

The Alcohol Wholesaler Registration Scheme (AWRS) requires any business trading or selling alcohol in wholesale volumes to be registered. The aims of the scheme include the minimisation of alcohol duty fraud and supply of counterfeit goods.

From the 1st April 2017 it is an offence for a buyer carrying on a trade or business that will supply alcohol in the course of that trade to purchase controlled liquor wholesale from un-registered suppliers. You can use the Governments' online registration checker to verify if your suppliers are registered under the scheme using the following link:

<https://www.gov.uk/check-alcohol-wholesaler-registration>

You will need your supplier's unique reference number, which they should be able to provide.

As most, if not all, Members' Clubs will only supply alcohol to their members and bona fide guests, as ultimate consumers, it is unlikely that Club's will themselves require registration under the AWRS.

Incidental Sales

Whilst it is possible that clubs could inadvertently make a trade sale themselves, these instances are known as incidental sales and are exempt from the registration requirements and the offences committed under the governing legislation.

This exclusion is only available to authorised retailers who themselves hold relevant authorisations, such as a premises licence or a club premises certificate under the Licensing Act 2003.

This provision covers incidents where Clubs and other licencees, such as supermarkets, do not in the usual course of their day to day retail activity make sales to other trade organisations. Any incidental supply will be made without the licencee's knowledge, for example an unplanned sale through a supermarket checkout.

Incidental sales also cover the position if a Club knowingly makes a wholesale sale but that it was uninvited by the club and it is carried out only on an exceptional basis.

Sourcing alcohol from unregistered suppliers

HM Revenue & Customs has confirmed that incidental sales are excluded from the provision of the Alcohol Wholesaler Registration Scheme and that an offence would not be committed for such sales.

Whilst Clubs must ensure that their alcohol is sourced from registered suppliers, if, on an exceptional/incidental basis, alcohol is purchased from an unregistered supplier, such as a supermarket, provided that this does not occur in the routine course of the Club's business all such sales would not be caught as an offence under the governing legislation.

If you are unsure about the legality of any particular activity further legal advice should be sought and is available to Club members through the Royal Yachting Association.

If you have any queries, questions or comments on the information contained in this leaflet, kindly contact the Legal Team on 023 8060 4223 or legal@rya.org.uk.

RYA Responsibility Statement:

The RYA Legal Team provides generic legal advice for RYA members, affiliated clubs, class associations and Recognised Training Centres. The information contained in this Guidance represents the RYA's interpretation of the law as at the date of this edition. The RYA takes all reasonable care to ensure that the information contained in this Guidance is accurate and that any opinions, interpretations and guidance expressed have been carefully considered in the context in which they are expressed. However, before taking any action based on the contents of this Guidance, readers are advised to confirm the up to date position and to take appropriate professional advice specific to their individual circumstances.