

**General Guidelines on  
the Prohibition of Sale  
or Supply of  
Intoxicating Liquor to  
Minors in the Course of  
Business**

**Tobacco and Alcohol Control Office  
Department of Health  
March 2020**

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# **1 Introduction**

According to the regulations in Part 5 of the Dutiable Commodities (Liquor) Regulations (Cap. 109B) (“the law” or “the legislation”), any person must not sell or supply intoxicating liquor, through face-to-face or remote distribution, to persons under the age of 18 (“minors”) in the course of business, or sell intoxicating liquor by vending machines. This guidelines aims to provide businesses with the information about the regulatory requirement under the law. Please read this guidelines to make sure that you understand the relevant responsibilities when selling or supplying intoxicating liquor.

## **1.1 Background of the Legislation**

Adolescence is a key time of behavioural change and brain development. Alcohol consumption during this period adversely affects these developmental changes. In addition, young people can develop dependence on alcohol more quickly than adults; the earlier a person engages in drinking, the greater the likelihood of alcoholism developing in his later life. Besides, young people are more sensitive to alcohol’s social and rewarding effects. These reactions render young people more easily intoxicated by alcohol, placing them and the community at greater risk of physical, sexual, and emotional harm. In order to reduce alcohol-related harms among young people and to better protect the young people in Hong Kong, the legislation has been enacted to prohibit the sale or supply of intoxicating liquor to minors in the course of business.

## **1.2 Implementation Date**

The law came into effect on 30 November 2018.

# **2 General Information for Businesses**

### **Definition of “intoxicating liquor”**

Intoxicating liquor is defined as liquor that has more than 1.2% ethyl alcohol by volume,

and is fit for or intended as a beverage<sup>1</sup>. From this point onwards, “alcohol”, “liquor”, and “alcoholic beverage” are taken to mean “intoxicating liquor”.

### **The law’s scope**

The law covers all sale and supply of intoxicating liquor in the course of business, regardless of whether payment is involved or not. This includes all fairs, festivals, exhibitions or etc. for commercial purposes, but does not apply to family gatherings or social events with no intention for business.

### **Sale of intoxicating liquor from vending machines prohibited**

All intoxicating liquor are prohibited to be sold in vending machines.

## **2.1 Key Requirements for Businesses**

### **What this law means to businesses and business owners**

According to the law, if you sell or supply intoxicating liquor to minors in the course of business, you will commit an offence and can be fined up to HKD\$50,000.

If you have premises or stores selling or supplying alcohol, you will need to display a sign containing the prescribed notice in both Chinese and English, which is as follows:

根據香港法律，不得在業務過程中，向未成年人售賣或供應令人醺醉的酒類。

**Under the law of Hong Kong, intoxicating liquor must not be sold or supplied to a minor in the course of business.**

The sign must:

- be displayed in a prominent location at the premises or store that can be easily seen by the public, for example, above the cashier counter;
- be rectangular in shape with sides of at least 38 cm in length and 20 cm in width.

The prescribed notice contain in the sign must:

- be in plain and readily legible characters and letters; and
- be set out in characters and letters of a colour that contrasts with the background on which they appear.

Sample of a sign with the prescribed notice can be found at **Annex A**.

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<sup>1</sup> For full legal definition of intoxicating liquor, please refer to Part 3 of the Dutiable Commodities Ordinance (Cap. 109 of the Hong Kong Legislation).

If you sell or supply intoxicating liquor via remote means (such as the Internet or telephone), you need to display the prescribed notice on your online shop in a reasonably legible manner, or read out the content of the prescribed notice before selling alcohol.

## **2.2 Tips for Face-to-Face Distribution of Liquor in Stores**

### **What face-to-face distribution means**

Face-to-face distribution is the sale or supply of intoxicating liquor when the buyer or recipient comes into face-to-face contact with the seller or supplier. Examples include, but are not limited to, sale or supply in supermarkets, liquor stores, convenience stores or etc., where the buyer and seller have transactions for alcohol.

