

# Public Health (Minimum Price for Alcohol) (Wales) Act 2018

2018 anaw 5

## *Special offers*

### **5 Special offers: multi-buys of alcohol**

- (1) Where alcohol is supplied in a multi-buy alcohol transaction, the applicable minimum price is to be calculated by reference to all of the alcohol included in the transaction.
- (2) Alcohol is supplied in a multi-buy alcohol transaction if—
  - (a) it is supplied free of charge by reference to the supply of other alcohol, or
  - (b) other alcohol is supplied free of charge by reference to it,and, in either case, both the free alcohol and the alcohol by reference to which the free alcohol is supplied are to be treated as being included in the same transaction.
- (3) Alcohol is also supplied in a multi-buy alcohol transaction if—
  - (a) it is supplied at a price fixed by reference to the supply of other alcohol, or
  - (b) other alcohol is supplied at a price fixed by reference to it,and, in either case, both the fixed price alcohol and the alcohol by reference to which the fixed price alcohol is supplied are to be treated as being included in the same transaction.
- (4) Alcohol is also supplied in a multi-buy alcohol transaction if it is supplied, together with other alcohol, for a fixed price, in which case all of the alcohol supplied for that price is to be treated as being included in the same transaction.
- (5) But alcohol is not to be treated as being supplied in a multi-buy alcohol transaction if anything except alcohol is supplied in the transaction.
- (6) For example—
  - (a) in a special offer, 4 cans of lager and 4 cans of cider are supplied together for a fixed price: S (percentage strength) is 4% in relation to the lager, and 6% in relation to the cider, while V (volume) is 440 ml in each case;

- (b) taking M (specified minimum unit price) to be £0.50, the applicable minimum price for the transaction is £8.80, that sum being the aggregate of the following calculations—

$£0.50 \times 4 \times 1.76 = £3.52$  (the minimum price of the lager), and

$£0.50 \times 6 \times 1.76 = £5.28$  (the minimum price of the cider).

## **6 Special offers: supply of alcohol with goods and services**

- (1) Where alcohol is supplied together with goods other than alcohol, or with services, for a single price, subsection (2) applies.
- (2) The alcohol is to be treated as being supplied at that single price for the purpose of determining whether the selling price of the alcohol is below the applicable minimum price.
- (3) For example—
  - (a) in a special offer, the cans of lager and cider mentioned in the example given in section 5(6) are supplied with a pizza for a single price;
  - (b) taking M (specified minimum unit price) to be £0.50, the selling price of the alcohol is to be treated for the purposes of this Act as being the total price of the cans and the pizza, and that price must not be lower than £8.80, being the applicable minimum price for the lager and cider.
- (4) Where alcohol is supplied for a price fixed by reference to the supply of goods other than alcohol, or of services (a “special price”), subsection (5) applies for the purpose of determining whether the selling price of the alcohol is below the applicable minimum price.
- (5) The alcohol is to be treated as being supplied at a price equal to the aggregate of the special price and the price (if any) for which the other goods and services are supplied.
- (6) For example—
  - (a) in a special offer, the cans of lager and cider mentioned in the example given in section 5(6) are supplied for a special price if a pizza is purchased for £5.00;
  - (b) taking M (specified minimum unit price) to be £0.50, the selling price of the alcohol is to be treated for the purposes of this Act as being the aggregate of the price of the pizza and the special price, and that special price must not be lower than £3.80, being the applicable minimum price for the cans of lager and cider (which is £8.80) less the price for the pizza (which is £5.00).

## **7 Special offers: supplementary**

- (1) Subsection (2) applies where some of the alcohol supplied in a multi-buy alcohol transaction, or for a single price or special price, is of a different strength from other alcohol supplied in the transaction or for that price.
- (2) The applicable minimum price for the alcohol supplied in the transaction or for that price is to be calculated by adding the applicable minimum price for each strength of alcohol supplied in the transaction or for the price.
- (3) References in section 6 to alcohol being supplied together with other goods and services include references to transactions where alcohol is provided together with other goods and services, and—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the other goods or services are supplied at a price, but
- (b) the alcohol is described as being supplied free of charge.