

*These notes refer to the Licensing Act 2003 (c.17)
which received Royal Assent on 10 July 2003*

LICENSING ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 7: Offences

Section 152 – Sending a child to obtain alcohol

241. This section re-enacts the existing offence (in section 169G of the Licensing Act 1964) of knowingly sending a child to obtain alcohol which is sold for consumption off the premises, or which is supplied by or on behalf of a club to or to the order of a member of the club for such consumption. This offence would cover, for example, circumstances where a parent sends their child to an off-licence to collect some alcohol which had been bought over the telephone. Subsection (2) provides that the offence will be committed regardless of whether the child is sent to the actual premises from where the alcohol is sold or supplied, or whether he is sent to other premises to which the alcohol has been sent. Subsection (3) provides that the offence will not be committed where the minor's works at the premises in question and his job involves taking deliveries of alcohol. Subsection (4) provides that the offence will also not be committed if the child is sent by a police or trading standards officer, in the course of his duty, to obtain alcohol to test the compliance of the retailer with the prohibition on underage sales.