7/1966 - not clear 7/1966

CHAPTER 125.

RUM DUTY.

10/1889
2/1907
8/1922
11/1932
13/1934
12/1939
2/1943
4/1945
1/1949

(29*th November,* 1889.)

Short title.

1. This Ordinance may be as cited the Rum Duty Ordinance.

Interpretation.

2. (1) In this Ordinance :—

"Ordinance" includes regulations made under this Ordinance.

"government officer" includes the Treasurer, any officer of the Treasury Department, and any commissioned or non-commissioned officer of the police force ;

"excise officer" means a person appointed or employed by the Treasurer to supervise the distillation, redistillation, mixing or blending of spirits ;

"warehouse" means the public warehouse or warehouses for storing spirits ;

"warehouse officer" means the officer in charge of the warehouse;

Ord. 2/1907.

"rum" means any description of spirits manufactured in the Colony, and includes bay water and bay rum ;

Ord. 8/1922.

"spirits" means rum and all other spirituous liquors of every description whether such rum or spirituous liquors be mixed with any other material or not, and includes bay oil and lime oil ;

"wash" means any liquor or other material from which rum is distilled ;

"unpermitted spirits" means any spirits the produce of the Colony on which duty has not been paid or which are removed contrary to the provisions of this Ordinance ;

"package" means and includes any article in which spirits can be carried, removed or conveyed ;

"cattle" means and includes any animal used for the conveyance of spirits ;

"cart" means cart, carriage, truck, and hand or wheel barrow ;

Ord. 8/1922

"still" means any still strictly so called, and any apparatus attached or belonging to the same whether used for distilling spirits or not ;

"distillery" means and includes the liquor loft, still-house, rum-cellar, rum-store, and every place whether open or enclosed connected with the manufacture of spirits or where the distillation is carried on ;

"distiller" means the person in whose name any still licence is obtained or to whom any still licence has been transferred ;

"stock book" means the book to be kept and produced wherein are set forth the particulars required by this Ordinance to be recorded when a still licence is granted ;

"vessel" includes every description of ship, vessel, canoe, boat, or flat used in navigation ;

"master" includes every person having command of any vessel ;

"gallon" means an Imperial gallon :

"plantation" means any plantation or estate whatever, either under sugar cultivation or otherwise ;

"manager" means any person in charge of any plantation or who resides upon any plantation for the purpose of superintending its cultivation and the manufacture of its produce ;

"prescribed" means prescribed by this Ordinance or by any regulations made under this Ordinance.

(2) All terms used in any regulations made under this Ordinance shall have the same meaning as if they were used in this Ordinance.

PART II.

DUTIES, ETC.

Excise Duty on rum. Ord. 2/1907. Ord. 1/1949.

3. There shall be paid on all rum manufactured in the Colony under and according to the provisions of the laws for the time being in force in that behalf, a duty of one dollar and

twenty cents for every gallon thereof of the strength of proof by Sykes Hydrometer, and so in proportion for any greater or less strength than the strength of proof and for any greater or less quantity than one gallon.

Duty payable on rum imported from other Colonies of Leeward Islands.

Ord. 2/1907.

Ord. 4/1945.

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4. Where rum is imported into the Colony from any other Colony of the Leeward Islands other than the Colony of Antigua, there shall be paid thereon a duty of two dollars for every gallon thereof of the strength of proof by Sykes Hydrometer, and so in proportion for any greater strength than the strength of proof and for any greater or less quantity than one gallon. And, where any excise duty has been paid on the manufacture of such rum in such other Colony as aforesaid, the Treasurer, upon being satisfied that such is the case, shall grant a certificate that duty has been paid on such rum in the Colony.

Drawback.

Ord. 2/1907

5. Where the manufacturer of any rum in the Colony which has been imported from another Colony of the Leeward Islands, other than the Colony of Antigua, presents to the Treasurer a certificate granted by the Treasurer of such other Colony that excise duty has been paid in such other Colony on such rum as aforesaid, the Treasurer shall give to such manufacturer a refund of the excise duty paid by him under this Ordinance.

Excise Acts to apply on rum being taken to Warehouse.

Ord. 2/1907.

