



ALCOHOL AND THE LAW

Buying Alcohol

If you are under 18 years old, it is against the law for you to buy alcohol. It is also against the law for anyone to sell you alcohol.

If you try to buy alcohol, or enter a place that is restricted to adults (like a pub or a bar), the staff can ask you to provide proof of age. Police can also ask for proof of age. Using a fake I.D. or giving false details to the police is an offence.



Drinking Alcohol

The law about young people drinking alcohol changes based on where the alcohol is being drunk, like at home, in public or on licensed premises.

Drinking on licensed premises



Licensed premises are places that are allowed to sell or serve alcohol. These can include bottle shops, pubs, bars, clubs and some restaurants. Places like sporting clubs can sometimes also be licensed premises.

If you are under 18, it is against the law to drink, buy, have or be given alcohol while you are on licensed premises. It doesn't matter if you are with your parent or guardian.

If you ask an adult to buy you alcohol and they do it, then you and that person are guilty of an offence.

There are also laws that say that young people are not allowed to be on licensed premises at certain times of the night, depending on what kind of license the premises has.

Remember that if you are asked to leave a licensed premises and you refuse to go, you may be removed from the premises. The police may give you an on the spot fine or charge you with a criminal offence.



Drinking alcohol at home

It is usually against the law for someone under 18 to drink alcohol at a home. However, you can drink alcohol at your home or a friend's home in certain circumstances.

The alcohol must be given to you by your parent or caregiver or by an adult who has permission from your parent/caregiver.

The adult supplying the liquor must also be in a position to **responsibly supervise** you.

Whether supervision counts as 'responsible' will depend on things like whether the adult or young person is drunk, what kind of alcohol it is and how old the young person is, for example.

It is illegal to give young people alcohol or for young people to drink alcohol in any private property that is not residential (like warehouses, halls, or industrial buildings). On-the-spot fines and penalties can apply.

Can I drink in public places (unlicensed)?

Public places are places that the public have access to. For example, public places can include footpaths, parks, beaches and roads.

It is against the law for you to have alcohol, or drink alcohol, or for anyone to give you alcohol, in a public place unless you are with your parent or caregiver, or your parent or caregiver has given a responsible adult permission to give you alcohol. You must be responsibly supervised.

If you are drunk in a public place the police can take you home, to the police station, or to a sobering up centre if they

believe that you are too drunk to take care of yourself. Police can also ask for proof of age if they think you may be underage. Remember, using a fake ID or giving false details to the police is an offence.

If a public area is a designated 'dry zone' then it is against the law for anyone to drink alcohol there. Any alcohol can be confiscated by the police and it will not be returned.



Contact us!

Would you like more information, resources, or a free visit to your school, organisation or group?

Email: cle@lsc.sa.gov.au

To apply for legal aid online, visit: www.lsc.sa.gov.au

Acknowledgments:

The Legal Services Commission gratefully acknowledges the assistance of the NT Legal Aid Commission and National Children's and Youth Legal Centre in allowing the Legal Services Commission of South Australia to use and adapt existing content.



Call our free Legal Help Line:

1300 366 424

Disclaimer: The material in this factsheet is a general guide only. It is not legal advice. For legal advice about your own particular situation we encourage you to call the Free Legal Helpline on 1300 366 424. The legal information was correct at the time of publishing, however may change without notice.