
CHAPTER 125.

RUM DUTY ORDINANCE.

THE DISTILLERIES AND SPIRITS REGULATIONS DATED DECEMBER, 1889, MADE UNDER SECTION 69 OF THE RUM DUTY ORDINANCE.

1. **SHORT TITLE.** These Regulations may be cited as the Distilleries and Spirits Regulations.

STILL LICENCES.

2. **APPLICATION FOR STILL LICENCE.** Every person who desires to obtain a still licence shall make an application to the Treasurer in the Form A in the Schedule. The application shall specify the name or names of the person or persons applying for the licence, the local situation and description and name if any of the plantation, building or premises and the particulars, local situation and capacity of the still in respect of which the licence is applied for.

3. **INSPECTION OF PREMISES.** The Treasurer shall cause the building or premises in respect of which the licence is applied for to be inspected by a government officer and the licence shall not be granted unless such government officer certifies that the building or premises comply with the requirements of the Rum Duty Ordinance and these regulations.

4. **FORM OF STILL LICENCE.** Every still licence shall be in the Form B in the Schedule and shall contain the particulars specified in the application.

5. **DURATION OF LICENCE.** Every still licence shall commence and take effect from the day of the date thereof and shall terminate on the 31st day of December in the year in which it is granted.

6. **REGISTER OF STILL LICENCES.** The Treasurer shall keep a list or register of still licences in the Form C in the Schedule. A copy of such list or register shall be posted up at the door or entrance of the Treasurer's Office so that it may be perused and inspected by any person.

STOCK BOOK.

7. FORM OF STOCK BOOK. The stock book shall be in the Form D in the Schedule. In it shall be entered daily by the distiller the quantity of molasses taken into the distillery, the quantity of wash set up for distillation, the quantity and strength of spirits distilled and the quantity and strength of spirits removed from the distillery or otherwise disposed of.

8. WHERE STOCK BOOK TO BE KEPT. The stock book shall be kept only in the rum-cellar or store-room or in such other part of the distillery as may be permitted in writing by a government officer.

9. PRODUCTION OF STOCK BOOK FOR INSPECTION. Every distiller shall whenever required by a government officer in writing so to do produce his stock book to the Treasurer at the Treasury for inspection, and when the stock book is returned by the Treasurer to the distiller it shall be forthwith replaced by him in the rum-cellar.

10. PENALTY FOR OFFENCES WITH REGARD TO STOCK BOOK. Every distiller who fails or neglects to make in the stock book at the time required by these regulations any entry so required to be made therein, or makes any false or incorrect entry therein, or who removes the stock book from the rum-cellar or store-room or keeps it in any other place without the permission in writing of a government officer, or who fails to produce the stock book to the Treasurer when duly required so to do, shall be liable to a penalty not exceeding forty-eight dollars.

DISTILLATION.

11. DISTILLATION OF SPIRITS. No spirits shall be distilled except in the presence and under the supervision of an excise officer.

12. NOTICE TO BE GIVEN BEFORE DISTILLATION BEGINS. Every distiller shall before commencing to distill any spirits give two days notice to the Treasurer in the Form E in the Schedule specifying the days on which he intends so to do, and the Treasurer or a government officer shall thereupon give to such distiller a permit in the Form F in the Schedule to distil spirits on the days specified in the notice. The Treasurer or a government officer may on the application of the distiller extend the time mentioned in the permit and such extension shall be endorsed on the permit.

13. EXCISE OFFICER TO ATTEND AT DISTILLERY DURING DISTILLATION. An excise officer shall attend at the distillery during the whole time when any distillation is carried on and shall keep an account of all spirits distilled, of the strength thereof and of the packages in which such spirits are placed. He shall also take an account of all molasses taken into the distillery and of all wash set up for the purpose of making spirits.

14. HOURS FOR DISTILLATION. No distillation shall be carried on except between the hours of 6 in the morning and 6 in the evening unless a government officer or excise officer otherwise allows.