### **What the law means to everyone who is involved with the sale or supply of alcohol and how they can comply with the law**

The law states that alcohol must not be sold or supplied to a minor in the course of business. The person who is selling or supplying alcohol must be satisfied that the buyer has reached 18 years old before completing the sale or supply. The buyer's proof of identity should be checked if there is any doubt about the buyer's age. If the buyer's age cannot be ascertained and there is doubt about his age, the seller shall refuse the sale or supply. Besides ascertaining the buyer's age, the seller or supplier should also make sure that the prescribed notice sign(s) is displayed properly.

### **Additional requirements for store owners or managers**

Store owners or managers should provide training and clear instructions to their employees on the law requirement at the start of their employment. Relevant training and instructions should be repeated regularly to ensure your staff do not forget or become complacent. The training and instructions should be recorded and employees should be required to date and sign training records to demonstrate that they have been done. Store owners or managers should also monitor employees to ensure they are following relevant instructions.

### **Where to display the prescribed notice sign**

The sign must be displayed in a prominent position at the place that can be easily seen and read by all customers. Please refer to **Annex A** for sample of the sign.

## **2.3 Tips for Remote Distribution of Liquor**

### **What remote distribution means**

Remote distribution refers to all types of sale or supply of intoxicating liquor other than face-to-face distribution. Examples include sale or supply of alcohol via electronic means, online websites, telephone calls, mail orders, mobile applications etc.

### **How all sellers, suppliers and delivery staff can comply with the law**

It is the responsibility of sellers to ensure that alcohol is only sold to buyers who have reached the age of 18. Sellers should have an effective system in place to avoid illegal sale of alcohol to minors. All sellers and suppliers should make sure the Chinese and English versions of the prescribed notice are displayed legibly, for example, printed on order forms, displayed on the website, or read out properly during vocal sale or supply. They should also make sure the declaration from buyer/recipient, to the effect that he has reached the age of 18, is received and there is no circumstance that causes reasonable suspicion that the declaration is false before the sale or supply of alcohol. Store owners and managers should also provide training and clear instructions to their employees on the law requirement. Moreover, delivery staff, who are under the direct employment of the company that completed the sale or supply, should ensure the recipient of the alcohol order has reached 18 years old. The same steps as stated in section 2.2 should be taken to ascertain the age of the buyer.

### **How to prepare the prescribed notice for:**

#### **i. Online sale of alcohol**

Online store owners must display the Chinese and English versions of the prescribed notice on their online stores in a reasonably legible manner. Sample of the prescribed notice can be found at **Annex A**.

#### **ii. Telephone order of alcohol**

Sellers who sell liquor through telephone orders must cause the contents of the prescribed notice in either Chinese or English to be read out to the buyer, either in person or by audio recordings. If the conversation is conducted in Chinese, the content of the Chinese version of the prescribed notice should be read out; if the conversation is conducted in a language other than Chinese, the content of the English version of the prescribed notice should be read out. A voice recording sample of the prescribed notice can be found on the website of the Tobacco and Alcohol Control Office ([www.taco.gov.hk](http://www.taco.gov.hk)).

### **iii. Mail order (using catalogues or forms) of alcohol**

Sellers or suppliers using mail order must display the Chinese and English versions of the prescribed notice on the order forms in a legible manner.

### **iv. Other forms of remote distribution**

Sellers or suppliers who sell or supply liquor through other electronic means of remote distribution shall:

- In the case where the sale or supply platform is published in the form of a visual image (including text) or a series of moving visual images – display both the Chinese and English versions of the prescribed notice.
- In the case where sale or supply platform is published in the form of a sound recording, or an oral communication – express the contents of the prescribed notice either in Chinese or English (depending on the language used in the platform)

Samples of the prescribed notice and age declaration for remote distribution can be found on TACO's website:

[http://www.taco.gov.hk/a/english/downloads/files/Remote\\_Distribution\\_Samples.pdf](http://www.taco.gov.hk/a/english/downloads/files/Remote_Distribution_Samples.pdf)

### **Tips for delivery**

If delivery of liquor is required to complete a customer's order in the case of remote distribution, you should ensure the following requirements are being met, on top of the above-mentioned requirements, in order to comply with the law:

If the delivery staff is employed by the company involved in the sale or supply, the delivery staff is responsible for ensuring that the receiver is of age when receiving the alcohol package. He should ensure that an age declaration to the effect that the buyer/receiver has attained 18 years of age, has been received before delivery. If there is any doubt about the receiver's age, the delivery staff should check the receiver's ID before giving the receiver the package. If the receiver's age cannot be ascertained and there is doubt about his age, no delivery shall be made.

