

FARE FACT SHEET:

Young people, alcohol and the law



If you choose to provide alcohol to a young person who is under 18 years of age, it is important to be aware of the laws that apply. This fact sheet provides information about these laws.

In Australia, it is illegal for staff of licensed premises (e.g. pubs, clubs, restaurants and packaged liquor outlets) to serve alcohol to a young person under the age of 18 years (a minor). It is also illegal for adults to buy alcohol on behalf of a minor on licensed premises, although in some states and territories there are exceptions to this. For example, in Victoria a minor's parent, guardian or spouse (who is 18 years or older) can provide a minor with alcohol in a licensed venue if the alcohol consumption is accompanied by a meal.

The laws relating to providing alcohol to a person under the age of 18 years in a private setting (e.g. at home) varies across states and territories. These laws are referred to as secondary supply laws. Western Australia, the Australian Capital Territory and South Australia do not currently have secondary supply laws. However, these laws are often changing so it is important to ensure that you have the most up-to-date information.

A snapshot of secondary supply laws across Australia is included below.

New South Wales

It is illegal to supply alcohol to a minor in a private home unless it is supplied by a parent or guardian, or by another adult authorised by the minor's parent or guardian. A conviction can incur a penalty of up to \$11,000, or 12 months imprisonment (or both).

Queensland

It is illegal to supply alcohol to a minor in a private home unless it is supplied by the minor's parent or guardian, or another adult with parental responsibilities. The supply of alcohol must be accompanied by 'responsible supervision'. Responsible supervision entails that a minor's alcohol consumption is safe and appropriately supervised by the responsible adult. Factors when considering whether irresponsible supervision has taken place include: whether the adult was intoxicated; whether the minor was intoxicated; the minor's age; the amount of alcohol consumed by the minor and over what period of time; whether the minor consumed food with the alcohol; and, how the minor was supervised. A conviction can incur a penalty of up to \$8,000.

Victoria

It is illegal to supply alcohol to a minor in a private home unless it is supplied by the minor's parent, guardian, or spouse (who is 18 years or over), or by another adult authorised by the minor's parent, guardian or spouse. A conviction can incur a penalty of over \$7,000.

Northern Territory

It is illegal to provide alcohol to a minor in a private home unless it is supplied by the minor's parent or guardian, or another adult with parental responsibilities. The supply of alcohol must be accompanied by 'responsible supervision'. Responsible supervision entails that a minor's alcohol consumption is safe and appropriately supervised by the responsible adult. Factors when considering whether irresponsible supervision has taken place include: whether the adult was intoxicated; whether the minor was intoxicated; the minor's age; the amount of alcohol consumed by the minor and over what period of time; whether the minor consumed food with the alcohol; and, how the minor was supervised. A conviction can incur a penalty of up to \$13,300.

Tasmania

It is illegal to supply alcohol to a minor in a private home unless it is supplied by the minor's parent or guardian, or another adult with parental responsibilities. The supply of alcohol must be accompanied by 'responsible supervision'. Responsible supervision entails that a minor's alcohol consumption is safe and appropriately supervised by the responsible adult. Factors when considering whether irresponsible supervision has taken place include: whether the adult was intoxicated; whether the minor was intoxicated; the minor's age; the amount of alcohol consumed by the minor and over what period of time; whether the minor consumed food with the alcohol; and, how the minor was supervised. A conviction can incur a penalty of up to \$12,000 or 12 months imprisonment.

About the Foundation for Alcohol Research and Education

The Foundation for Alcohol Research and Education (FARE) is an independent charitable organisation working to prevent the harmful use of alcohol in Australia. Our mission is to help Australia change the way it drinks by:

- helping communities to prevent and reduce alcohol-related harms;
- building the case for alcohol policy reform; and
- engaging Australians in conversations about our drinking culture.

Over the last ten years FARE has invested more than \$115 million, helped 750 organisations and funded over 1,400 projects addressing the harms caused by alcohol misuse.

FARE is guided by the World Health Organisation's *Global Strategy to Reduce the Harmful Use of Alcohol* for addressing alcohol-related harms through population-based strategies, problem-directed policies, and direct interventions.

We need your help to continue our good work. Donations that are \$2 and over are tax deductible, make your secure online donation now at www.fare.org.au

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