15. QUANTITY AND STRENGTH OF SPIRITS DISTILLED TO BE ENTERED IN STOCK BOOK. At the close of each day's distillation the distiller shall enter in the stock book the quantity and strength of all spirits distilled on such day and the description of the packages in which such spirits have been put, and the excise officer shall on being satisfied of the correctness of such entries certify the same by his signature.

16. STORAGE OF SPIRITS IN DISTILLERY. It shall be the duty of every distiller to provide sound and proper packages for the storage of spirits in his distillery. Every such package shall be examined by the excise officer before any spirits are put therein, and if he considers any package unfit for the storage of spirits he shall notify the same to the distiller.

17. METHOD OF STORING PACKAGES IN RUM CELLAR. Every package containing spirits shall be so placed in the rum-cellar that it may be readily examined and any leakage or damage be readily ascertained.

18. DUTY PAYABLE ON LOST SPIRITS IN CERTAIN CIRCUMSTANCES. If any leakage or loss of spirits occurs by reason of the use of packages which an excise officer has notified as aforesaid to be unfit for storing spirits in any distillery the distiller shall be liable to the payment of duty on the spirits so lost.

19. EXCISE OFFICER TO MARK PACKAGES CONTAINING SPIRITS. The excise officer shall mark every package in which spirits are put, and a description of such mark shall be entered in the stock book. No spirits shall be removed from any such package to any other package in the distillery except with the permission and in the presence of a government officer or excise officer.

20. CONDITIONS AS TO RE-DISTILLATION, ETC. Any distiller who desires to redistil, mix or blend spirits, may do so subject to the foregoing regulations as to distillation. The whole quantity of spirits re-distilled, mixed or blended shall be accounted for in the stock book as spirits disposed of and the spirits resulting from such redistillation, mixing or blending shall be entered in the stock book as spirits distilled.

21. FEES FOR SERVICES OF EXCISE OFFICER. Every distiller shall pay into the Treasury the sum of seventy-two cents for each day on which an excise officer attends at his distillery for the purpose of supervising the distillation, redistillation, mixing or blending of spirits and a further sum of twenty-four

cents for each hour or part of an hour beyond the hours specified in regulation 14 when he is permitted to distil. If any distiller neglects to pay any sum due under this regulation such sum may be recovered from him before a Magistrate and no permit to distil, redistil, mix or blend spirits shall be granted to any distiller who is in default in the payment of any such sum.

22. STORE-ROOM TO BE SEPARATED FROM OTHER PARTS OF DISTILLERY. Every rum-cellar, or store-room shall be effectually separated from all other parts of the distillery and shall have but one entrance or door which shall be properly secured with two separate locks. One of such locks shall be provided by the distiller and the key thereof shall be kept by the distiller. The other lock shall be provided by the Treasurer and the key thereof shall be kept in the custody of the Treasury Department. The cellar shall not be opened nor shall any person enter it except in the presence of a government officer or excise officer.

23. RUM CELLAR OR STORE-ROOM TO CONTAIN SPIRITS ONLY. It shall not be lawful for any distiller to keep in his rum-cellar or store-room anything other than spirits.

24. OFFENCES AND PENALTIES. Every distiller who distils, redistils, mixes or blends any spirits in the absence of an excise officer, or without a permit, or after the expiration of the period mentioned in the permit or of any extended period endorsed thereon, or at any time except as provided in regulation 14, or who obliterates, defaces or alters any mark made by an excise officer on any package in his distillery, or removes any spirits from one package to another in his distillery, without the permission or in the absence of a government officer or excise officer, or who by means of any false key or secret entrance or otherwise opens or enters the rum-cellar except in the presence of a government officer or excise officer, or who conceals or attempts to conceal from any such officer anything which he is required or authorized to inspect or examine, or who fails or neglects to secure the door of his rum-cellar or store-room to the satisfaction of a government officer or excise officer shall be liable to a penalty not exceeding ninety-six dollars.

RETURNS.