If the delivery staff (who is employed by the company involved in the sale or supply of liquor) delivers the liquor package to a person under the age of 18, both the delivery staff and the company may be prosecuted. Delivery staff who are **employed by a delivery company** which is not otherwise involved in the sale/supply of the liquor are exempted from this provision of the legislation.



### **3 Penalties**

#### **Having sold or supplied intoxicating liquor to a minor**

The maximum fine is HK\$50,000 on summary conviction.

#### **Selling intoxicating liquor via vending machines**

The maximum fine is HK\$50,000 on summary conviction.

#### **Non-compliance with the prescribed notice requirement for either face-to-face or remote distribution of intoxicating liquor**

The maximum fine is HK\$25,000 on summary conviction.

#### **Obstruction of inspectors during enforcement**

The maximum fine is HK\$10,000 on summary conviction.

### **4 Support and Assistance from the Department of Health**

#### **Department of Health**

The Tobacco and Alcohol Control Office under the Department of Health is responsible for enforcement of the law. To facilitate the implementation of the law, we provide support and materials on request, such as health talks and education materials on alcohol control legislations, etc. We also enhance the promotion and education among the public.

#### **Talks on alcohol control legislations**

The Tobacco and Alcohol Control Office conducts relevant seminars and health talks on alcohol control legislations for the alcohol, retail and catering industries as necessary. It aims at enhancing the understanding and implementation skills of business owners, suppliers, managers and staff in relation to the legislation, so that they can help prevent minors from accessing alcohol.

#### **Legislation education materials**

To assist business owners and managers in implementing alcohol sale/supply control, we have prepared a series of pamphlets, posters, prescribed notice sign print-outs and

other free materials. Interested parties can send us a request by contacting us at 2961 8823.

### **Hotline on alcohol control issues**

For enquiries or any assistance concerning the implementation of the alcohol control policy, please call 1823 or contact us at 2961 8823.

## **5 Frequently Asked Questions (FAQs)**

### General concerns

#### **1. What does supplying intoxicating liquor in the course of business mean under regulation 37(1)?**

According to the law, sale or supply of intoxicating liquor to minors in the course of business is an offence, regardless of whether payment is involved. The law's scope covers not only sales of liquor in traditional retail outlets such as liquor stores, supermarkets, and convenience stores, but also supplies of liquor in the course of business. Examples of supply include but are not limited to free alcohol samples provided to minors in marketing or advertising events and free gifts of alcohol accompanying other products.

#### **2. Does this legislation only apply to retailers?**

This legislation applies to any parties and companies that are involved in any form of sale or supply of intoxicating liquor to customers in the course of business, including but not limited to: retailers, manufacturers, suppliers, wholesalers, and distributors (For example: if wholesalers sell alcohol directly to customers, they will have to adhere to the legislation's requirements). This legislation applies to employees, managers and employers of the employees who sell or supply intoxicating liquor.

#### **3. Regarding the requirement of the prescribed notice, what constitutes "prominent position at the place" under regulation 41(1)?**

"Prominent position at the place" depends on the specific surroundings and the immediate environment. Generally, it refers to an area where public can easily view the sign, such as cashier counter.

**4. What are “reasonable measures” under regulations 38(3), 39(3) and 42(5)?**

Reasonable measures should be undertaken by both employees and employers to prevent sale or supply of alcohol to minors. An example of reasonable measure is to check the proof of identity of the buyer/recipient if you suspect he is a minor. For employers and store owners specifically, reasonable measures include, but are not limited to, providing training and instructions to employees regarding the prohibition of sale or supply of liquor to minors. There may be other reasonable measures depending on your business or circumstances which are not outlined here.

**5. Is cooking wine (e.g. cooking rice wine, sherry, etc.) a type of intoxicating liquor and will it be regulated under the legislation? What about other foods or drinks which contain or are made with alcohol?**

Intoxicating liquor covers any liquid that contains more than 1.2% ethyl alcohol by volume and is fit for or intended as a beverage. Any drink items that meet this definition (e.g. cooking rice wine, sherry) are considered as intoxicating liquor and are regulated under this legislation. On the other hand, food items which contain alcohol, e.g. alcoholic chocolate/ liqueur chocolate (酒心朱古力) and chicken cooked in wine (醉雞) are exempted under this regulatory regime.

