



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

2018 anaw 5

## *Offences*

### **2 Offences**

- (1) It is an offence for a person who is an alcohol retailer—
  - (a) to supply alcohol from qualifying premises in Wales, or
  - (b) to authorise the supply of alcohol from qualifying premises in Wales, at a selling price below the applicable minimum price for the alcohol.
- (2) It is a defence for a person charged with an offence under this section to show that the person took reasonable steps and exercised due diligence to avoid committing it.
- (3) If a person charged with an offence under this section relies on the defence in subsection (2), and evidence is adduced that is sufficient to raise an issue with respect to that defence, the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.
- (4) It is immaterial for the purposes of subsection (1)(b) whether the authorisation takes place in Wales or elsewhere.
- (5) For the purposes of this section and section 6, “selling price”, in relation to alcohol, means its price including VAT and all other taxes.
- (6) In Schedule 4 (personal licence: relevant offences) to the 2003 Act, after paragraph 2 insert —
  - “2A An offence under the Public Health (Minimum Price for Alcohol) (Wales) Act 2018.”