25. RETURNS TO BE MADE BY DISTILLER. (1) Within seven days after the thirty-first day of March, the thirtieth day of June, the thirtieth day of September and the thirty-first day of December in each year every distiller shall make a return to the Treasurer in the Form G in the Schedule of the quantity and strength of spirits manufactured during the three months ending on the said days respectively, the quantity and strength of spirits removed during such

period and the quantity and strength of spirits remaining in the distillery on each of the said days respectively, and shall make and sign before the Treasurer the declaration in the said Form contained.

(2) Any distiller who fails to make such return or declaration or who makes any declaration which is false or untrue in any particular shall be liable to a penalty not exceeding two hundred and forty dollars.

PERMITS.

26. APPLICATION TO REMOVE SPIRITS. Every distiller or other person who requires a permit for the removal of any spirits shall make an application to the Treasurer for such permit. The application shall be in the Form H in the Schedule and shall specify the number, description and marks of the casks or other packages in which the spirits intended to be removed are contained, the quantity and strength of spirits contained in each of such casks or packages, the mode in which they are to be conveyed, and the place to which they are to be removed.

27. PERMIT TO REMOVE SPIRITS. The permit to remove spirits shall be in the Form I in the Schedule and shall contain the particulars specified in the application. Every permit shall be signed by the Treasurer or a government officer and shall remain in force for seven days from the day of the date thereof.

28. DELIVERY OF SPIRITS FROM DISTILLERY TO BE MADE IN PRESENCE OF GOVERNMENT OFFICIAL. No spirits shall be delivered out of any distillery except in the presence and under the supervision of a government officer or excise officer, who shall take an account of the quantity and strength of spirits so delivered.

29. NO PERMIT FOR REMOVAL OF LESS THAN 50 GALLONS EXCEPT IN CERTAIN CASES. (1) No permit shall be granted for the removal of any less quantity of spirits than fifty gallons, except where such spirits are for the use of the plantation on which they are produced, in which case a permit may be granted for the removal of not less than five gallons, and except where spirits are made on shares and belong partly to the distiller and partly to some other person, in which case a permit may be granted for the removal of the quantity belonging to such other person.

(2) Where an application is made for a permit for the removal of any quantity less than fifty gallons a fee of ninety-six cents shall be paid for the attendance of a government officer or excise officer to supervise the delivery thereof out of the distillery, provided that where such removal is to take place at any time where an excise officer is at the distillery for any other purpose such fee shall not be charged.

30. PERSON REMOVING SPIRITS TO HAVE PERMIT IN HIS POSSESSION. The permit for the removal of any spirits shall be in the possession of the person in charge of such spirits during the whole time while such spirits are being removed from the distillery to the place specified in the permit and shall be forthwith produced by such person to any government officer or police constable who requires its production. If the permit is not so produced the spirits shall be deemed and taken to be removed without a permit.

31. PERMIT TO BE RETURNED TO TREASURY AFTER SPIRITS HAVE BEEN REMOVED. (1) Immediately after the removal of any spirits to the place specified in the permit the permit shall be returned to the Treasurer for cancellation.

(2) Where spirits have been removed to the warehouse the warehouse officer shall endorse on the permit a certificate that such spirits have been deposited in the warehouse.

(3) Where spirits have been removed to any other place the person to whom such spirits have been delivered shall endorse on the permit a certificate that he has received such spirits.

WAREHOUSE.

32. QUANTITY, ETC., OF SPIRITS WAREHOUSED TO BE ENTERED IN BOOK. (1) The warehouse officer shall immediately on the receipt of any spirits in the warehouse take an account of the quantity and strength of the spirits contained in every package and of the mark and number of every package and shall enter an account thereof in a book to be kept by him for the purpose. He shall also attach to every such package a ticket or paper on which shall be noted the quantity and strength of spirits contained therein, the date when it was deposited in the warehouse, and the name of the owner. A copy of such ticket or paper shall if required be given to the person depositing the packages in the warehouse.

