

## Monitoring Compliance with the Sales to Minors Prohibition - Procedures Manual

**Summary** The Monitoring Compliance with the Sales to Minors Prohibition - Procedures Manual has been developed by the Centre for Health Advancement and the Legal and Legislative Services Branch. The purpose of the Manual is to set standards for Authorised Inspectors and others in undertaking compliance monitoring activities relating to sales to minors.

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**Author branch** Health Advancement

**Branch contact** 9391 9955

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**Policy manual** Not applicable

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**Status** Review

**Functional group** Population Health - Environmental, Health Promotion

**Applies to** Area Health Services/Chief Executive Governed Statutory Health Corporation, Public Health Units

**Distributed to** Public Health System, Ministry of Health

**Audience** Authorised Inspectors; Tobacco Compliance Officers; Public Health Units

## **MONITORING COMPLIANCE WITH THE SALES TO MINORS' PROHIBITION - PROCEDURES MANUAL**

### **PURPOSE**

Authorised Inspectors and/or Tobacco Compliance Officers in Public Health Units across NSW, assisted by other Area Health Service staff, undertake compliance activities in relation to the *Public Health (Tobacco) Act 2008*. Controlled purchase operations are the primary method used to monitor retailer compliance with sales to minors' prohibitions.

Following on from work conducted in 2007 and 2008 by a Steering Group with Area Health Service representation, the *2010 Monitoring Compliance with the Sales to Minors' Prohibition – Procedures Manual* (the Manual) has been developed by the Centre for Health Advancement and the Legal and Legislative Services Branch, with input from the Centre for Health Protection. The purpose of the Manual is to set standards for Authorised Inspectors and others in undertaking compliance monitoring activities relating to sales to minors' prohibitions under the *Public Health (Tobacco) Act 2008*.

### **KEY PRINCIPLES**

Authorised Inspectors and others undertaking compliance monitoring activities relating to sales to minors' prohibitions under the *Public Health (Tobacco) Act 2008* are strongly encouraged to follow the procedures in the Manual relating to the following:

- Selection of premises for sales to minors' testing
- Recruitment of young people
- Training of young people
- Controlled purchase operations
- Debriefing
- Investigation with a view to prosecution
- Prosecution
- Reporting
- Using the media to enhance retailer compliance.

The Manual is in addition to and does not replace the NSW Department of Health Prosecution Policy and Guidelines or the NSW Department of Health Investigation Manual.

### **USE OF THE GUIDELINE**

Public Health Units in Area Health Services have a responsibility to ensure that procedures conducted at the local level are consistent with the approaches detailed in the Manual.

## REVISION HISTORY

Version	Approved by	Amendment notes
December 2010 (GL2010_016)	Deputy Director-General, Population Health and Chief Health Officer	New Guideline

## ASSOCIATED DOCUMENT

The following document is available from the Department of Health's intranet site

<http://internal.health.nsw.gov.au/public-health/cha/spp.html>

1. Monitoring Compliance with the Sales to Minors' Prohibition - Procedures Manual.