Concerning retail shops and face-to-face distribution

**6. What exactly does face-to-face distribution include?**

Face-to-face distribution of liquor refers to the sale or supply of liquor that puts the seller or supplier in face-to-face contact with the buyer or recipient. Examples include but are not limited to selling alcohol at supermarkets and convenience stores, and providing alcohol in commercial wine tasting events, etc.

**7. How can a liquor seller tell if a customer is over 18?**

According to the law, sale or supply of intoxicating liquor to minors in the course of business is an offence. To prevent such occurrence, if the seller has any doubt about the buyer’s age, the seller should inspect the buyer’s proof of identity. If the buyer cannot or does not produce a proof of identity for age verification, the seller shall refuse the sale.

**8. What identity documents are acceptable forms of proof of identity?**

Employers and store managers must ensure that staff are aware of the types of acceptable identity documents (including valid identity card and valid travel document) that can be accepted as proof of identity and age.

**9. Do sellers or suppliers have the right to ask for customers' proof of identity?**

While the law does not give sellers or suppliers the authority to check customers' proof of identity prior to the alcohol sale or supply, sellers and suppliers can request for customers' proof of identity in order to prevent breaching the law. Customers have the right to refuse the request. Sellers and suppliers shall also refuse the sale or supply if a customer is suspected to be a minor and his age cannot be ascertained.

**10. In the case of face-to-face distribution, if a minor shows to a liquor seller a proof of identity which does not belong to him, and subsequently successfully purchases the liquor, will the seller be prosecuted?**

Simply requiring the purchaser to show a proof of identity is not enough. The seller should check the proof carefully to make sure it is a valid proof of identity that belongs to that person. If the seller has inspected the proof of identity of the purchaser and has reasonably satisfied himself or herself that the purchaser is not a minor, a defence is available in regulation 38(2) to the seller. However, whether such defence would apply has to be determined in court on a case-by-case basis depending on the circumstances.

**11. After inspecting customers' proof of identity, how long should such records be retained for use as a defence against prosecution?**

Business owners or managers should keep this proof of inspection for a reasonable period of time. Relevant CCTV footage and audio recording may be accepted as evidence in a court. Please make sure that camera lenses and housing glass fronts are clean to ensure the best quality recording and voice of speakers in the audio can be duly recognised. The recording date and time must be set correctly.

Concerning remote distribution and delivery

**12. What exactly does remote distribution include?**

Remote distribution refers to any sale or supply that is not covered by face-to-face distribution. Examples of selling or supplying alcohol through remote distribution include but are not limited to online stores, telephone sales, mail orders, mobile applications etc.

**13. Companies nowadays use a variety of electronic means and media to market alcoholic drinks, including television and radio broadcasting, internet promotional tools, social media platforms and mobile phone applications. How can businesses comply with the legal requirements?**

All sale or supply in all forms of remote distribution are required to comply with

the prescribed notice and age declaration requirements. Remote sellers or suppliers have to display the Chinese and English versions of the prescribed notice on the printed order form or on their online stores before checkout, or to cause the contents of the prescribed notice being read out should it be a phone order. In addition, they must obtain an age declaration from the buyer, to the effect that the buyer has reached the age of 18 years old, prior to the sale or supply. These requirements must be complied with no matter what electronic means or media are used to market alcoholic drinks, as long as sale or supply of alcohol in the course of business is involved. However, pure advertisements and promotional materials are not covered by the scope of this legislation.

**14. In the case of remote distribution, if a minor makes a false statement about his age, and subsequently successfully purchases liquor, will the seller be prosecuted?**

If the seller has received a valid age declaration from the buyer and there was no circumstance that caused the person to reasonably suspect that the declaration was false, a defence is available in regulation 39(2) to the seller. However, whether such defence would apply has to be determined in court on a case-by-case basis depending on the circumstances.

