

LICENSING ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 7: Offences

Section 151 – Delivering alcohol to children

239. This section sets out offences relating to the delivery of alcohol to children. Subsection (1) provides that it is an offence for someone working on relevant premises (see the definition in section 159) knowingly to deliver to a child alcohol which is sold on the premises or supplied there by or on behalf of a club. The offence would cover, for example, circumstances where a child takes delivery of a consignment of alcohol bought by his father from an off-licence (in a case where the exceptions mentioned below do not apply). Subsections (2) and (3) provide that it is also an offence for a person working on relevant premises and in a position which gives him authority to prevent it knowingly to allow another person to deliver alcohol to children. This offence would cover, for example, a person who authorises a delivery of the sort mentioned above. Subsections (4) and (5) provide that this offence will also apply in the case of a delivery by or on behalf of a club or to or to the order of a member of the club, where the delivery is allowed by a person working on the premises in a capacity which gives him authority to prevent it.
240. Subsection (6) provides that the offences in this section are not committed if the alcohol is delivered to the home or place of work of the purchaser or person who is supplied (for example, where a child answers the door and signs for the delivery of his father's order at his house), nor where the job of the minor who took delivery of the alcohol involves delivery of alcohol (for example, where a 16 year old office worker is sent to collect a delivery for his employer), nor where the alcohol is sold or supplied for consumption on the relevant premises.