



# MEDIA RELEASE

Hon. John Hatzistergos MLC  
Attorney General  
Minister for Industrial Relations

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## NEW GRAFFITI LAWS BAN MARKER PENS

As of today, it will be an offence to carry marker pens or etching implements for the purpose of committing graffiti vandalism, Attorney General John Hatzistergos announced.

He said the offence is part of a package of tough new laws to tackle the proliferation of unsightly graffiti tags which deface suburbs and towns across NSW.

“The community has had enough of having to repair damage left behind by this senseless crime,” Mr Hatzistergos.

“The Rees Government is opening a new front in the war on graffiti tags by banning the implements these vandals use to do their dirty work.”

Under the new *Graffiti Control Act*, which comes into force today, the Government has:

- Made it illegal to possess implements such as marker pens or etching instruments with the intention of using them to damage or deface premises or property. This previously applied only to spray paint cans.
- Given Fair Trading and Police officers the power to issue on-the-spot fines to retailers who fail to properly secure their spray paint can displays, or where spray paint cans are sold to under 18s.

Mr Hatzistergos said the maximum penalties for graffiti offences had been standardised under the new legislation as follows:

- Fines of \$2,200 or 6 months' jail for damaging or defacing premises or property
- Fines of \$1,100 or 3 months' jail for possessing any instrument, including etching equipment or marker pens, intended for use in defacing or damaging premises or property;
- Enabling courts to continue to impose community service work on graffiti vandals

“Offenders who inflict serious damage on property will still be able to be charged with malicious damage under the *Crimes Act*, which carries a maximum jail term of five years.”

The new measures complement laws introduced by the NSW Government last year to prevent people under 18 defacing property. These include:

- Requiring young people in possession of spray paint to demonstrate it is for a legitimate purpose
- Giving police the power to confiscate spray cans from young people who fail to demonstrate it is for a legitimate purpose