**15. If a person orders intoxicating liquor through remote means (e.g. through the phone or the Internet), can a minor be allowed to pick up the order for the person?**

A person must not, in the course of business, supply intoxicating liquor to a minor. If a person picks up an order of intoxicating liquor and the seller suspects that the person is a minor, the seller should check the person's proof of identity to ascertain whether the person is of legal age. To ensure that intoxicating liquor is being sold to a person of legal age and to prevent minors from being supplied with intoxicating liquor easily, it is recommended for the remote purchaser that he or another adult picks up the order.

**16. Will the delivery staff bear legal liability for having delivered alcohol to a minor in the course of business?**

If the delivery staff is employed under the company that sells or supplies the alcohol, he has an obligation to ensure that the recipient of the alcohol order is an adult and should ensure that an age declaration has been received prior to the delivery, and there was nothing that caused the delivery staff to reasonably suspect that the declaration was false. Although the legislation does not require the delivery staff to

check the ID of the recipient, doing so will ensure that the recipient is indeed of legal age. If the delivery staff is unable to ascertain the recipient's age, the delivery staff can refuse to hand over the alcohol. In case the alcohol was delivered to a minor, even if the delivery staff was not involved directly in that specific sale or supply order, the delivery staff and his employer may be liable.

On the other hand, if the delivery staff is employed by a delivery company that is not involved in the sale or supply of liquor, the delivery staff will not fall under this regulatory regime.

**17. What forms of age declaration are accepted in remote distribution and can be used as a defence?**

The following examples of age declaration are accepted as defences:

- Online example: The purchaser can tick a box with the statement "I declare I am over 18 years old"
- Telephone example: The purchaser can make a verbal declaration over the phone

Samples of age declaration for remote distribution can be downloaded on TACO's website:

[http://www.taco.gov.hk/a/english/downloads/files/Remote\\_Distribution\\_Samples.pdf](http://www.taco.gov.hk/a/english/downloads/files/Remote_Distribution_Samples.pdf)

Supply of liquor at social occasions and gatherings

**18. During a family dinner, if someone hands alcohol to a minor, does this constitute as supplying intoxicating liquor to minor?**

No. The law prohibits sale or supply of intoxicating liquor to minors in the course of business but does not cover any social events. Nevertheless, it is not recommended to supply alcohol to minors as alcohol can affect brain development. People who start drinking earlier are more likely to develop alcohol dependence later in life.

**19. If a minor is at a social gathering in a restaurant with friends or family, can the minor drink or order alcohol?**

According to the legislation, any sale or supply of intoxicating liquor to minors in the course of business is prohibited. Moreover, the existing liquor license regulations prohibit a licensee from permitting minors to consume alcohol on-premises.

### Liability issues

**20. If a store employee sells liquor to a minor, will he be prosecuted?**

The legislation prohibits all sale or supply of liquor to minors in the course of business. In this case, the employee has breached the law and will be prosecuted. It is a defence for the employee to establish that, before the liquor is sold or supplied, the employee has taken reasonable measures to prevent selling or supplying liquor to minors. For example, the buyer's proof of identity has been checked before selling the alcohol, and the employee is reasonably satisfied that the buyer is of legal age.

**21. If a store employee sells liquor to a minor, will the store owner/employer (who is not directly involved in the transaction) be prosecuted?**

Both the store keeper/employee and the store owner/employer are held liable for breaches of the law. If the store owner is charged because of the employee's act, it is a defence for the store owner to establish that, before the liquor is sold or supplied, he has taken reasonable measures to prevent the liquor from being sold or supplied to a minor by his employees in the course of business. Examples of reasonable measures include but are not limited to: providing the employee with training and clear instructions regarding not selling or supplying alcohol to minors.

**22. If a minor collects a bottle of wine from a friend's or family's private storage in a storage company, will the storage company be regarded as supplying intoxicating liquor and be prosecuted?**

The legislative intent is to prohibit sale or supply of alcohol to minors. As such, the legislation covers the above situation and hence the storage company will be prosecuted. If there is doubt about the person's age, the storage company staff should check the person's proof of identity. If the staff is unable to ascertain the person's age, it is suggested to refuse the supply.