6. Upon the taking of such rum, as in the last preceding section mentioned, to the Queen's warehouse, the provisions of the law for the time being in force relating to the distillation of rum and the collection of the excise duty thereon shall apply to such rum as though it had been manufactured in the Colony, and as though it had been deposited in a warehouse under the provisions of such Acts or Ordinances.

No rum to be manufactured under proof.

Ord. 2/1907.

7. No manufacturer of rum shall sell or otherwise dispose of for consumption within the Colony any rum of a less strength then the strength of proof by Sykes Hydrometer.

Penalty for buying or selling rum under proof.

Ord. 2/1907.

8. Any rum sold, disposed of, or dealt with contrary to the provisions of sections 3 to 7 inclusive shall be forfeited; and any person who sells, buys, disposes of, or deals with, rum contrary to the provisions of the said sections shall be liable on summary conviction to pay a penalty not exceeding twenty-four dollars.

Collection of Duty.

9. The duties imposed by this Ordinance shall be collected by the government officers and shall be paid into the Public Treasury for the public uses of the Colony.

PART III.

STILL LICENCES.

Registration of stills.

10. It shall be the duty of every person who owns or has in his custody or possession any still, whether he uses or intends to use such still or not, to make a return thereof to the Treasurer. Such return shall contain the same particulars as are prescribed in the case of an application for a still licence.

Stills to be licensed.

11. No person shall use any still whatever for the purpose of making or distilling spirits unless he has obtained in the prescribed manner a licence for that purpose hereinafter referred to as a still licence.

Distiller or holder of still licence not to be a retailer of spirits.

Ord. 4/1945.

12. No person to whom a still licence has been granted under this Ordinance shall be a retailer of spirits or be in any manner interested in or concerned in the trade or business of a retailer of spirits; and if any such person shall retail or knowingly suffer or permit any servant or other person in his employ to retail spirits, or be in any manner interested or concerned in the trade or business of a retailer of spirits, such person shall be liable to a penalty not exceeding four hundred and eighty dollars.

Form and duration of licence.

13. Every still licence shall be in the prescribed form and shall specify the person to whom and the distillery in respect of which it is granted, and shall terminate on the 31st day of December in the year in which it is granted.

Duty on still licence.

Ord. 8/1922.

14. Before the issue of any still licence, the person applying for the same shall pay into the Treasury the sum of twenty-four dollars: Provided that where application is made for the issue of a licence in respect of a still to be used exclusively for the purpose of making or distilling bay oil, lime oil or other essential oils, such licence shall issue without payment therefor.

Transfer of licence.

15. The Treasurer may transfer any still licence to the appointee of the holder thereof and in case of the death of the holder of any licence may transfer such licence to the executors or administrators of such holder. Every such transfer shall be endorsed on the licence.

Surrender of licence.

16. Any holder of a still licence may surrender his licence to the Treasurer.

Stock Book.

17. (1) Every distiller shall keep a stock book in the prescribed form in which he shall enter all spirits distilled and deposited in or removed from the distillery and such other particulars as are prescribed.

(2) The stock book shall always be kept in the distillery and in default thereof the distiller shall be liable to a penalty not exceeding forty-eight dollars.

Store room

18. In every licensed distillery there shall be a cellar or store-room, into which alone the outlet of the worm of the still shall be brought and in which all spirits as they are distilled shall be deposited, and such cellar or store-room shall have but one entrance or door which shall be properly secured in the prescribed manner. Subject to the provisions of this Ordinance, no spirits shall be kept in any place except such cellar or store-room without the consent in writing of a government officer, and any spirits found in any other part of the premises shall be forfeited.

Distiller to keep gauging rod and gallon measure.

19. Every distiller shall keep a one gallon measure and a gauging rod in his licensed premises and shall maintain the same conveniently placed and ready for use, and shall permit any government officer or excise officer to use the same for the purpose of measuring and taking account of the spirits and casks and other vessels or packages used or fit for conveying or removing spirits which are at any time in the possession of the distiller, and any distiller who does not keep and maintain such measures or does not permit any government officer or excise officer to use the same as aforesaid, or who in the measuring of such spirits, casks or vessels or other packages uses or procures or suffers to be used any false, unjust or insufficient measure, or practices any art, device, or contrivance by which any government officer or excise officer may be prevented from taking the just and true measure of any such spirits, casks or vessels or other packages shall for every such offence be liable to a penalty not exceeding forty-eight dollars and all such false, unjust or insufficient measures respectively shall be forfeited.

