

*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 153 – Prohibition of unsupervised sales by children

242. This section re-enacts provisions in the Licensing Act 1964 so that it is an offence knowingly to allow an individual under the age of 18 to sell or, in the case of a club, to supply alcohol unless each such sale or supply has been specifically approved. Subsection (4) sets out the categories of person who may commit this offence. These are

- a premises licence holder, designated premises supervisor or someone over 18 authorised by them, or
- in the case of a club, any member or officer of the club who is present on the premises in a capacity that enables him to prevent the supply, or
- in a case where the premises are used for a temporary permitted activity, the premises user or a person over 18 authorised by him.

Subsection (2) provides that the offence in this section is not committed where the alcohol is sold for consumption with a table meal in a part of the premises used only for this purpose. The effect of this exception is that, for example, a minor will be able to serve alcohol in a restaurant.