### Use of machines in selling/supplying alcohol

**23. Self-checkout counters are now common in the retail industry. How should we operate these machines such that we could adhere to the law?**

We suggest the retail industry to operate the self-checkout counters as a type of face-to-face distribution to fulfil the relevant legal requirements. Retailers can choose to operate however they like as long as they adhere to the law. For example, they can prohibit all sales of alcohol beverages via self-checkout counters, or the machine locks up displays a screen showing that the customer needs staff assistance to complete the transaction when an alcohol beverage is scanned.

**24. There are food courts that use dispensing machines which operate on pre-purchased cash cards to self-serve alcohol. Are these machines considered as vending machines? How should these machines be operated without breaching the law?**

Due to the difficulty in monitoring sales of alcohol from vending machines, all sales of alcohol from vending machine are prohibited.

In a situation where the customer has to procure a pre-paid card or token from the vendor before getting the alcoholic drink from the machine, those machines are considered as dispensing machines (and not vending machines), the transaction between the customer and the vendor will fall within face-to-face distribution and therefore will be governed by the stipulated provision under the face-to-face distribution in the legislation.

**25. In the case of buffets, assuming that a minor obtains liquor from a refrigerator which contains both alcoholic and non-alcoholic beverages, is the setting up of such refrigerator against the law? How can restaurant operators avoid breaching the law in this case?**

Although the case demonstrates a special channel of supply that does not require direct contact between the operator/waiter and the purchaser, the operator, who may be a licensee of the buffet restaurant (which is a licensed premises) may, depending on the circumstances, be liable for the offence of permitting a minor to drink on the licensed premises by allowing the minor to directly obtain the alcoholic beverages for consuming at the buffet restaurant.

To avoid breaching the law, the operator, for example, should add a lock to the refrigerator and ask their staff to hand out the alcoholic beverages to customers from the refrigerator, or to completely remove all alcoholic beverages from the refrigerator and make them only available upon ordering. In such circumstances, the sale or supply will fall under face-to-face distribution. As long as the operator adheres to the face-to-face distribution requirements and does not sell or supply liquor to minors in the course of business, he will not breach the law.

Concerning fairs and festivals involving alcoholic beverages

**26. How will fairs and festivals involving alcoholic beverages be regulated? What are the requirements?**

These fairs and festivals will involve in face-to-face distribution if the sellers are in direct face-to-face contact with the buyers during the transaction. Otherwise, they will involve in remote distribution. For example, if a seller is selling wine at a booth,



the seller is required to display the prescribed notice at the booth. The seller should also check the proof of identity of the buyer should the buyer is suspected to be a minor.

**27. During special events (e.g. opening or closing ceremonies) of fairs and festivals, free samples of alcoholic drinks are usually given out. Is this considered as supply of intoxicating liquor? Will this be prohibited?**

Giving out free samples of alcohol at a commercial event (e.g. a wine-related fair) is considered as supply of liquor in the course of business. Generally, supply in the course of business is prohibited only if the recipient is a minor. Supplying liquor to adults is not a breach of the law.

**28. If all customers have their identity checked at the entrance of the venue, do we still need to check their identity when they buy alcohol at each individual booth?**

It is not a requirement in the legislation to conduct identity check at events, but it is a recommendation and defence for sellers or suppliers to do so. The participating companies should devise appropriate strategies for ascertaining that their customers are of legal age to prevent breaching the law. If a person is suspected to be a minor, it is recommended to check his proof of identity or the seller should refuse the sale or supply.

Concerning the existing liquor licensing regime

**29. Restaurants and bars that serve alcohol are already regulated under the liquor licensing regime. Do they also have to comply with the regulations listed in this legislation?**

Yes. Under the liquor license, minors are prohibited from consuming liquor within the premises, whereas this legislation prohibits the sale or supply of liquor to minors in the course of business. Licensees have to comply with the respective regulations as listed in the liquor license requirements as well as those in this legislation.

**30. If a restaurant or bar sells alcohol to a minor, who subsequently consumes the alcohol, will the restaurant or bar owner be liable for committing offenses under both the liquor license and this legislation?**

It is a criminal offence under the legislation to sell or supply intoxicating liquor to minors in the course of business. Offender can be fined up to \$50,000 on summary conviction. It is also a violation of the liquor license regulations to allow minors to consume alcohol on-premises.