List of licences.

20. A list or register of all licences granted under this Ordinance shall be kept at the Treasury. Such list or register shall be in the prescribed form and shall be posted up in some conspicuous place in the Treasury, and shall be open to the perusal and inspection of any person.

Penalty for distilling without licence.

21. Any person who makes or distils spirits without a licence, and any distiller who makes or distils spirits in or upon any still, plantation, building, or premises other than the still, plantation, building, or premises mentioned in his licence, shall be liable to a penalty not exceeding two hundred and forty dollars.

Penalty for using illicit still.

22. Any person who uses an illicit still shall be liable to a penalty not exceeding four hundred and eighty dollars and the still and all spirits and wash found on the premises shall be forfeited. An "illicit still" means a still for which no licence has been in force within three months before the seizure.

Proof of using still.

23. Any person shall be deemed and taken to make and distil spirits or to use a still within the meaning of this Ordinance who sets up any wash for distillation or removes to or has in the distillery any wash or other material used for the distillation of spirits or in any way commences or prepares to distil spirits.

Liability after expiration of licence.

24. Whenever a distiller ceases to be licensed such distiller and the still, store-room, cellar and premises in which the still is situate shall be subject to all the provisions of this Ordinance so long as any spirits are upon the premises, in the same manner as if the licence of such distiller had continued in force, and all powers and authorities given to any officer in respect of any licensed still or premises on which it is situate may be exercised in respect of such still, store-room, cellar, and premises aforesaid.

Still, &c., at commencement of Ordinance to be subject to Ordinance so long as spirits on premises.

25. Every still, store-room and cellar in this Island at the commencement of this Ordinance and all premises in which any such still is situate, and the owner or manager of the plantation on which such premises are situate, or the person in charge of such still, store-room, cellar or premises, shall be subject to all the provisions of this Ordinance, so long as any spirits are upon the premises, in the same manner as if a still licence had been granted in respect of such premises under the provisions of this

Ordinance, and all powers and authorities given to any officer in respect of any licensed still or premises on which it is situate may be exercised in respect of such still, store-room, cellar and premises as aforesaid.

Search for concealed still, &c., and penalty for concealing.

26. It shall be lawful for any government officer who knows or has reasonable cause to suspect that any private or concealed still or any privately made wash or other materials preparing for distillation is or are set up or kept in any house or place, to enter into such house or place and to seize all and every such still, wash and other materials preparing for distillation, and the owner of any such private or concealed still, or the person in whose custody such still, wash or other materials are found, shall be liable to a penalty not exceeding two hundred and forty dollars.

Exemption of still used only for scientific purposes.

27. Notwithstanding the provisions of this Part, no licence shall be required in respect of any still used exclusively for the purposes of scientific experiments and not exceeding five gallons in capacity.

Administrator may authorize use of still temporarily for experimental purposes.

Ord. 8/1922.

28. (1) Notwithstanding anything in this Ordinance contained, where the Administrator in Council is satisfied that a still is to be used solely for experiments connected with some local industry or proposed industry, the Administrator may at any time under his hand authorize and grant licence to any person to use such still in such manner, during such period of time, and subject to such conditions as to payment for such licence or otherwise as may be prescribed or laid down in such written authority or licence.

(2) If any person to whom an authority or licence has been granted under the provisions of this section contravenes any of the requirements prescribed in such written authority or licence, that person shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding two hundred and forty dollars.

PART IV.

Provisions as to Distillation.

Distillation to be under regulations.

29. No distiller shall distil, re-distil, mix or blend any spirits, except at the time, in the manner, and under the conditions prescribed.

Power to visit and inspect distilleries.

30. (1) Any government officer may at any hour between sunrise and sunset and at any time when distillation is being carried on, or when he has reason to believe or suspect that distillation is being carried on, enter into every distillery and every place whatsoever in connexion with the distillery, and then and there gauge and take account of the quantity and strength of all spirits stored therein and also examine and take account of any liquor set up for fermentation, and may remain on such premises during the whole time when any distillation is or may be carried on.

