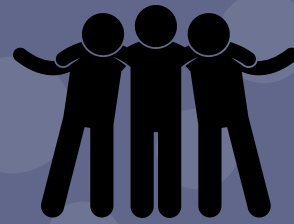


SUPPLY OF ALCOHOL TO UNDER-18S FAQ'S

WHAT ABOUT YOU?



www.whataboutyou.co.nz

The Law:

It is illegal to supply alcohol to someone under the age of 18 years unless:

- The person supplying the alcohol is the parent or legal guardian and the alcohol is supplied in a responsible manner, or
- The person supplying alcohol has the express consent of the young person's parent or legal guardian and the alcohol is supplied in a responsible manner.

IMPORTANT NOTE:

Express consent can only be given by a parent or legal guardian. A legal guardian is someone who is recognised as a guardian under the Care of Children Act 2004.

A legal guardian is not another family member (like an aunt, uncle, older brother or sister), older boyfriend or girlfriend, sports coach or anyone else acting temporarily in the place of a parent.

Express Consent:

- This can only be given by a parent or legal guardian who can supply alcohol directly to their son/daughter (as long as it is responsibly) or by giving consent to a third party.
- Express consent to a third party could take the form of a personal conversation, an email, or a text or similar.
- If you are the third party, you must have good reason to believe that the express consent is genuine.

Responsibly:

When this is referred to it includes, but is not limited to, the following –

- Supervise the drinking of alcohol to ensure no one becomes intoxicated
- Provide food
- Provide low and non-alcoholic options
- Ensure safe transport options are in place

Also consider –

- The nature of the occasion
- The age of the person drinking
- The strength of the alcohol
- Time period the drinking will occur
- The number of drinks being supplied

Below are some frequently asked questions, to assist young adults in particular, around these requirements:

FAQ'S FOR YOUNG ADULTS

Q. I heard that I need permission to give drinks to my under-18 friends, what does that mean?

A. Express consent is required to provide alcohol to a person under 18 by either a parent or legal guardian.

Q. I'm throwing a party at my place. The law says I have to 'supply alcohol responsibly'. What does that actually mean?

A. Supervision, provide food & non-alcoholic options, and ensure safe transport are in place.

Q. Are parents the only people that can give permission?

A. Yes, as well as legal guardians.

Q. My under-18 mates are bringing their own alcohol to my party, is that okay?

A. Whoever gives your under-18 friends alcohol must supply it responsibly. That means those people should be aware of the party, and how you plan to make sure guests drink responsibly and travel to and from the party safely.

Q. Can I give permission for my under-18 brother/sister/cousin to be supplied with alcohol because I'm family?

A. No. It must be a parent or legal guardian only.

Q. My under-18 mate's dad said I could buy his son some beers for our party. Do I have to ask his dad every time we have a party?

A. Yes. Express consent is needed every time a minor is supplied alcohol.

Q. I'm having a 21st. I have permission from my under-18 mate's parents for them to drink. Is that all I need?

A. In addition to consent, you also need to ensure you're supplying the alcohol responsibly.

Q. My parents are throwing me an 18th. Do I need to get permission for my under-18 mates to drink or do my parents?

A. This depends on who will be supplying the alcohol to the under-18s. The supplier has to ensure express consent has been given and also that the alcohol is supplied responsibly.

Q. Do I need permission from both parents to legally give alcohol to my under-18 mate?

A. No, one parent or legal guardian is sufficient.

Q. I'm 18, can I give alcohol to my under-18 mates when I have parties at my house?

A. You can do this only if you have express consent for your mates and supply the alcohol responsibly.

Q. A few guys in our rugby team are under-18 but most aren't. What happens with beers in the changing room?

A. If you're going to supply the under-18 with alcohol, again you will need express consent and do it responsibly.

Q. I'm having a party at my place, some under-18s are coming but they're not drinking. Is that okay?

A. Yes.

Q. If I supply alcohol to my under-18 mates and they go somewhere else to drink afterwards, am I breaking the law?

A. No, but keep in mind that responsible supply also includes providing safe transport options.

Q. I'm 18 but heaps of my mates aren't. Can I get in trouble if I'm drinking with them?

A. No, but only if you are not supplying your mates any alcohol.

Q. We've got an under-18 flatmate, can we buy alcohol together as part of our shared groceries?

A. You must be over-18 to purchase alcohol. If you intend to supply the flatmate with alcohol, then express consent etc. applies.

Q. My girlfriend is 17 but I'm 18, can I give her alcohol?

A. Only if you have express consent from her parent or legal guardian.

Q. I'm married (in a civil union) and my wife/husband/partner is 17, is it legal for me to buy her/him alcohol?

A. Yes. However, the law still requires that you supply the alcohol responsibly.

Q. I live with my de facto partner, and he/she is 17, is it legal for me to buy him/her alcohol?

A. Yes. However, the law still requires that you supply the alcohol responsibly.

Q. What does this mean for our after-ball party?

A. You must be over-18 to legally purchase alcohol. The rules for a private after-ball party are the same as for any other occasion. To legally supply alcohol to under-18s you must have express consent from a parent or guardian. The responsible supply requirements also apply to after-ball parties.

Q. What's the youngest age you can drink in New Zealand?

A. The minimum age to purchase alcohol is 18, there is no legal minimum drinking age in New Zealand as such. However, health professionals recommend that children and young people under-18 years don't drink. Those under 15 years of age are at the greatest harm from drinking alcohol, and not drinking in this age group is especially important.

Q. What happens if I get caught breaking the law?

A. You may be convicted and fined up to \$2,000.

If you have any other questions, or require further clarification, reach out to the Alcohol Licensing department at your local council or contact the New Zealand Police, in particular the Alcohol Harm Prevention Officer nearest you.

