NSW Health

Implementing the new nitrous oxide regulations

Understanding the new rules for retailers

The NSW Government has introduced new regulations to reduce the harms associated with the misuse of nitrous oxide. These rules are designed to restrict non-legitimate use, while ensuring continued access for legitimate purposes, including food preparation, medical, automotive and industrial purposes. As a retailer, you are responsible for complying with these new requirements.

Key rules for retailers

From 5 November 2026, retailers and suppliers are required to comply with the new regulations for the sale, supply and distribution of nitrous oxide in New South Wales.

For retailers, including online providers, the new rules include:

- **Age restrictions:** Nitrous oxide must not be sold to a person under 18 years of age. You should ask for photo identification to verify age.
- **Container size limits and product standards:** Nitrous oxide must not be sold in a container containing more than 10 grams of nitrous oxide. Products must also comply with applicable labelling and packaging requirements under the Australian Poisons Standard.
- **Daily purchase limit:** A person must not be supplied with more than 250 grams of nitrous oxide in a single day.
- **Restricted sale hours:** Nitrous oxide must not be sold between 10 pm and 5 am.
- **No same-day delivery:** Nitrous oxide must not be delivered on the same day that the order is received.
- **No public visibility:** Nitrous oxide products and their packaging must not be stored in a location where they are visible to members of the public, whether from inside or outside the premises.

Failure to comply with these regulations may result in significant penalties. Penalties of up to **20 penalty units ($2,200 for an individual)** or **100 penalty units ($11,000 for a corporation)** may apply for certain offences.

Different rules apply for wholesalers and suppliers to food and drink businesses: More information is available at www.health.nsw.gov.au/nitrous.

Suppliers and sellers of nitrous oxide for medical, automotive and industrial uses are exempt from this regulation.

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Examples shown only. Any cylinder containing more than 10 g of nitrous oxide cannot be sold at retail, regardless of its appearance.



Bulbs and cylinders containing less than 10 grams can still be purchased. *Individuals cannot buy more than 250 grams of nitrous oxide per day.*



Retail sale of cylinders containing more than 10 grams of nitrous oxide is prohibited.

What retailers need to do

To comply with the new laws, retailers should:

- Train staff on the new regulations and ensure they check identification for people who look under 18.
- Adjust sales practices to meet the new purchase limits and restricted sale hours.
- Ensure proper storage by keeping nitrous oxide products and packaging out of public view.
- Inform customers about the changes by displaying the downloadable point-of-sale signage in their store. This is available at: www.health.nsw.gov.au/nitrous.

NSW Health and other relevant agencies will undertake education, compliance and enforcement activities, and may seize products that are being sold or supplied unlawfully.

Managing customer questions and concerns

It is important that retailers can explain the regulatory changes and their responsibilities to customers.

Here are some common customer concerns and suggested responses:

Customer comment	Retailer response
Why can't I buy more than 250g?	The NSW Government has introduced a purchase limit to prevent misuse.
I've bought larger cylinders before. Why can't I get them now?	The new law restricts the sale of nitrous oxide in cylinders larger than 10g. This helps reduce the risk of misuse and harm.
I need this tonight! Why can't you sell after 10 PM?	The regulations prohibit sales between 10 PM and 5 AM. These hours have been identified as high-risk times for misuse.
Can I get it delivered today?	Same-day delivery of nitrous oxide is no longer allowed under the new rules. If you place an order today, it will be delivered on the next available business day.
This is ridiculous! Other stores don't have these rules.	These are state-wide regulations, and all retailers must follow them. Our goal is to comply with the law while ensuring responsible sales.
You can't refuse to sell to me. That's discrimination!	We're sorry but we have the right not to sell this product.

Additional strategies for managing customers who may be misusing nitrous oxide

Stay calm and professional
Avoid engaging in arguments with customers. Instead, politely but firmly reinforce store policy. In most cases, this approach will be respected, and the customer will leave without further issue.

Use collective language
Rather than saying “I can’t sell you this,” say “We are unable to sell this product.” This reinforces that the policy is a broader company or government decision, reducing the likelihood of personal confrontation.

Take threats seriously
If a customer becomes aggressive or there is a risk of violence, prioritise safety. In such situations, it may be best to avoid direct refusal and instead alert a manager or, if necessary, contact the police.

Prioritise safety
If a customer appears intoxicated or behaving erratically, exercise caution. The wellbeing of both staff and other customers should always come first.

For further information on nitrous oxide misuse and harm reduction, visit the YourRoom website: https://yourroom.health.nsw.gov.au/whats-new/Pages/Nangs-in-Australia.aspx

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