

## YOUR PERSONAL GUIDE TO SELLING ALCOHOL & AGE-RESTRICTED PRODUCTS

YOU MUST COPY THIS AND PROVIDE EACH STAFF MEMBER WITH  
THEIR OWN COPY



## INTRODUCTION

The licensing Act 2003 introduces a single integrated system throughout England and Wales to regulate the sale and supply of alcohol, the provision of entertainment to the public and the provision of late-night refreshment – the sale of hot food and hot drinks between the hours of 11pm and 5am.

Under the Act there is a statutory requirement that retail sales of alcohol can only be made from premises that have been granted a Premises Licence.

In addition, all premises licensed for the sale of alcohol must have a designated premise supervisor (DPS) appointed for those premises who must be a Personal Licence holder.

### Understanding the licensing language

#### The licensing objectives:

There are the governing principles of licensing law in England and Wales. Everyone involved with any of the licensable activities including the sale of alcohol must be aware of and actively promote these objectives.

The four licensing objectives, all of which are of equal importance, are as follows:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

#### Licensable Activities:

For a business to carry out any of the following activities, a premises licence is required. The licensable activities are defined as:

- Sale of alcohol by retail
- Supply of alcohol in club premises
- Provision of regulated entertainment
- Provision of late-night refreshment 11pm – 5am



THE PENALTIES FOR CARRYING OUT A LICENSABLE  
ACTIVITY WITHOUT A LICENCE OR FAILURE TO COMPLY  
WITH THE MANDATORY CONDITIONS ON A PREMISES  
LICENCE ARE SEVERE:

A MAXIMUM FINE OF £20,000 AND/OR 6 MONTHS  
IMPRISONMENT

MAKE YOURSELF AWARE OF THE HOURS AND ANY  
CONDITIONS ON THE PREMISES LICENCE

**Premises Licence:**

The licence required by a business to allow it to carry out any of the licensable activities listed above.

The premises licence will usually be held in the name of the owner of the business or the operator and can be a company or an individual person or persons.

**Personal Licence:**

The licence needed to be held by a person to allow that person to sell alcohol from premises that hold a premises licence (that allows the sale of alcohol) and to authorise others who do not hold a personal licence sell. There must be at least one personal licence holder at your site but there can be more than one.

**Designated Premises Supervisor (DPS)**

Usually the person in day-to-day control of the premises named on the licence as the person responsible for the sale of alcohol at the premises – the DPS. A person must have a current personal licence to hold this position and there can only be one named DPS for each site.

**Understanding the licensing language**

The sale of alcohol is a licensable activity controlled by law and carrying penalties that reflect the important social responsibilities that apply to people who sell it.



These penalties only relate to those people who break the law, committing what is a criminal offence punishable by measures varying from a fixed penalty notice of £30 to a £20,000 fine and/or six months' imprisonment and forfeiture of the premises licence.

When selling alcohol, it is your responsibility to ensure that you carry out this action lawfully.

Remember, you can only sell alcohol when you have been authorised to do so and then only to customers who it is lawful for you to sell it to.

### Authorised sales

Regardless of your age or training you are only legally allowed to sell alcohol when you have been authorised to do so by your DPS or another Personal Licence holder at the site.

You will only receive this Authorisation when you have demonstrated to the DPS that you understand your responsibilities and the law controlling these sales. You will have to be re-authorised on a regular basis and this would normally follow refresher training in the sale of alcohol.

Do not sell alcohol unless you are sure that you have been authorised to do so.

Do not accept Authorisation if you are unclear on the law and/or your responsibilities involved in these sales.

### Under 18s

**It is a criminal offence for any person to sell or supply alcohol to a person under the age of 18.**

**THERE ARE NO EXCEPTIONS TO THIS!**



You must also know that:

- It is an offence to sell alcohol to someone under 18 years of age
- It is an offence to deliver alcohol to someone under 18 years of age
- It is an offence for anyone under 18 to purchase or attempt to purchase alcohol
- It is an offence to obtain alcohol for someone under 18 years of age
- It is an offence to sell alcohol if you are under 18 unless you are authorised to do so and the individual sale is supervised by somebody over 18 who is also authorised
- You must not sell alcohol to someone you believe to be buying for a person under 18 – a proxy sale
- It is an offence to allow another person to sell alcohol to somebody under 18 where you can have prevented that sale

Those who commit such offences could be fined up to £5000

There is also a range of fixed penalty notices ranging from £30 to £90 that may be applied to the person selling the alcohol AND the holder of the relevant premises licence may also have their licence reviewed which could result in the alcohol sales at the premises being suspended for up to 3 months or in serious cases removed permanently (revoked).



