
STATUTORY INSTRUMENTS

2012 No. 2466

The Equality Act 2010 (Age Exceptions) Order 2012

Age restricted services

6. In Part 7 of Schedule 3 to the Act, after paragraph 30B insert—

“Age restricted services

30C.—(1) This paragraph applies where a person (P)—

- (a) provides a service the provision of which is prohibited by or under an enactment to persons under the age specified in or under the enactment (“the statutory age”), and
- (b) displays on the premises on which the service is provided an age warning in relation to the provision of the service.

(2) An age warning in relation to the provision of a service is a statement to the effect that the service will not be provided to a person who—

- (a) appears to P, or an employee or agent of P’s, to be under the age specified in the statement, and
- (b) on being required to do so by P or the employee or agent, fails to produce satisfactory identification.

(3) P does not contravene section 29, so far as relating to age discrimination, by not providing the service to a person, who—

- (a) appears to P, or an employee or agent of P’s, to be under the age specified in the age warning in relation to the provision of the service, and
- (b) on being required to do so by P or the employee or agent, fails to produce satisfactory identification.

(4) In this paragraph—

- (a) a reference to the provision of a service includes a reference to provision of access to the service, and
- (b) “satisfactory identification”, in relation to a person, means a valid document which—
 - (i) in the case of licensed premises where an age condition applies, meets that condition, and
 - (ii) in any other case includes a photograph of the person and establishes that the person has attained the statutory age in relation to the provision of a service; “licensed premises” means premises in respect of which a relevant premises licence within the meaning of section 19A of the Licensing Act 2003(1) (mandatory conditions where alcohol sold) has effect; and

(1) 2003 c.17. Section 19A was inserted by section 32 of and paragraph 2 in Part 1 of Schedule 4 to the Policing and Crime Act 2009 (c.26). The Licensing Act 2003 (Mandatory Licensing Conditions) Order (S.I. 2010/860) specifies mandatory conditions including an age condition.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“age condition” means a condition specified in an order under subsection (1) of section 19A of that Act requiring the age of certain persons to be verified in the manner specified in the condition before they are served alcohol in premises where the condition applies.”.