(2) When spirits are removed from the warehouse the warehouse officer shall enter in his book similar particulars with respect to the spirits so removed.

33. RESPONSIBILITY FOR REMOVING SPIRITS TO WAREHOUSE. (1) The distiller or other person who applies for a permit for the removal of spirits to the warehouse shall be responsible that such spirits are duly removed to the warehouse in accordance with the permit and that the packages containing such spirits are not opened or in any way tampered with in the course of such removal.

(2) If such spirits on being received in the warehouse do not correspond in quantity and strength with the spirits specified in the permit such spirits shall be deemed and taken to be removed without a permit.

34. BLENDING OF SPIRITS IN WAREHOUSE. The Treasurer may if he thinks fit allow spirits to be mixed or blended in the warehouse on such terms as he may in each case prescribe.

35. IMPORTED SPIRITS. Spirits imported into the Colony may with the permission of the Treasurer be deposited in the warehouse and shall thereupon be subject to the provisions of the Rum Duty Ordinance and of these regulations.

36. SPIRITS DEPOSITED IN WAREHOUSE TO BE REMOVED WITHIN TWO YEARS. All spirits deposited in the warehouse shall be removed therefrom within two years from the day when such spirits were deposited therein. If any such spirits are not removed within the said period of two years the warehouse officer shall give notice in writing to the owner of such spirits requiring him to remove the same either for exportation or consumption within fourteen days from the date of such notice. If the owner does not so remove such spirits the Treasurer shall cause the same to be sold by public auction and the proceeds of the sale of such spirits, after deducting the expenses incurred in and about the sale, the amount if any due for warehouse rent and the duty payable on such spirits, shall be paid to the owner of such spirits.

37. SPIRITS WAREHOUSED TO BE DELIVERED ON PAYMENT OF DUTY. When the duty payable under the Rum Duty Ordinance on any spirits deposited in the warehouse has been paid the warehouse officer shall on production of the Treasurer's warrant deliver such spirits to the owner thereof.

38. EXPORTATION OF WAREHOUSED SPIRITS. (1) When the owner of any spirits in the warehouse desires to export the same the Treasurer shall on application of such owner grant a permit authorizing the exportation of the same.

(2) The permit shall state the quantity and strength of spirits to be exported, the number and marks of the packages in which such spirits are contained, and the vessel on board of which the same are to be shipped.

(3) On production of the permit the warehouse officer shall deliver the spirits mentioned therein, and such spirits shall be shipped under the supervision of a government officer.

(4) On shipment of such spirits the master of the vessel shall endorse on the permit a certificate that such spirits have been received on board and the permit so endorsed shall be returned to the Treasurer.

39. COOPERING, ETC., OF PACKAGES OF SPIRITS IN WAREHOUSE. Whenever it is necessary to have any package of spirits in the warehouse coopered or to have any spirits changed from one package to another the warehouse officer shall in the first instance (unless delay occasioned thereby would endanger the loss of any part of such spirits) call upon the owner or his

known agent to have such package coopered or changed or to provide another package, as the case may be, and in case of his refusal or neglect immediately so to do or in case of the absence of such owner or his known agent then the warehouse officer shall proceed to have such package coopered or changed or to provide another package as he shall deem necessary, the expense attending which the owner or his known agent shall be bound to pay before such spirits are delivered to him or when called on for that purpose and in default of so doing within thirty days after such demand it shall be lawful for the Treasurer to cause such spirits to be sold by public auction together with the package in which they are contained and the proceeds shall be applied first to the payment of the duties payable on such spirits next to the cost of such package and other lawful charges and the surplus if any shall be paid to the owner or his known agent on his applying for the same.

OFFICERS.

40. APPOINTMENT BY TREASURER OF EXCISE OFFICERS. (1) The Treasurer may whenever occasion requires appoint and employ fit persons to supervise the distillation, redistillation, mixing and blending of spirits. Such persons shall be designated excise officers and shall during any period for which they are employed have all the powers given by the Rum Duty Ordinance or these regulations to excise officers.

