Government Notice No. 1 of 2009

THE PUBLIC HEALTH ACT

Regulations made by the Minister under section 193 of the Public Health Act

1. These regulations may be cited as the Public Health (Prohibition on Advertisement, Sponsorship and Restriction on Sale and Consumption in Public Places, of Alcoholic Drinks) Regulations 2008.

2. In these regulations –

"alcoholic drink" –

(a) means liquor, rum, local rum, compounded spirits, spirit cooler or beer;

(b) includes a mixture of any beverage containing any of these alcoholic products;

"beer" has the same meaning as in the Excise Act;

"compounded spirits" has the same meaning as in the Excise Act;

"liquor" has the same meaning as in the Excise Act;

"local rum" has the same meaning as in the Excise Act;

"public place" –

(a) means any place in which the public has or is entitled or permitted to have access, whether on payment or otherwise;

(b) includes a workplace, public fair, public concert and public transport;

(c) does not include a place specified in the Schedule;

"rum" has the same meaning as in the Excise Act;

"spirit cooler" has the same meaning as in the Excise Act.

3. No person shall advertise or cause to be advertised an alcoholic drink for its sale or consumption.

4. No person shall offer any form of sponsorship in relation to an alcoholic drink or a brand name or brand associated with an alcoholic drink.

5. (a) No person shall consume an alcoholic drink in a public place.

(b) Subject to paragraph (a) –

(i) no person shall consume an alcoholic drink on or in the vicinity of the business premises of an off licence for the sale of alcoholic drinks;

(ii) no person shall outside opening time, consume an alcoholic drink on or in the vicinity of the business premises of an on licence for the sale of alcoholic drinks.

6. A person who is licensed to sell alcoholic drinks by retail for consumption off his licensed premises shall not display those alcoholic drinks for sale other than in a dedicated area.

7. Every alcoholic drink offered for sale shall bear a label both in English and French indicating that an excessive consumption of alcoholic drinks causes serious health, social and domestic problems.

8. Every seller of an alcoholic drink shall conspicuously post inside the point of sale a prominent message in English, French or Creole informing the public –

(a) that the sale of alcoholic drink is prohibited to minors;

(b) that an excessive consumption of alcoholic drinks causes serious health, social and domestic problems.

9. (a) Every seller of an alcoholic drink may request a buyer to produce proof of age prior to any sale of an alcoholic drink.

(b) For the purposes of paragraph (a), proof of age may be made by the production of –

(i) a national identity card;

(ii) a passport; or

(iii) a driving licence.

10. Any person who contravenes these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 12 months.

11. These regulations shall come into operation on 1 March, 2009.

Made by the Minister on 19 December, 2008

SCHEDULE

(regulation 2)

1. Business premises licensed for the sale of alcoholic drink by retail for consumption on such premises.

2. Public beach.