



Attorney General's Guidance

Licensing (Jersey) Law 1974

Drinks pricing and promotions

- 1) The holder of a licence granted under the Licensing (Jersey) Law 1974, and any person acting on their behalf, such as a registered manager, is expected to operate the licence in a responsible manner.
- 2) Whenever the Attorney General is of the opinion that any matter relating to a licence should be referred to the Licensing Assembly, the Attorney General may submit the matter to the Assembly, which having regard to all the circumstances of the case, may suspend or revoke the licence or may attach conditions to it. The Assembly also has power to issue fines and to award costs.
- 3) When considering such a referral, the Assembly will have regard to the interests of the public in general.
- 4) The Assembly's approach to drinks promotions was established in 1987 when giving judgment following a referral by the then Attorney General in relation to marketing or advertising practices which might constitute an inducement to consume alcohol to excess:

"In our opinion licensees who use blatant schemes of this kind are not fit and proper persons to hold a licence and these marketing practices are contrary to the public interest, but we accept that they are a small minority of the total number and we stop short of imposing a general condition on all. However, in any case where from this day on any licensee does persist in the practice, we ask that the licensee individually be referred to us and in such an event the Assembly would give serious consideration to the removal of the licence altogether as an alternative to imposing a condition."

- 5) In that particular case, the licence was suspended.
- 6) The Attorney General's position, in respect of any category of licence, is that he will have little hesitation in referring a licensee to the Assembly if presented with evidence that advertising practices or drinks promotions have been or are being pursued which encourage, or are likely to encourage, customers to drink to excess.
- 7) The Police continue to monitor licensed premises, review advertisements including those placed on the internet or sent by text messages and provide reports to the Attorney General.

- 8) As regards 6th category licences only (ie off-licences), in respect of sales to members of the public, other than by a duty-free retailer, a referral to the Assembly is likely if the sale price of any alcoholic drink is below 50 pence per unit of alcohol.
- 9) This guidance is without prejudice to the generality of the power of the Attorney General to refer to the Assembly any matter relating to a licence.
- 10) This guidance shall have immediate effect. The Attorney General's guidance dated 19 December 2019 and all previous guidance on this subject is revoked with immediate effect.

30 May 2025