(2) Any person who prevents such officer from entering such distillery or place or places and gauging such spirits or liquor as aforesaid, or otherwise obstructs or attempts to obstruct such officer in the exercise of any power given to him under this section, shall be liable to a penalty not exceeding two hundred and forty dollars.

(3) Every such distillery or other place shall always be at such times (even during the absence of the distiller) open for the inspection of the government officer, and if the government officer upon visiting the premises of any distiller for the purpose aforesaid is not given, or on demanding does not obtain, free access to any of the above mentioned places, or if the stock book or any prescribed book is not forthwith produced for his inspection, the distiller shall be liable to a penalty not exceeding forty-eight dollars.

Penalty for excess or deficiency of spirits.

31. If at any time the quantity of spirits found in the distillery of any distiller exceeds the quantity which by the stock book ought to be in such distillery, such distiller shall be deemed and taken to have deposited spirits therein without entry made, and such spirits so found in excess shall be forfeited, and the distiller shall over and above the forfeiture of such spirits forfeit and pay a sum not exceeding two dollars and forty cents for every gallon of such excess in the quantity of spirits. If the quantity of spirits found in the distillery is less than the quantity which by the stock book ought to be in the distillery, the distiller shall be deemed and taken to have removed spirits without permit, and shall over and above the payment of duty upon the amount of such deficiency be liable to the penalty in such case provided: Provided that if any distiller proves that any excess or deficiency is due to some other cause, and that he has not deposited or removed any spirits in manner aforesaid, the penalties and forfeitures imposed by this section shall not be incurred.

Double penalty on second conviction.

32. Every distiller who, after having been convicted of any breach of the provisions of this Ordinance, is within twelve months after such conviction convicted of a second or other subsequent offence against this Ordinance, shall be liable to a penalty not exceeding double the amount of the penalty to which he would have been liable upon a first conviction for the same offence, and proof of the identity of the person who committed the first and the second or subsequent offence, with a certificate of the Magistrate before whom such person was convicted of the first offence, shall be deemed sufficient evidence for the imposition of the double penalty on the second or subsequent conviction.

Still liable for penalty.

33. Where any penalty or forfeiture above nine dollars and sixty cents is incurred under this Ordinance by any manager of any plantation or by any lessee or other distiller who is not the owner of the still or premises on which the still is situated, the still and distillery apparatus of or upon such plantation or premises are hereby declared liable as well as the manager or other person as aforesaid to such penalty and all costs of recovery of the same.

PART V.

PERMITS.

Spirits not to be removed from distillery without permit.

34. No spirits shall be removed from any distillery without a permit from the Treasurer.

Spirits not to be removed without permit except sold by licensed dealer.

35. No spirits except spirits on which duty has been paid and which have been sold by a person duly licensed under the law for the time being in force to sell spirits shall be taken out of the stock of any person or removed from any place without a permit from the Treasurer.

Form and duration of permit.

36. Every permit shall be in the prescribed form and shall remain in force for the prescribed period.

Duty to be paid before issue of permit.

37. No permit shall be granted for the removal of any spirits until the duties thereon have been paid, except where such spirits are to be removed to a warehouse under the provisions of Part VI.

Forfeiture of spirits removed without permit.

38. All spirits removed or which shall be found in the act of being removed from any distillery or other place without a permit, or after the expiration of the time limited in the permit, or which do not correspond with the particulars contained in the permit, shall, together with the packages containing the same, and also any vessel, cattle, or cart made use of in the conveyance of the same, be forfeited.

Penalty for removal of spirits without permit.

39. Any distiller or other person who sends out or removes or gives away any spirits without a permit, or after the expiration of the time limited in the permit, or with a permit not corresponding in strength and quantity with such spirits, shall, in addition to the forfeiture of such spirits, be liable to a penalty not exceeding two hundred and forty dollars, whether such spirits are or are not seized.

Search for unpermitted spirits.

