

STREET LAW SMARTS #19

ALCOHOL

The *Liquor Licence Act (LLA)* makes rules about the use of alcohol in Ontario. Here are the most important things to know about the rules in the *LLA*:

- If you are over the age of 19, you can legally consume alcohol, subject to the exception described below.
- If you are under the age of 19, you can consume alcohol only if it is supplied to you by your parent or legal guardian, and if it is consumed in your home in the presence of the parent or legal guardian.
- You must be over 18 years old to be employed to sell or serve alcohol .
- It is illegal to sell alcohol products to someone under age 19.
- It is illegal to use a fake ID to obtain alcohol. It is also illegal to use someone else's ID as your own to obtain alcohol.
- You cannot have an opened bottle of liquor in a public place.
- You cannot be intoxicated in a public place.

If you break any of these laws, you may receive a ticket. Ticket amounts vary widely depending on the incident,. If you receive a ticket under the *Liquor Licence Act* and you cannot afford to pay the fine, then follow the instructions on the back of your ticket for how to bring the ticket to court and ask to have it reduced to something you can afford to pay. See **Street Law Smarts #14: Tickets**.

Police powers to take alcohol

A police officer may take anything he or she believes to be evidence of a *LLA* offence. This may include empty bottles and drinking glasses that have been used for drinking alcohol.

The officer can also take things used in committing the offence if it is necessary to prevent their further use, for example, alcohol that is being provided to underage persons. Any proceeds gained from the offence, such as money from selling liquor without a licence, can also be taken.

Getting arrested?

You can be arrested under the *LLA* if the police feel that they need to find out your correct name and address, or if you are intoxicated in public or a place “used in common by others”, and it is necessary for the safety of any person.

If arrested, you should immediately ask to speak to a lawyer or duty counsel. You should not make any statements before you have had the opportunity to speak with a lawyer. For more information, see:

Street Law Smarts #12: Stops and searches by police

Street Law Smarts #22: Appearing in criminal court