(2) Such officers shall receive such reasonable remuneration for their services as is assigned to them by the Treasurer out of any funds from time to time provided by the Legislature.

PENALTIES.

41. GENERAL PENALTY. Any person who contravenes any of the provisions of these regulations for which no special penalty is provided shall be liable to a penalty not exceeding two hundred and forty dollars.

SCHEDULE.

r. 2.

FORM A.

APPLICATION FOR A STILL LICENCE.

MONTSERRAT.

Under the Rum Duty Ordinance.

To the Treasurer

I A.B. of

do hereby apply for a STILL LICENCE

to enable me to distil Spirits in a
gallon Still at the distillery situate at
in the parish of St.

subject to all the provisions

of the Rum Duty Ordinance and the regulations made thereunder.

Dated this day of

Signature.

FORM B.
STILL LICENCE.

r. 4.

MONTSERRAT.

Under the Rum Duty Ordinance.

No.

A STILL LICENCE is hereby granted to A.B. of

to establish, keep and use until the 31st

day of December next ensuing a

gallon Still

for the manufacture of Spirits at the Distillery situate at

in the Parish of St.

subject to all the provisions of the Rum Duty Ordinance and the regulations made thereunder.

Dated this day of

Treasurer.

Amount \$

FORM C.

r. 6.

LIST OR REGISTER OF STILL LICENCES.

MONTSERRAT.

Under the Rum Duty Ordinance.

LIST OF LICENSED STILLS.

No. and Date of Licence.	Name of Distiller.	Name of Plantation or other description of Distillery.	Capacity of Still.	Amount of Duty on Licence.

QUARTERLY RETURN.

Under the "Rum Duty Ordinance".

MONTserrat

Distillery on Estate in the Parish of St..... Distiller.

SPIRITS ON HAND.				SPIRITS DISTILLED.				SPIRITS REMOVED UNDER PERMIT.				SPIRITS REDISTILLED.				SPIRITS REMAINING ON HAND.				REMARKS.	
Low Wines.		Spirits.		Low Wines.		Spirits.		Low Wines.		Spirits.		Low Wines.		Spirits.		Low Wines.		Spirits.			
Date.	Gallons.	Proof.	Gallons.	Proof.	Gallons.	Proof.	Gallons.	Proof.	Gallons.	Proof.	Gallons.	Proof.	Gallons.	Proof.	Gallons.	Proof.	Gallons.	Proof.	Gallons.		Proof.

I do solemnly and sincerely declare that the above statement is a just and true statement of the quantity of Spirits on hand on the above-named Distillery on the first day of 19 , of the quantity and strength of Spirits distilled at the said Distillery from the said first day of 19 , to the day of 19 , of the quantity and strength of Spirits removed from the said Distillery and of the quantity and strength of Spirits re-distilled in the said Distillery during the same period, and of the quantity and strength of Spirits remaining in the said Distillery on the day of 19 and I make this solemn declaration conscientiously believing the same to be true.

Signed and declared before me
 this day of 19 .
Treasurer.

.....Distiller.

Rum Duty.

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FORM H.

r. 26.

APPLICATION FOR PERMIT TO REMOVE RUM.

MONTSEERRAT.

Under the Rum Duty Ordinance.

To the Treasurer.

I request permission to remove from
to _____ by (here state means of conveyance, if by
water, name or number of vessel)
gallons of Spirits the particulars of which are stated below :

Number and Description of Packages.	Mark and Number of each Package.	Quantity and Strength of Spirits in each Package.	
		Gallons.	Strength.
Total			

Date

Signature.

FORM I.

r. 27.

PERMIT TO REMOVE RUM.

MONTSEERRAT.

Under the Rum Duty Ordinance.

No.

Permission is hereby granted to
to remove from
to

gallons of Spirits the particulars of which are stated
below :

Number and Description of Packages.	Mark and Number of each Package.	Quantity and Strength of Spirits in each Package.	
		Gallons.	Strength.
Total			

Treasurer or
Government Officer.