40. It shall be lawful for any government officer having probable cause to believe that unpermitted spirits are concealed on the premises of any person to enter and search such premises, and if he be denied admittance, or if the premises be unoccupied, to enter the same by force and seize any spirits found thereon, and any person who has unpermitted spirits on his premises or who refuses or delays to admit such officer after he has declared his name and business, shall be liable to a penalty not exceeding ninety-six dollars: Provided that in case of any such forcible entry the damage caused thereby shall be made good or repaired by the Treasurer at the expense of the Colony if no unpermitted spirits are found on the premises.

Detention of suspected packages.

41. (1) It shall be the duty of every person who is found conveying or carrying spirits in any part of the Colony to account for his possession of the same when required so to do by any government officer or police constable, and it shall be lawful for any government officer or police constable to detain any package suspected to contain spirits which may be found in the act of being taken or conveyed in any part of the Colony without a permit until such government officer or police constable is satisfied that the duty imposed by this Ordinance has been duly paid on the spirits contained in such package.

(2) If it is not shewn that such duty has been duly paid, such spirits shall be forfeited, and any person who knowingly receives, buys, or has in his custody or possession any spirits so removed before the duty to which such spirits are liable has been

paid shall, whether he has or has not or does or does not claim or pretend to have any property or interest therein, forfeit and lose all such spirits so bought or had in his custody or possession, and shall for the first offence be liable to a penalty not exceeding forty-eight dollars and for every subsequent offence shall be liable to a penalty not exceeding ninety-six dollars.

Penalty on master of vessel for receiving unpermitted spirits.

42. The master of any vessel who knowingly receives on board his vessel or knowingly carries, removes, or transports, or by means of his vessel knowingly suffers to be carried, removed, or transported, or aids or assists in carrying, removing or transporting from any part of the Colony to any other part thereof spirits required by this Ordinance to be accompanied with a permit without the same being accompanied with the permit granted in that behalf, shall be liable to a penalty not exceeding two hundred and forty dollars, and the vessel may be seized and detained until the fine and the expenses incurred in the seizure and detention have been paid.

Penalty for fraudulent dealing with permit.

43. If any person who obtains a permit for the removal of spirits or any person who purchases spirits under the authority of any such permit is guilty of any fraud whereby a larger quantity of spirits or spirits of a greater strength is or are removed or disposed of than such permit authorizes, such person shall be liable for the first offence to a penalty not exceeding ninety-six dollars, and for every subsequent offence to a penalty not exceeding two hundred and forty dollars, and also in every case the further sum of double the amount of duty for every gallon of spirits sold or otherwise disposed of over and above the quantity specified in such permit.

Loss in carriage.

44. If any spirits are lost in the carriage thereof by land or by water from one part to another of the Colony under permit, and such loss is within seven days after the occurrence thereof proved by declaration or otherwise to the satisfaction of the Treasurer, it shall be lawful for the Treasurer to remit the duty payable on such spirits.

PART VI.

WAREHOUSES.

Treasurer to provide warehouse.

45. The Treasurer shall from time to time appoint and provide a warehouse or warehouses, hereinafter referred to as the warehouse, in the town of Plymouth, in which spirits may be

deposited without the payment of the duty by this Ordinance made payable thereon. The warehouse shall be under the management and control of the Treasurer, who shall appoint a government officer to act as warehouse officer.

Spirits to be warehoused.

46. (1) All spirits manufactured in the Colony and brought into the town of Plymouth, whether by land or by water, on which the duties have not been previously paid, shall be deposited in the warehouse.

(2) If any such spirits are carried or conveyed or are in the act of being carried or conveyed to any place other than the warehouse, such spirits shall be forfeited.

Spirits warehoused at risk of owner.

47. All spirits whilst in the warehouse shall be and continue at the sole risk of the person warehousing the same.

Compensation to owner for embezzlement, &c., of spirits in warehouse.

48. In any case where through any wilful misconduct, neglect, or default of the warehouse officer, any spirits or any packages containing spirits are embezzled, damaged, or destroyed while such spirits are in the warehouse, the loss which the owner of such spirits or packages sustains by such embezzlement, damage, or destruction, shall be made good to him by the Treasurer under such orders and directions as to the liability of the warehouse officer as shall for that purpose be given by the Administrator.

Punishment for embezzlement, &c., of spirits in warehouse.

