

SUPPLY OF ALCOHOL TO UNDER-18S - FAQs FOR PARENTS

Q When does the new law come into effect?

A The new law around supplying alcohol to under-18s comes into effect on 18 December 2013.

Q When providing alcohol to my kids' friends who are under-18, what do I have to do?

A Before supplying the alcohol you must get express consent from the under-18s' parent or legal guardian. You must have good reason to believe the consent you've been given is genuine. Unless you are certain you have permission from a minor's parent or legal guardian, don't give alcohol to anyone under-18. You must also supply the alcohol in a 'responsible manner'.

Q I understand I have to give some sort of permission for other people to provide my under-18-year old with drinks, what does that mean?

A The term you've heard about is express consent. This means you'll need to give your permission to whoever supplies your under-18 with drinks. Express consent might be in the form of a personal conversation, email or a text message. Remember, the person supplying the alcohol to your under-18-year-old will need to have good reason to believe the permission really does come from you, so don't be surprised if you get a phone call to check that a text or email is genuine.

The law applies to everyone, irrespective of their age, who supplies alcohol to a young person. This includes friends, relatives and other parents and adults.

Q What does supplying alcohol in a 'responsible manner' mean?

A Responsible supply involves taking steps such as supervising the consumption of alcohol, providing food, offering low-alcohol and/or non-alcoholic drinks and ensuring safe transport options are in place. When supplying alcohol you should also think about what might be appropriate considering the age of any under-18s you are giving alcohol to, the volume and strength of the alcoholic drinks, and the duration and type of event you are hosting or that your under-18s are attending.

Q Who is considered a legal guardian?

A A person is only considered a teenager's legal guardian if he or she 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.

Q *Isn't it illegal for under-18s to drink?*

A No. It is illegal for under-18s to purchase alcohol, but there is no legal drinking age in New Zealand. However, HPA recommends that children and young people under-18 don't drink alcohol. If you decide to supply alcohol to your teen, [never exceed the recommended daily amounts for adults](#).

Q *What happens if under-18s bring their own alcohol to a party I'm hosting?*

A Whoever gives under-18 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.

If those people haven't made sure such plans are in place and are carried out, they may be breaking the law.

Q *Do I need a parent or guardian's consent for every occasion that I supply alcohol to their under-18s, or just once?*

A You need express consent for every occasion/event.

Q *Is there a limit on the type or quantity of alcohol I can provide if I have parental consent?*

A The law states you must supply alcohol in a responsible manner. Responsible supply means you should limit the strength and amount of alcohol available. HPA recommends that children and young people under-18 don't drink alcohol. If you decide to supply alcohol to your teen, [never exceed the recommended daily amounts for adults](#).

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

A You must supervise under-18s drinking alcohol that you have supplied. If you have supplied alcohol in a responsible manner and the under-18 goes elsewhere, it is then up to the host of the next venue to supply alcohol responsibly. However, keep in mind that responsible supply also includes providing safe transport options.

Q *Does this mean my under-18 guests can't have champagne at my wedding or a beer at my 21st?*

A They can, but you must have express consent from their parent/guardian and supply it responsibly.

Q *My son/daughter is having an 18th birthday where some people attending are 18 or older and some are younger. What does this mean?*

- A If they are under-18, you must have express consent from their parent/guardian and supply it responsibly.
- Q *Does this mean I can buy alcohol for my under-18 if they are going to a party I know about?*
- A Yes, but responsible supply means you should check that the party host is comfortable with alcohol at the party and that they will be taking steps such as supervising the consumption of alcohol, providing food, offering low-alcohol and/or non-alcoholic drinks and ensuring safe transport options are in place.
- Q *What can I do if someone has given my under-18 alcohol without my consent?*
- A The person who supplied alcohol to your child or teenager may have committed an offence and could be fined up to \$2,000. You could follow up with the person who provided the alcohol, and/or contact the local Police.
- Q *If, before supplying any alcohol, I have asked a young person to show me ID to prove they are over-18 and I subsequently discover the ID is fake have I broken the law?*
- A If you had reasonable grounds to believe at the time of supplying alcohol that the person is over-18, then this may be used as a defence to a charge of illegally supplying alcohol to someone under-18.
- Q *Do I have to supervise under-18s with alcohol?*
- A Alcohol can only be supplied to under-18s if it is being supplied in a responsible manner. Responsible supply includes supervising the drinking of alcohol.
- Q *My under-18 is going on a sports trip, can the coach supply them alcohol?*
- A The coach can only supply alcohol to an under-18 on a particular occasion if they have express consent from the parent or legal guardian.
- Q *Does this 'responsible supply' law only apply when I'm giving alcohol to under-18s at my house?*
- A No. The law applies any time and any place you supply alcohol to an under-18. For example, if you supply your kids with alcohol that they are taking to a party elsewhere, you must still make sure the host will be taking steps to make sure alcohol is consumed responsibly.
- Q *Is there a legal minimum drinking age in New Zealand?*
- A There is no legal minimum drinking age in New Zealand. However, the Health Promotion Agency recommends that children and young people younger than 18 years

old don't drink alcohol. Those less than 15 years of age are at the greatest risk of harm from drinking alcohol, and not drinking in this age group is especially important.

It is illegal for someone under-18 to buy alcohol or to present or use a fake or false ID. It's also against the law to give or lend an ID to an underage person if you know they intend to use it to buy alcohol.

Q *How many drinks can I give my under-18?*

A HPA recommends that children and young people under 18 don't drink alcohol. If you decide to supply alcohol to your teen, [never exceed the recommended daily amounts for adults](#). The law also states you must supply alcohol in a responsible manner.

Q *Can I serve alcohol to under-18s at after-ball parties?*

A 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 in this circumstance.