful for trading standards and/or the local police.

You should monitor the refusals book to ensure that all staff are using it. If there are no entries, or very few by certain staff, this could indicate their reluctance to challenge people about their age and can help identify if extra training or support is needed. Ensuring that your staff know you are checking the book gives them another reminder of their training.

Adults buying for children

It is not always easy to spot adults who buy restricted products for children. If you suspect this is happening – maybe you saw them talking to children, or they are buying products which you have just refused to sell to children – challenge the adult and show them the poster in this pack, warning that they may be committing a criminal offence. If in doubt you have the right to refuse the sale.

Always report adults buying for children to your local Police Team.
Training and support for staff

It is important that you make sure all staff selling age-restricted products receive regular training.

Make sure that you and your staff know the age limits for the various products you sell. See the details on page 12 onwards and display the enclosed quick reference guide next to the till.

Make staff aware that they should operate a **Challenge 25 policy** and ensure they have the confidence to challenge customers.

Make sure that your staff know what is acceptable as proof of age. The enclosed poster, which you should display behind the counter, will help.

Make sure staff check proof of age documents so that they are sure they are genuine and belong to the customer.

Keep records of training, instructions and reminders given to staff. Staff should sign to confirm they have understood the training.

Regularly monitor staff to check how they are dealing with age restricted products. Some may lack confidence in asking for proof of age.
Keeping safe and minimising confrontation

Some customers may become confrontational when they are asked to prove their age, so you should advise your staff on how to deal with these situations. Listed below are some good practice points that you can pass on.

- **Stay calm:** Don’t lose your temper or raise your voice – this will escalate the customer’s response

- **Be positive:** Try to show you understand the customer’s complaint and maintain eye contact

- **Explain why you can’t help the customer:** Deflecting responsibility from yourself can help – “The Council / Police insist we ask for proof of age”

- **Stay behind the counter:** This can act as a safety barrier if any customers threaten to get physically aggressive

- **Refer to CCTV:** If your store has CCTV, reminding very aggressive customers that they are being filmed may help calm them.

Always report violence or serious verbal abuse to the Police.

Dial 999 if you or a colleague are in imminent danger.
Are your staff under the age of 18?

If yes, there are a few things you need to consider.

**Alcohol** – staff under the age of 18 can only sell alcohol if the licensee or other responsible adult (over 18 years old) agrees to the transaction.

**Fireworks** – no staff under the age of 16 may sell fireworks. A responsible adult must supervise the sale if an assistant is aged between 16 and 18.

**Lottery tickets** – it is illegal for staff under the age of 16 to sell lottery tickets or scratch cards.

**Enforcement**

Test purchase exercises are regularly carried out across Islington using young volunteers to check that shops are complying with the law. Trading Standards officers work closely with the police and the council’s Licensing team in taking action when an illegal sale has been made to a young person.
Legal action

If your business sells to our volunteers, you may be prosecuted or lose you licence to sell alcohol, either temporarily or permanently, if we believe:

- you intentionally sold to a child or have acted very irresponsibly
- you have ignored previous advice from us
- there is widespread disregard of the law in the area and we need to make other traders and the public aware of the consequences.

The police are likely to issue a Penalty Notice to the person who sells our volunteers alcohol.

Repeat sales of tobacco can lead to a ban prohibiting you or your business from selling alcohol.

Trading Standards comply with the Public Protection Enforcement Policy which can be found on the Islington Council website.
Officer Panels and Licence Reviews

If you sell restricted goods, but we believe a warning and advice may prevent further sales, you may be invited to an Officer Panel meeting. The reasons for the sale and additional steps taken by the business to prevent further sales will be discussed and detailed advice given.

It is important to attend a Panel meeting when invited. If you do not attend, we may take stronger action such as prosecuting you or reviewing your alcohol licence.

If your alcohol licence is reviewed, your licence can be suspended for up to three months or taken away entirely. A licence review is typically called if the business sells for a second time and Trading Standards’ advice is not being followed. Councillors are responsible for considering licence reviews and their decisions can only be overturned by a Magistrates’ Court.

Your licence may also be reviewed if you have been found with illicit alcohol or tobacco, so you should read the guidance included in the pack and make some checks on the alcohol you buy.

The advice given in this pack is based on current legislation as of June 2013 and may be subject to revision. If you are in doubt about the law contact the trading standards team.
Easy reference guide to age-restricted products

It is illegal to sell the following products to anyone under 18:

**Alcohol 18**

Maximum fine: £5,000.
Your alcohol licence may be put at risk if you sell

**Knives and offensive weapons 18**

Maximum fine: £5,000.
If you sell a knife or offensive weapon to a child and it is then used to attack someone, you may be liable to further criminal offences or sued by the victim.

**Cigarettes and tobacco products 18**

Maximum fine: £2,500.
For repeated offences you may be banned from selling cigarettes and other tobacco products for up to 12 months.

You may not split packets and sell single cigarettes to children or adults. Maximum fine: £1,000.

You must display a warning notice in English advising that “It is illegal to sell tobacco products to anyone under the age of 18”. You may be fined £1,000 if you do not.
Fireworks

Maximum fine: £5,000.

You must display a warning notice in English stating that: “It is illegal to sell adult fireworks or sparklers to anyone under the age of 18; and it is illegal for anyone under the age of 18 to possess adult fireworks in a public place.”

Solvents and lighters, including refills (containing butane)

Maximum fine: £5,000

Other age-restricted products

DVDs, videos and computer games

Maximum fine: £5,000.

It is illegal to sell DVDs, videos and computer games to a child under the age on the box. Make sure your staff look carefully at the rating, which relates to the respective age it is appropriate for.

BBFC video ratings are: 12, 15, 18 and R18. R18 is suitable for over 18’s and may only be supplied through licensed sex shops.

PEGI video games ratings are: 12, 16 and 18.

Take particular care with DVDs, video games and other products supplied free with magazines.

Check the age of the buyer before you supply the magazine or newspaper.
It is illegal to sell the following products to anyone under 16:

**Lottery tickets and scratch cards** 16
Maximum fine: £5,000 and your terminal may be disconnected

**Aerosol spray paints** 16
Maximum fine: £2,500

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**Summary of products & ages**

<table>
<thead>
<tr>
<th>Product</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol</td>
<td>18</td>
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<tr>
<td>Fireworks</td>
<td>18</td>
</tr>
<tr>
<td>Solvents &amp; lighter refills</td>
<td>18</td>
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<tr>
<td>Tobacco</td>
<td>18</td>
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<tr>
<td>Knives</td>
<td>18</td>
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<tr>
<td>Spray paints</td>
<td>16</td>
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<tr>
<td>Lottery tickets &amp; scratch cards</td>
<td>16</td>
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<tr>
<td>Petrol</td>
<td>16</td>
</tr>
<tr>
<td>DVDs/videos &amp; games</td>
<td>see label on the item</td>
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</tbody>
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Useful Contacts

Islington Trading Standards
Islington Council
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F 020 7527 3038
E trading.standards@islington.gov.uk

Islington Licensing Service
T 020 7527 3031
F 020 7527 3057
E licensing@islington.gov.uk
W www.islington.gov.uk

Islington Local Police Teams
North Islington: 020 7421 0559
South Islington: 020 7421 0181
East Islington: 020 3276 3030
West Islington: 0207 421 0328
W http://content.met.police.uk/Borough/Islington

Do you need this information in another language or reading format such as Braille, large print, audio or Easy Read?

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