

Guidance for Retailers on the Sale of Volatile Substances following the Psychoactive Substances Act

The Psychoactive Substances Act came into effect on 26 May 2016. The act bans psychoactive substances, also known as 'legal highs', in the UK and prevents the supply of these previously unregulated and frequently harmful substances for human consumption.

As a result, the Intoxicating Substances Supply Act has been repealed. With the exception of poppers, **all substances that were covered by ISSA will now be covered by the Psychoactive Substances Act**, including:

- solvent-based glues
- correction fluids/thinners
- marker pens
- nail varnish/nail varnish remover
- any kind of aerosols
- anti-freeze
- nitrous oxide ('whip-its')

Poppers are not considered to be 'psychoactive' and, as such, are not covered by the Act.

The supply and offer to supply offences are similar to the offences in ISSA. However the offences no longer relate just to the supply to young people but affect supply to people of any age. As with ISSA, an offence will be committed if the substance is supplied to somebody acting on behalf of someone else who will consume it, known as 'proxy purchasing'. The offence of supply is:

- A person intentionally supplies a substance to another person
- The substance is a psychoactive substance
- The person knows or suspects, or ought to know or suspect, that the substance is a psychoactive substance
- The retailer knows or is reckless about whether the psychoactive substance is likely to be consumed by the person to whom it is supplied, or by some other person, for its psychoactive effects

The new legislation does not replace the Cigarette Lighter Refill (Safety) Regulations 1999. This continues prohibit the sale of butane canisters to anyone under the age of 18, regardless of any intent to consume for psychoactive effects.

For full information, see the Home Office's "Psychoactive Substances Act 2016: guidance for retailers" at www.gov.uk/government/publications/psychoactive-substances-act-guidance-for-retailers/psychoactive-substances-act-2016-guidance-for-retailers.

Re-Solv

Overcoming the misuse of solvents,
gases and other legal highs



LOTTERY FUNDED