



Licensing Act 2003

2003 CHAPTER 17

PART 7

OFFENCES

Children and alcohol

[^{F1}147A Persistently selling alcohol to children

- (1) A person is guilty of an offence if—
 - (a) on [^{F2}2 or more different occasions] within a period of 3 consecutive months alcohol is unlawfully sold on the same premises to an individual aged under 18;
 - (b) at the time of each sale the premises were either licensed premises or premises authorised to be used for a permitted temporary activity by virtue of Part 5; and
 - (c) that person was a responsible person in relation to the premises at each such time.
- (2) For the purposes of this section alcohol sold to an individual aged under 18 is unlawfully sold to him if—
 - (a) the person making the sale believed the individual to be aged under 18; or
 - (b) that person did not have reasonable grounds for believing the individual to be aged 18 or over.
- (3) For the purposes of subsection (2) a person has reasonable grounds for believing an individual to be aged 18 or over only if—
 - (a) he asked the individual for evidence of his age and that individual produced evidence that would have convinced a reasonable person; or
 - (b) nobody could reasonably have suspected from the individual's appearance that he was aged under 18.
- (4) A person is, in relation to premises and a time, a responsible person for the purposes of subsection (1) if, at that time, he is—

Status: Point in time view as at 12/03/2015.

Changes to legislation: Licensing Act 2003, Section 147A is up to date with all changes known to be in force on or before 28 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) the person or one of the persons holding a premises licence in respect of the premises; or
 - (b) the person or one of the persons who is the premises user in respect of a temporary event notice by reference to which the premises are authorised to be used for a permitted temporary activity by virtue of Part 5.
- (5) The individual to whom the sales mentioned in subsection (1) are made may, but need not be, the same in each case.
- (6) The same sale may not be counted in respect of different offences for the purpose—
- (a) of enabling the same person to be convicted of more than one offence under this section; or
 - (b) of enabling the same person to be convicted of both an offence under this section and an offence under section 146 or 147.
- (7) In determining whether an offence under this section has been committed, the following shall be admissible as evidence that there has been an unlawful sale of alcohol to an individual aged under 18 on any premises on any occasion—
- (a) the conviction of a person for an offence under section 146 in respect of a sale to that individual on those premises on that occasion;
 - (b) the giving to a person of a caution (within the meaning of Part 5 of the Police Act 1997) in respect of such an offence; or
 - (c) the payment by a person of a fixed penalty under Part 1 of the Criminal Justice and Police Act 2001 in respect of such a sale.
- (8) A person guilty of an offence under this section shall be liable, on summary conviction, to [^{F3}a fine].
- (9) The Secretary of State may by order amend subsection (8) to increase the maximum fine for the time being specified in that subsection.]

Textual Amendments

- F1** Ss. 147A, 147B inserted (6.4.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), **ss. 23(1)**, 66(2); S.I. 2007/858, **art. 2(a)**
- F2** Words in s. 147A(1)(a) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 28**, 116; S.I. 2010/125, **art. 2(e)**
- F3** Words in s. 147A(8) substituted (12.3.2015) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 4 para. 33(4)** (with reg. 5(1))

Status:

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