## Our rules for the sale of alcohol

In order to avoid under age sales and committing an offence, we have 12 basic rules which must be obeyed at all times. These basic rules for the sale of alcohol are simple and straight forward and once a member of staff has been properly trained there can be no excuse for not obeying them at all times:

### 12 Basic rules for selling alcohol:

1. I can only be authorised to sell alcohol for the hours stated on our licence summary and once authorised will not do so outside of these hours.
2. Alcohol sales are only for consumption off the premises and I must be aware of customers actions at all times and not allow consumption on the premises
3. I confirm that I will not sell alcohol to anybody under the age of 18
4. I confirm that I will challenge anybody attempting to purchase alcohol who appears to be under the age of 25 to prove that they are 18 or over by producing acceptable proof of age – **CHALLENGE 25**
5. I will only accept a passport, a photo driving licence or a PASS accredited card as proof of age such as the Validate card or the Citizen card.
6. I will not sell alcohol to anybody who I believe is purchasing on behalf of somebody under the age of 18
7. I will not sell alcohol to anybody who I believe is, or appears to be drunk (including street drinkers)
8. I will not sell alcohol to anybody who I believe is purchasing for somebody who is, or appears to be drunk
9. If I am in any doubt at all regarding the above then I will refuse the sale
10. I will record all incidents of refusals in the refusals book noting the date and time, plus a description of and name of the person if known, together with a note of the product refused
11. I will advise my supervisor of the refusal as soon as possible and if possible, no later than the end of my shift
12. I acknowledge that I am not authorised to sell alcohol unless I comply with all of the above at all times



### Test purchasing

Police and Trading Standards Officers may send under 18s in to your premises to attempt to buy alcohol or cigarettes and tobacco to check compliance with the law. Under some circumstances the test purchaser may not tell the truth when asked if you are over 18 or if they have ID – you **MUST** ask for approved proof of age and check it for all customers who look under 25 years of age.

You must **CHALLENGE 25** and ask for proof of age if **ANY** customer looks under 25 and is attempting to purchase alcohol or cigarettes to avoid committing a criminal offence by serving to under age. If you have any doubt about someone's age even if they have produced proof of age, then **refuse the sale** and note it in the refusals book – remember to tell your supervisor as soon as possible before the end of your shift.

### Duty to refuse service

It is your duty to refuse to serve under 18s and also you must refuse to serve a person if they are or appear to be drunk.

Remember, **you commit an offence** if:

- You sell alcohol to a person who is under 18
- You allow alcohol to be sold to someone who is under 18 when you could have prevented the sale
- You sell alcohol to a person who is drunk
- You sell alcohol to a companion of a person who is drunk for the drunken person's consumption
- You allow alcohol to be sold to someone who is drunk when you could have prevented the sale

On the spot fixed penalty notices can be issued for serving alcohol to someone who is drunk or under age with prosecution also being a possibility.

If someone is drunk or disorderly they can be ejected from the premises and the police must assist if requested to do so – if you think a customer should be ejected, please ensure that you seek assistance from a colleague and follow your company's procedures in order to deal with the incident properly and safely.



## Personal Guide to Selling Alcohol

If a customer is not happy that you have asked them to prove he or she is over 18 because you believe they are under 25 then refer them to one of these posters and tell them the CCTV is recording and you have been advised to do this.

**Remember – it is your job to ask for ID !**



### Additional Information

You must not sell Liqueur confectionary (chocolates containing alcohol) to a person under the age of 16.

You may have other age-restricted products what you must also be aware of, such as:

Product Group	Minimum Age of Purchase
Petroleum Spirit & Derv	16
Liqueur Confectionary	16
Lottery Tickets	16
Cigarettes, Tobacco and Tobacco Products	18
Knives and Blades	18
Lighter Fluids, Butane, Refills and Solvents	18
Alcohol Products	18
Adult Magazines	18
Fireworks	18
DVDs & Videos	*Dependent on Classification*

Please speak to your supervisor about the products you have on sale at your premises and the age restrictions that relate to them.