49. If through any wilful misconduct of the warehouse officer or any other person any spirits warehoused under this Ordinance are embezzled or destroyed, such warehouse officer or other person shall be guilty of a misdemeanour.

Time for removal of spirits from warehouse.

50. All spirits which have been deposited in the warehouse shall be removed therefrom within the prescribed period, and in default thereof shall be sold or otherwise disposed of in the prescribed manner.

Warehouse rent.

51. The prescribed rent shall be payable on all spirits deposited in the warehouse, and the Treasurer may detain such spirits until the rent is paid, and in default of payment at the time or times prescribed, may recover the rent by the sale of such spirits.

Duty to be paid before spirits removed from warehouse.

52. No spirits shall be delivered out of the warehouse except for exportation until the duty payable thereon under this Ordinance has been paid.

PART VII.

EXPORTATION.

Spirits for exportation to be warehoused.

53. All spirits manufactured in this Island and intended for exportation shall be removed to and deposited in the warehouse.

Delivery from warehouse for exportation.

54. On application of the owner of any spirits which have been deposited in the warehouse, it shall be lawful for the Treasurer, subject to the regulations, to grant his permission in writing for the delivery of such spirits from the warehouse and the exportation of the same.

Penalty for relanding.

55. If any spirits shipped on board of any vessel for exportation from the Colony are unshipped in order to be landed, all such spirits, together with the casks or other packages, and also the vessels, boats, cattle and carts made use of in the unshipping, relanding or removal of the same, shall be forfeited, and every person who unships or causes to be unshipped any such spirits or assists or is concerned in such unshipping, or to whose hands such spirits knowingly come after such unshipping, shall forfeit treble the value thereof, and the master of any such vessel or any other person on board of the same who assists in or connives at such unshipping or relanding, shall over and above all other penalties imposed by this Ordinance be liable to a penalty not exceeding four hundred and eighty dollars.

Return of vessel with exported spirits.

56. If any vessel, having on board spirits produced in and exported from the Colony, after sailing or departing puts in or returns to any part of the Colony, the master or consignee of such vessel shall (unless he deposits such spirits in the warehouse), before landing any part of his cargo, give bond to the Treasurer, with one or more good and sufficient sureties in double the amount of the duty payable on such spirits, for the re-exportation of such spirits, which bond the Treasurer shall enforce unless within four months after the date thereof the duty on such spirits is paid or proof is given to his satisfaction that such spirits have been re-exported.

PART VIII

SEIZURES.

Persons authorized to make seizures.

57. All vessels, stills, spirits, packages, cattle, carts and other things liable to forfeiture under this Ordinance shall and may be seized and secured by the Treasurer or any government officer or excise officer or any police constable or any person authorized in writing by the Treasurer to seize things liable to forfeiture under this Ordinance.

Seizures to be in Treasurer's custody.

58. All things seized as forfeited under this Ordinance shall be forthwith taken and delivered into the custody of the Treasurer or a government officer, and shall be deemed and taken to be condemned unless the seizure is contested as hereinafter provided: Provided that in case of the seizure of a still it shall be competent for the seizing officer instead of immediately removing such still, to receive security from the owner or person in charge of such still that it shall be considered as under seizure and shall not be used or removed until the legality of the seizure has been determined as hereinafter provided; and any still may, after condemnation be removed or broken up for the purpose of removal.

Contested seizures.

59. (1) The person from whom any vessel, still, spirits, packages, cattle, cart or other thing has been seized, or the owner of them, or in case of his absence from the Colony, his duly authorized attorney or agent, may, within fourteen days after the seizure, give notice in writing to the seizing officer that he contests the seizure and claims the articles or things seized.

(2) No such notice shall be valid unless the name and residence in the Colony and occupation of the claimant are fully stated therein.

(3) The seizing officer shall thereupon prefer a complaint before a Magistrate for the adjudication of such forfeiture, and if the claimant proves to the satisfaction of the Magistrate that the things seized are not liable to forfeiture, the Magistrate shall adjudge such things to be restored, but if the claimant fails to prove to the satisfaction of the Magistrate that the things seized are not liable to forfeiture, the Magistrate shall confirm the seizure, and the things seized shall be condemned.

Sale of things seized.