## **6 Additional Training for Frontline Staff**

In order to prevent minors' access to alcohol, business owners, managers and employees alike have certain duties and responsibilities to ensure that intoxicating liquor is not sold or supplied to minors in the course of business. The following examples may assist frontline staff in resolving conflicts and improve their communication skills pertaining to the sales or supply of alcohol.

### **6.1 Advice to Managers**

Business owners/managers should inform all employees of the law requirements and emphasise the importance of alcohol-free and healthy lifestyle at young age. Regular staff training should be provided to ensure their understanding of their responsibilities under the legislation, and to improve their techniques of interacting with customers. Managers can utilise resources laid out in this guidelines as training and are suggested to keep detailed and dated records of said training as described in Section 2.2. This can enable staff to discharge their duties of preventing minors from obtaining alcohol effectively, thus complying with the law. Managers should also ensure that the prescribed notice is displayed properly as described in Section 2.1.

### **6.2 Dialogue Example for Face-to-Face Distribution of Liquor**

Frontline staff should maintain a polite attitude at all times and stay firm if they have to refuse a sale or supply. The following example shows how a frontline staff may ask for a customer's proof of identity when the customer is suspected to be a minor:

“As your order contains alcoholic beverage and the law states that it is illegal to sell alcohol to a minor, would you please show me your HKID card (or other proof of identity) so that I can ascertain that you are over 18 years old?”

If the customer refuses to produce his proof of identity due to various reasons, the staff can refuse the sale as follows:

“I am afraid that I cannot sell this alcohol to you. According to the law, I must confirm and be satisfied that you are over 18 years old before I can sell alcohol to you.

### **6.3 Dialogue Example for Alcohol Delivery**

After alcohol has been sold via remote means, delivery may be required to complete the remote distribution order. If the delivery staff is employed by the company involved in the alcohol sale, the delivery staff will have the legal obligation to ascertain whether the recipient is over 18 years old before handing over the alcohol. The following example shows how a delivery staff can communicate with the recipient when the recipient is suspected to be a minor:

“Hello, I am here to deliver your parcel. As your parcel contains alcohol, I am required by law to ascertain that the recipient must be an adult before I deliver this parcel. May I please see your HKID card (or other proof of identity) so I could confirm that you are over 18 years old?”

## **7 Contact Us**

### **Tobacco and Alcohol Control Office**

Enquiries and Complaints Hotline: 2961 8823

Fax: 2575 8944

Address: Room 1801-1803, 18/F, Wing On Kowloon Centre, 345 Nathan Road, Kowloon, Hong Kong

**Disclaimer:** The purpose of this guidelines is to provide guidance for businesses but not to offer legal or professional advice. Nothing on this guidelines should be construed as professional advice or used as defence in court cases. Independent legal advice should be sought on individual cases. The content in this booklet is subject to change. You may access to the full version of the law by visiting the website of Hong Kong e-Legislation ([www.elegislation.gov.hk](http://www.elegislation.gov.hk)).

## Annex A –Sample of the Prescribed Notice

**Under the law of Hong Kong,  
intoxicating liquor must not be sold or supplied  
to a minor in the course of business.**

**根據香港法律，  
不得在業務過程中，  
向未成年人售賣或供應令人醺醉的酒類。**



**查詢及投訴熱線 : 2961 8823**  
Enquiry and Complaint Hotline

To request a sample of the prescribed notice, please download the “Prescribed Notice Application Form” on TACO’s website and send us the completed form by fax or mail:  
[http://www.taco.gov.hk/a/english/forms/files/pnotice\\_app\\_form.pdf](http://www.taco.gov.hk/a/english/forms/files/pnotice_app_form.pdf)

You may also download an electronic copy of the prescribed notice on TACO’s website:  
[http://www.taco.gov.hk/a/english/downloads/downloads\\_pnotice.html](http://www.taco.gov.hk/a/english/downloads/downloads_pnotice.html)

Should you have any doubts on the display of the prescribed notice, please refer to Section 2.1 of this guidelines. For more information on the legislation (Cap. 109B), you may visit the website of the Hong Kong e-Legislation:  
<http://www.elegislation.gov.hk/hk/cap109B>