

## Your Legal Questions

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**Q. I own premises which hold a licence authorising the sale of alcohol. Is it correct that the government has introduced five new mandatory conditions which will apply automatically?**

**A.** Yes. Existing premises licences do not need to be amended physically as the new conditions are deemed to be entered on to the licence. The first three conditions have already taken effect. These are:-

- A ban on irresponsible drink promotions designed to encourage drinking which carries a significant risk of leading to crime & disorder, public nuisance, harm to children or public safety. These include drinking games requiring a person to drink a certain amount in limited time; provision of unlimited amounts of alcohol at a fixed price; provision of free or cheap alcohol as a prize to encourage or reward the purchase and consumption of alcohol; and use of promotional posters which have the effect of glamorising drunkenness or anti social behaviour.
- The provision of free tap water.
- A ban on dispensing alcohol directly by one person to another - "the dentist's chair".

The remaining two conditions come into effect in October 2010. These are:

- The provision of an age verification policy requiring age to be proved by identification bearing a photograph, date of birth and a holographic mark.
- The provision of smaller measures of alcohol. Premises must offer beer or cider by the half pint, spirits by 25ml or 35ml and still wine by 125ml measures.

With the exception of the identification condition, which also applies to off licensed premises, the remaining conditions only apply to on licensed premises (pubs, clubs, restaurants, etc).

Prosecution for breach of a mandatory condition can result in a fine of up to £20,000 and / or six months imprisonment. The premises licence could also be reviewed possibly resulting in the loss of the ability to sell alcohol or revocation of the licence.

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