60. After the expiration of fourteen days after the seizure of any articles or things under this Ordinance, or in the case of contested seizures at any time after the condemnation of the things seized, the Treasurer shall cause the same to be sold by public auction to the highest bidder, and the proceeds of the sale thereof, after deducting the expenses incurred in the seizure and sale, shall be paid into the Public Treasury.

PART IX.

MISCELLANEOUS.

Penalty for obstructing officers.

61. Every person who in any way obstructs, hinders or molests any government officer, excise officer, police constable, or other officer or person in the execution of the powers and authorities by this Ordinance granted or any of them or any person acting in aid of any officer aforesaid, shall be liable to a penalty not exceeding ninety-six dollars.

Spirits consumed on board vessels.

62. No spirits the produce of the Colony shall be consumed on board any vessel in any of the harbours or bays or on the coasts of the Colony or within one league thereof unless the duties on consumption imposed by this Ordinance have been first paid, and the master or person in charge of any vessel on board of which such spirits are consumed without such duty having been first paid shall for each offence be liable to a penalty not exceeding forty-eight dollars and three times the amount of the duty payable on such spirits.

Perjury.

63. Any person who knowingly or wilfully makes any false oath to any of the matters or things required by this Ordinance or corruptly suborns or procures any person to make any false oath as aforesaid shall, on conviction thereof, be liable to such punishment as is inflicted for wilful and corrupt perjury or subornation of perjury by the laws of the Colony.

General penalty.

64. Every person who contravenes any of the provisions of this Ordinance or of any regulation made hereunder for which no special penalty is provided shall be liable to a penalty not exceeding two hundred and forty dollars.

Recovery of penalties.

65. Every penalty under this Ordinance or under any regulation made hereunder shall be recovered in a summary manner before a Magistrate in accordance with the provisions of the laws of the Colony relating to summary proceedings before Magistrates and the recovery of penalties for the time being in force.

Distribution of penalties.

66. The Administrator may, if he thinks fit, order that any part not exceeding one-half of any penalty recovered under this Ordinance, or of the proceeds of the sale of any thing seized under this Ordinance, be given to any informer or informers in such manner and in such proportions as he directs, and the residue of the penalty or of the proceeds of such sale shall be paid into the Public Treasury: Provided that the Administrator may remit the whole or any part of any penalty if he thinks fit.

Limit of time for prosecutions.

67. Prosecutions for offences against this Ordinance shall be commenced within six months after the commission of the offence.

Appeal.

68. An appeal shall lie from any decision of a Magistrate under this Ordinance, and shall be made, entered and proceeded with in accordance with the laws of the Colony for the time being in force regulating appeals from Magistrates' decisions.

Regulations.

69. The Administrator may from time to time make, and when made, add to, alter or revoke, regulations for all or any of the following purposes:—

(1) the application for and issue of licences, the commencement, duration, effect, form, contents, registration and publication of the same;

(2) the distillation, redistillation, mixing and blending of spirits, the storage of the same and the proper securing of store-rooms and rum cellars;

(3) the books to be kept by distillers and the places in which they are to be kept, the time and manner of making entries therein and verifying the contents thereof, and the publication, production and inspection of the same;

(4) the returns to be made by persons to whom still licences have been granted under this Ordinance;

(5) the making of returns of spirits made, distilled, redistilled, mixed and blended, and the persons by whom the same are to be made and signed;

(6) the removal of spirits from any distillery or elsewhere, the packages and quantities in which the same are to be removed, and the marks to be placed on such packages;

(7) the application for and granting of permits and the contents thereof, the time during which they shall be in force and otherwise in respect of the same;

(8) the management and regulation of the warehouse, the admission of spirits into the warehouse and the delivery of spirits out of the warehouse, the period during which spirits are to be allowed to remain therein, the rent to be paid for spirits warehoused therein, and the time or times for paying the same;

(9) the employment and payment of officers to supervise the distillation and redistillation, mixing, or blending of spirits;

(10) the guidance, duties, liabilities and powers of distillers and government officers in respect of the above or any other matters;

(11) the enforcement of the observance of regulations by fines, forfeitures and penalties, provided that such fines shall not exceed the amount of two hundred and forty dollars.