

# Alcohol, young people and the law



Some 17 year olds are going to a party and have asked their friend who is 19 years old to buy some alcohol for them. Is this legal?

The 19 year old is committing two offences. The first is obtaining alcohol for a person under the age of 18, and the second is supplying alcohol to a person under the age of 18. An on-the-spot fine of \$1,100 or a court imposed maximum penalty of \$11,000 and/or 12 months imprisonment applies for each offence.

I have agreed to host a party for my 16 year old. As part of this I was going to provide food, alcoholic and non-alcoholic drinks. I am worried about providing alcohol but apparently 'it's at everyone's parties'.

Did you know that in NSW, except in specific circumstances, it is illegal to sell or supply alcohol to people under the age of 18? The law applies anywhere and at all times, including homes, halls and public places generally.

As the host of a party where alcohol is supplied, you could be issued with an on-the-spot fine of \$1,100 by the police for every minor that you serve. You may also be liable for a court penalty of \$11,000 and/or 12 months imprisonment for each person under the age of 18 who is supplied with alcohol. An exception to this is where a parent or guardian supplies liquor to their child away from licensed premises. You may also have a defence to a prosecution if a parent or guardian has specifically authorised you to supply alcohol to their child, although you would need to be able to prove this in court.

The law also makes it illegal for minors to drink alcohol on licensed premises. The minor can receive an on-the-spot fine of \$220 or the court can impose a maximum penalty of \$2,200.

A minor must not take delivery of any liquor sold over the telephone or by facsimile or by mail order or through an internet site unless he/she was ordered or requested to do so by his or her parent or guardian. The minor can receive an on-the-spot fine of \$220 or the court can impose a maximum penalty of \$2,200.

However, a person must not order or request a minor to take delivery of liquor sold over the telephone or by facsimile or by mail order or through an internet site. An on-the-spot fine of \$330 or a court imposed maximum penalty of \$3,300 applies to a person for this offence.

For more information about the liquor laws and young people refer to the NSW Office of Liquor, Gaming and Racing website ([www.olgr.nsw.gov.au](http://www.olgr.nsw.gov.au)).

*This publication is intended as a guide only. The contents do not constitute legal advice and should not be relied upon as such. Persons wishing formal advice on matters referred to in this publication should consult their solicitor.*

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