

**WRITTEN QUESTION TO THE MINISTER FOR ECONOMIC DEVELOPMENT
DEPUTY J.M. MAÇON OF ST. SAVIOUR
ANSWER TO BE TABLED ON TUESDAY 1st MARCH 2011**

Question

“Would the Minister advise whether licensed premises can hold price promotions which may encourage customers to drink to excess, and whether 6th category licensed premises (off licences) may hold similar price promotions on the same products? Are there any difficulties being experienced, and if so, does the Minister have any plans to address this situation?”

Answer

The Licensing (Jersey) Law 1974 does not preclude price promotions for on or off-licensed premises. In practice however, pubs and other on-licences in Jersey do not hold ‘happy hour’ style discount drink offers. In June 1987 the Licensing Assembly, which issues licences for the sale of alcohol, stated that *‘any kind of practice which encourages the taking of drink other than by buying it over the counter for the normal price, is something the Assembly does not wish to encourage’*.

While the Assembly chose not to impose a general condition under Licensing Law, it has been commonly accepted since that time that drinks promotions, happy hours and other types of inducement designed to make people drink more alcohol are not acceptable.

The policy was not applied to off-licences, which can discount alcohol for various reasons. The majority of shops which hold off-licences are not specialist alcohol retailers, but are general shops which sell alcohol as a part (often a small part) of their overall stock, and so alcohol may be discounted for commercial reasons, or as part of a wider sale which affects a range of products.

Whether or not on-licences and off-licences generally sell the ‘same product’ is not clear, given the different methods of operation. In the case of sealed alcoholic beverages being provided as off-sales from an on-licence, it may be that a product (for instance a bottle of beer) might be available at a discount from an off-licence at a given time but would not be available at a discount from an on-licence.

In a recent consultation, some on-licence holders indicated that they feel it would be appropriate for off-licences to be subject to a comparable limitation to on-licences in respect of discounted alcohol.

The Economic Development Department is currently working toward the development of new legislation to replace the Licensing (Jersey) Law 1974, and the intention is to regulate and codify rules regarding the sales of alcohol in a more accessible and effective manner. Issues such as this can be addressed in the development of the new law if necessary.