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STATUTORY INSTRUMENTS

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**1996 No. 3158**

**The Licensing (Northern Ireland) Order 1996**

**PART IV**

**CONDUCT OF LICENSED PREMISES, ETC.**

*Special provision with respect to young persons*

**Sale, etc., of intoxicating liquor to young persons**

**60.**—(1) Subject to paragraph (5), the holder of a licence himself or by his servant or agent, or such a servant or agent, shall not—

- (a) sell or deliver intoxicating liquor to a person under the age of 18; or
- (b) sell or deliver intoxicating liquor to any person for consumption by a person under the age of 18 in the licensed premises; or
- (c) sell or deliver intoxicating liquor to any person for consumption by a person under the age of 18 off the licensed premises; or
- (d) permit a person under the age of 18 to consume intoxicating liquor—
  - (i) in the licensed premises; or
  - (ii) in premises which adjoin or are near the licensed premises and which belong to the holder of the licence or are under his control or used by his permission.

(2) A person under the age of 18 shall not—

- (a) purchase intoxicating liquor; or
- (b) consume intoxicating liquor in any place or premises except premises used only as a private residence.

(3) A person shall not purchase intoxicating liquor for delivery to, or consumption by, a person under the age of 18 in any place or premises except premises used only as a private residence or deliver it to, or permit it to be consumed by, him in any such place or premises.

(4) Subject to paragraph (5), a person shall not send a person under the age of 18 for the purpose of obtaining intoxicating liquor sold or to be sold in licensed premises for consumption off the premises whether the liquor is to be obtained from the licensed premises or other premises from which it is delivered in pursuance of the sale.

(5) Paragraphs (1) and (4) shall not prohibit or restrict—

- (a) the delivery of intoxicating liquor to a person under the age of 18, where the delivery is made at the residence or working place of the purchaser;
- (b) the employment, by the holder of a licence, of a person under the age of 18 who is a child of the licence holder or his servant, as a messenger to deliver intoxicating liquor.

(6) Any person acting in contravention of paragraph (1), (2), (3) or (4) shall be guilty of an offence and shall be liable on summary conviction—

- (a) for a contravention of paragraph (1), (3) or (4), to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months or to both;
  - (b) for a contravention of paragraph (2), to a fine not exceeding level 3 on the standard scale.
- (7) In any proceedings for an offence by reason of the contravention of paragraph (1) it shall be a defence—
- (a) in the case of proceedings against the holder of the licence for an offence committed by his servant or agent, for the holder of the licence to prove that he exercised all due diligence to avoid the commission of such an offence; or
  - (b) in any other case, for the holder of the licence or his servant or agent to prove—
    - (i) that he exercised all due diligence to avoid the commission of such an offence; or
    - (ii) that he had no reason to suspect that the person under the age of 18 had not attained that age.
- (8) Where a person under the age of 18 represents himself to be the age of 18 or over for the purpose of obtaining, or being permitted to consume, intoxicating liquor, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.