Remember, you commit an offence if you sell age-related products to somebody who is under age!

**CHALLENGE 25** protects you when used correctly.

Each member of staff must have A COPY OF "Your Personal Guide to Selling Alcohol & Age restricted products in their file.



## LICENSING ACT 2003 – TRAINING CONFIRMATION

I am over 18 years of age and confirm that I have been trained in the sale of alcohol and alcohol products. I am fully conversant with my obligations in the sale of these products and the penalties that will apply if I serve a customer illegally and I will therefore challenge any person who I believe to be under 25 to prove their age before selling them alcohol.

Staff Name (Print)	Staff Signature	DPS Signature	Training completed Y/N	Date authorised

This form must be utilised for each training session and kept in the Training File



**NAME AND ADDRESS OF PREMISES;** .....

**PREMISES LICENCE HOLDER;**.....

I, ..... being the holder of a personal licence and the DPS of the above shop, hereby authorise the staff named below to make sales of alcohol under the terms of the above premises licence and in accordance with the Licensing Act 2003.

Staff have been made aware of their legal responsibilities in terms of the sale of alcohol under the Licensing Act 2003.

This authorisation applies at all times

Signed..... Date ..... Contact number.....

**Staff**

I can confirm that I am aware that it is an offence to;

Knowingly sell, attempt to sell or allow the sale of alcohol to persons who are drunk;

Sell alcohol to a person under the age of 18;

Sell or allow the sale of alcohol at any other times other than the hours stated on the licence and in accordance with the licence conditions;

I understand that the shop operates a Challenge 25 policy and that I must check valid appropriate photographic ID of anyone who appears under 25 to ensure that alcohol is only sold to persons over the age of 18 years old.

**Name**

**Signed**

**Date (s)**

.....

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Refusals Register

Keep the Register close to the counter but out of SIGHT!



Please record all refusals on the register below

## Refusals Register

NO.	Date	Product	Time	Name of person or description	Observations	Staff member
01	Example 01/01/15	Cigarettes	7:10 PM	Male 14 years Blonde, 5ft 11"	Nervous and refusing to show ID	Allen Smith
02						
03						
04						
05						
06						
07						
08						

Manager's Signature:

Date:

Additional pages can be downloaded from [noidnosale.com](http://noidnosale.com)

**NO ID  
NO  
SALE!**



# Age Verification Policy

Name of shop .....

Premises Licence Number.....

Premises licence holder: .....

Designated premises supervisor (DPS); .....

This age verification policy applies in relation to the sale of alcohol on the above premises.

**It is the policy of our business to implement and maintain an Age Verification Policy.**

We will achieve this by:

- Ensuring that all staff selling alcohol are trained, and a record is kept of their training;
- Ensuring that, whenever a customer appears to a member of staff to be under the age of 25, to require that customer to produce acceptable ID to prove they are over 18
- Ensuring that we only accept the following as acceptable proof of ID:
  - A UK photocard driving licence issued by DVLA
  - Passport.
  - A PASS accredited proof-of-age card showing the PASS hologram
- Ensuring that we check the details, including photograph and date of birth, on acceptable ID and verify these against the appearance of the customer
- Ensuring that we make a record of all refusals to sell following an age check
- Ensuring that we have clearly displayed warning notices as a deterrent to under aged customers

For the purposes of this policy, all staff will be authorised in writing by the DPS to sell alcohol once they have been suitably trained and they are considered competent to sell alcohol.

With effect from 1<sup>st</sup> October 2010, it became a mandatory condition on our licence to sell alcohol that:

*"The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark".*

Failure to have an Age Verification Policy in place would mean that we risk a fine of up to £20,000 and/or 6 months imprisonment.

We have implemented this Age Verification Policy and brought it to the attention of all staff. They have signed below to indicate their understanding of the policy. They each understand that failure to comply with the policy may constitute a disciplinary matter which could result in action being taken which may include dismissal. In particular, we have pointed out that:

- By selling alcohol to a person who is under 18, they personally, as well as the premises licence holder, commit an offence, for which they could be fined.



