

## CHAPTER 193

## METHYLATED SPIRITS

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*Ordinances Nos. 20 of 1962, 42 of 1962, Legal Notice No. 112 of 1970, Act No. 22 of 1983*

AN ACT TO MAKE PROVISION FOR CONTROL OF THE SALE,  
STORAGE AND USE OF METHYLATED SPIRITS  
(Amended by Act 22 of 1983, s. 2.)

[26 October 1962]

*Short title*

1. This Act may be cited as the Methylated Spirits Act.

*Definitions*

2. In this Act, unless the context otherwise requires—  
“licence” means a licence granted under the provisions of this Act;  
“licensee” means a person granted a licence under the provisions of this Act;  
“licensing authority” means the person who is the licensing authority under the provisions of the Business Licensing Act for the area in which a vendor of methylated spirits carries on his business; (Cap. 204.)  
“methylated spirits” means spirits which have been denatured to a prescribed standard under the provisions of the Customs Act; (Cap. 196.)  
“record book” means the book required to be kept by a licensee under the provisions of section 4.  
(Amended by Ordinance 42 of 1962, s. 2; Act 22 of 1983, s. 3.)

*Licence to sell or store for sale methylated spirits*

- 3.—(1) A licence granted under the provisions of this Act shall authorise the licensee to sell or store for sale the quantity of methylated spirits specified in his licence. (Amended by Act 22 of 1983, s. 4.)  
(2) A licensing authority, on being satisfied that the applicant for a licence will be able to observe the provisions of this Act, or, in the case of an application for

renewal of a licence, that he has observed the provisions of this Act or any Ordinance repealed thereby, may grant or renew such licence on payment of a fee of \$1, and, when granting such licence or the renewal thereof, shall specify in the licence the maximum quantity of methylated spirits which may be sold or stored for sale by the licensee and the premises on or from which methylated spirits may be sold or stored. (*Amended by Act 22 of 1983, s. 4.*)

(3) Notwithstanding the provisions of subsection (2), no licence shall be granted or renewed to any person in respect of premises in respect of which a licence is in force under which liquor may be sold for consumption on those premises.

(4) Every licence shall expire on 31 December next following the date of issue or renewal.

*Record of purchase or sale of methylated spirits to be kept*

4.—(1) Every licensee shall keep upon the licensed premises a book in the prescribed form in which he shall enter legibly in ink or indelible pencil, the date of every purchase or sale of methylated spirits, the quantity of methylated spirits purchased and sold, the name and address of the person from or to whom the purchase or sale was made and the price paid or received for the same. (*Amended by Act 22 of 1983, s. 5.*)

(2) Every such entry shall be in the English language and shall be made at the time of such purchase or sale. (*Amended by Act 22 of 1983, s. 5.*)

(3) When applying for a renewal of a licence, a licensee shall produce his record book to the licensing authority for inspection.

(4) A licensee who fails to comply with any of the provisions of subsection (1) or (2) shall be guilty of an offence and, on conviction, shall be liable to a fine not exceeding \$100.

*Power of search*

5. Any police officer may enter, at any reasonable time, any premises licensed under this Act or on which he has reasonable ground for supposing that methylated spirits are sold or stored for sale, and may search the said premises and may inspect any record book.

*Offences*

6.—(1) Any person who—

(a) sells or stores for sale methylated spirits without a licence;

(b) obstructs any police officer acting in the course of his duty under the provisions of section 5,

shall be guilty of an offence. (*Amended by Act 22 of 1983, s. 6.*)

(2) (a) Any person, whether or not licensed under this Act, who—

(i) knowingly sells or supplies methylated spirits to any person for consumption as a beverage or sells or supplies to any person any beverage containing methylated spirits;

(ii) prepares or attempts to prepare any methylated spirits for use as a beverage or as a mixture in any beverage or makes or blends any beverage containing methylated spirits; or

(iii) consumes or is found in possession of any beverage containing methylated spirits,

shall be guilty of an offence.

- (b) The court by or before which any person is convicted of an offence under this subsection may order all methylated spirits found in his possession and the receptacles containing it to be forfeited and to be disposed of in whatever manner the court thinks fit.
- (c) It shall be lawful for any police officer to arrest without a warrant any person found in possession of any beverage containing methylated spirits.
- (d) For the purposes of this subsection, the expression "methylated spirits" includes crude alcohol, power alcohol, rectified spirits, spirits which have been denatured to a prescribed standard under the Customs Act, industrial spirits or any mixture of such alcohol or spirits whatsoever. (Cap. 196.)
- (Amended by Ordinance 42 of 1962, s. 3.)
- (3) Any licensee selling or storing for sale a quantity of methylated spirits in excess of the quantity specified in his licence shall be guilty of an offence. (Amended by Act 22 of 1983, s. 6.)
- (4) (a) It shall not be lawful to offer for sale or sell methylated spirits to any person in a container of less than 4 gallons, unless such container is clearly labelled or marked "POISON" in letters at least half an inch high, and unless there is a warning thereon in letters at least a quarter of an inch high, in English, Fijian and Hindustani, that the contents of such container, if drunk, may produce blindness.
- (b) Any person offering for sale or selling methylated spirits to any person in containers not clearly labelled or marked in accordance with the provisions of paragraph (a) shall be guilty of an offence.
- (c) On request a licensing authority shall supply labels complying with this subsection to any licensee.
- (5) Any person convicted of an offence against any of the provisions of this section shall be liable to a fine not exceeding \$400 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.
- (6) The court by or before which any licensee is convicted of an offence under this section may, instead of or in addition to, any other punishment which it may impose, cancel his licence.

*Regulations*

7.—(1) The Minister may make regulations for the better carrying out of the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing subsection, the Minister may make regulations prescribing the forms to be used under this Act and the manner of storage of methylated spirits.

(Amended by Legal Notice 112 of 1970.)

*Controlled by Ministry of Justice*

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CHAPTER 193

METHYLATED SPIRITS

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SECTION 7—METHYLATED SPIRITS REGULATIONS

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TABLE OF PROVISIONS

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REGULATION

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2. Form of licence
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Schedule—Forms

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*Legal Notice No. 115 of 1983*

*Short title*

1. These Regulations may be cited as the Methylated Spirits Regulations.

*Form of licence*

2. The form of licence to sell or store for sale methylated spirits shall be as in Form 1 in the Schedule.

*Form of book*

3. The form of book to be kept by every licensee upon his licensed premises shall be as in Form 2 in the Schedule.

*Revocation*

4. The Methylated Spirits Regulations are revoked.
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SCHEDULE

*(Regulations 2 and 3)*

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FORM 1

*(Section 3)*

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FORM OF LICENCE

[Name of Licensee], having this day paid the sum of \$1, is hereby licensed to sell or store for sale methylated spirits at his premises at \_\_\_\_\_ in accordance with the provisions of the Methylated Spirits Act.

The maximum quantity of methylated spirits authorised to be sold or stored for sale during the licensing period is \_\_\_\_\_ litres.  
This licence expires on 31 December 19 \_\_\_\_\_

.....  
*Licensing Authority*

Fee paid: \$1

FORM 2  
(Section 4)

FORM OF BOOK TO BE KEPT BY LICENSEE

Date	Quantity of methylated spirits purchased	Name and address of person from whom methylated spirits purchased	Quantity of methylated spirits sold	Name and address of person to whom methylated spirits sold	Price

*Controlled by Ministry of Justice*