

New legislation to prohibit sale and supply of alcohol to minors in the course of business to commence on November 30

The Department of Health's Tobacco and Alcohol Control Office will carry out enforcement measures under the Dutiable Commodities (Amendment) Ordinance 2018 starting from November 30. The new legislation prohibits the sale and supply of intoxicating liquor to minors under 18 years old in the course of business via face-to-face distribution and remote distribution, as well as the sale of alcoholic beverages in vending machines.

The Head of the Tobacco and Alcohol Control Office, Dr Lee Pui-man, provided details on the implementation of the ordinance at a press conference today (November 14). He said, "The new legislation aims to prevent young people's access to alcohol. The Department of Health reminds the public and stakeholders to comply with the new law. We also urge everyone, especially young people, to adopt an alcohol-free healthy lifestyle.

"The legislation covers all kinds of sale and supply of intoxicating liquor in the course of business irrespective of whether payment is involved. It covers alcoholic beverages sold or supplied for commercial purposes in fairs, celebratory events, exhibitions and the like, but does not apply to family gatherings or social events with no business intentions. The sale of alcoholic beverages in vending machines is also prohibited."

Intoxicating liquor is defined as alcohol that has more than 1.2 per cent ethyl alcohol by volume and is fit for or intended as a beverage. The maximum fine for selling or supplying intoxicating liquor to a minor, or selling intoxicating liquor via vending machines, is \$50,000 on summary conviction. Those who obstruct inspectors during enforcement are liable to a maximum fine of \$10,000 on summary conviction.

If alcohol is sold or supplied via face-to-face distribution such as in premises or stores like supermarkets, liquor stores and convenience stores, a sign containing both the Chinese and English versions of the prescribed notice must be displayed in a prominent location easily seen by the public. The notice must be rectangular in shape with minimum dimensions of 38 centimetres by 20 centimetres, and have legible characters and letters in a font colour that contrasts with the background colour.

If alcohol is sold or supplied via remote distribution such as SMS, group messages, websites and telephone or mail order, the prescribed notice must be displayed in a reasonably legible manner, or its contents must be read out or played as a sound recording.

A sample graphic and sound recording of the prescribed notice can be downloaded from [the Tobacco and Alcohol Control Office website](#). The maximum fine for non-compliance with the prescribed notice and age declaration requirement is \$25,000 on summary conviction.

Dr Lee said, "The DH's Tobacco Control Office has expanded its scope and scale to cover the new alcohol legislation, and was renamed as the Tobacco and Alcohol Control Office. Apart from enforcing the existing Smoking (Public Health) Ordinance, Tobacco and Alcohol Control Inspectors will be empowered to enforce the new alcohol legislation."

The Tobacco and Alcohol Control Office has formulated guidelines to assist the industry in complying with the legislative requirements. Tobacco and Alcohol Control Inspectors will conduct inspections, investigate complaints and carry out enforcement actions.

To prepare for the implementation of the new legislation, the Office has enhanced stakeholders' understanding of the new law and publicised the implementation of the new law through various means. These include organising briefing sessions, attending meetings of the Business Facilitation Advisory Committee and its three Task Forces and Business Liaison Groups, distributing leaflets to retailers and publicising the new law in the mass media.

Detailed guidelines for businesses and other relevant materials have been uploaded to the Tobacco and Alcohol Control Office website www.taco.gov.hk. Members of the public can visit the website to learn more about the provisions of the new legislation.