- If two or more sales of alcohol to a person who is under 18 take place within a three month period:
  - The premises licence holder can be fined up to £10,000, with up to 3 months suspension of the licence; or
  - A police or trading standards officer can offer a voluntary 48 closure notice; or
  - A police or trading standards officer can make a representation to the licensing authority to ask for the licence to be reviewed – which can result in suspension, revocation or other action.

Signed ..... Date .....  
**Premises Licence Holder**

Signed ..... Date .....  
**Designated Premises Supervisor**

**All staff must read this policy and sign below to confirm that it is understood.**

Signed ..... Name ..... Date .....

Signed ..... Name ..... Date .....

Signed ..... Name ..... Date .....

Signed ..... Name ..... Date .....

Signed ..... Name ..... Date .....

Signed ..... Name ..... Date .....

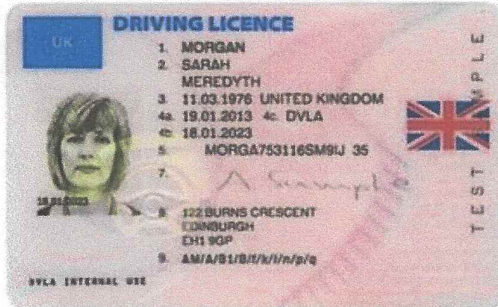
Signed ..... Name ..... Date .....



# If the customer looks **Under 25**

You will need to see one of the following;

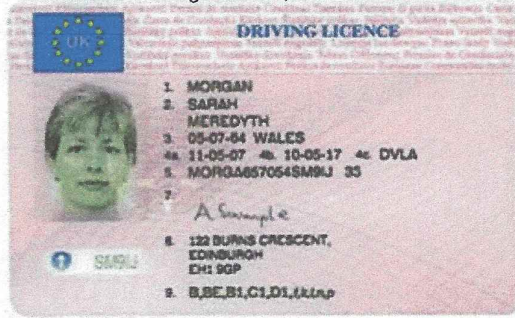
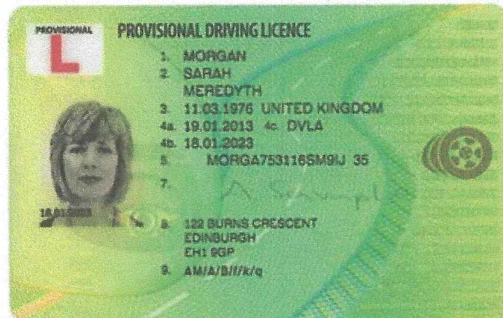
▼ Current UK Driving Licence ▼



▼ Previous Driving Licence; issued until June 2015 ▼



▼ Previous Driving Licence; issued until Jan 2014 ▼



▼ New generic PASS card design launched June 2014 ▼



▼ Passport ▼



▼ Examples of New generic, branded Pass cards ▼

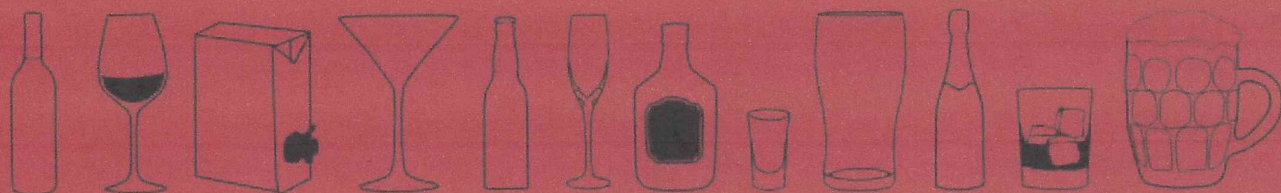


Old style cards will continue to be seen for some time and remain valid provided they have a genuine PASS hologram.



**It is a criminal  
offence to buy  
alcohol on  
behalf of a child.**

**You could face a  
£5000 fine.**



Poster supplied by  
Answers Investigation

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# UNDER 25?

Please be prepared to show proof of age when buying alcohol

Acceptable forms of ID:

- Cards bearing the PASS hologram
- Photographic Driving Licence
- Passport

The PASS logo consists of a rectangular card with a blue and white design. The word "PASS" is printed in white capital letters on a blue background.

PASS

The u25 logo is a red circle with the text "u25" in white, where the "u" is smaller and positioned to the left of the "25".

u25

The PASG logo is a red circle with the text "PASG" in white capital letters.

PASG

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