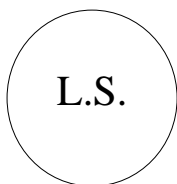


Assented to in His Majesty's name and on His Majesty's behalf this 15th day of July 2024.

Nigel Phillips CBE
Governor



ST HELENA
NO 4 OF 2024

Enacted15 July 2024
Date of Commencement..... As provided by section 1
Published in the Gazette.....15 July 2024

AN ORDINANCE

to amend the Liquor Ordinance, 1988, to provide additional measures to prevent possession and consumption of intoxicating liquor by persons below the age of 18 years and to create an additional category of liquor licence; and for connected and incidental purposes.

Enacted by the Governor of St Helena with the advice and consent of the Legislative Council of St Helena.

Short title, commencement and interpretation

1. (1) This Ordinance may be cited as the Liquor (Amendment) Ordinance, 2024, and comes into force on a date or dates fixed by the Governor by Order.

(2) In this Ordinance “the principal Ordinance” means the Liquor Ordinance, 1988.

Amendment of section 2 – Interpretation

2. The principal Ordinance is amended by inserting the following definition –

““**premises**” means a vehicle, vessel or moveable or temporary structure or any place or part thereof.”

Amendment of section 3 – Activities not regulated

3. The principal Ordinance is amended by inserting the following sub-section –

“(h) the provision and consumption of intoxicating alcohol as part of a religious observance.”

Amendment of section 4 - Licences

4. The principal Ordinance is amended by inserting the following sub-section –

“(h) a periodic tavern licence.”

Amendment of section 5 – Activities authorised by licences

5. The principal Ordinance is amended by inserting the following sub-section –

“(h) a periodic tavern licence authorises the sale on the licensed premises, during the permitted hours on days of the week specified in the licence, of intoxicating liquor in any quantity to be consumed on or off such premises.”

Amendment of section 8 - Occasional licences

6. The principal Ordinance is amended by replacing section 8(1)(b) with the following –

“(1)(b) the licence is valid for 1 specified occasion covering no more than 2 days.”

Insertion of section 8A - Periodic tavern licences

7. The principal Ordinance is amended by inserting after section 8 the following section—

8A -“Periodic tavern licences

(1) Subject to this Ordinance, the court may grant to any person a periodic tavern licence for not more than 3 days of the week, subject to the following conditions:

(a) the days, locations and other arrangements for the sale or consumption of alcohol for such occasions are all identical; and

(b) the licence is valid for a year for no more than 3 days in any 7 day period.

(2) Section 9 applies to an application for a periodic tavern licence as it applies to an application under that section.”

Amendment of Part V - General Provisions Regulating the Sale of Intoxicating Liquor

8. The principal Ordinance is amended by replacing the title of Part V with:

“Part V - General Provisions Regulating the Sale and Possession of Intoxicating Liquor”

Amendment of section 27 -Provisions concerning young persons

9. The principal Ordinance is amended by inserting the following additional subsections:

“3(A) No person may provide intoxicating liquor to a person under the age of 18 years in a public place.

3(B) If a person under the age of 18 years possesses intoxicating liquor in a public place this may be confiscated by a Police Officer.

6(A) Subsection 3(B) does not apply if the person has attained the age of 16 years and is a member of the licence holder’s family or is the holder’s servant or apprentice and employed as a messenger to deliver intoxicating liquor.”

EXPLANATORY NOTE

(This note is not part of the Ordinance)

This Ordinance makes it an offence to provide intoxicating liquor to a person under the age of 18 years in a public place and gives the Police authority to confiscate intoxicating liquor in the possession of a person under the age of 18 in a public place.

It also makes provision for periodic tavern licences in respect of premises selling intoxicating liquor on a regular basis not exceeding 3 days per week.