

DISTILLATION ORDINANCE, 1927.⁽¹⁾

No. 12 of 1927.

An Ordinance relating to Distillation.

BE it enacted by the Lieutenant-Governor of the Territory of Papua with the advice and consent of the Legislative Council thereof as follows:—

PART I.—INTRODUCTORY.

1. This Ordinance may be cited as the *Distillation Ordinance*, Short title. 1927.⁽¹⁾

2. The *Distillation Ordinance*, 1912, is repealed. Repeal.

3. This Ordinance is divided into Parts as follows:—

Part I.—Introductory.

Part II.—Stills.

Part III.—Licences.

Part IV.—Excise Supervision Distillers' Books and Regulation of Distilleries generally.

Part V.—Removal of Spirits and Computation and Payment of Duty.

Part VI.—Powers of Officers.

Part VII.—Penal Provisions.

Part VIII.—Miscellaneous.

Cf. Cwlth.
*Distillation
Act*, 1901-1925,
s. 3.

4. For convenience in interpreting this Ordinance the present ordinary course of and in connection with the distillation of spirits is outlined as follows:—

(i) The material is mashed in a mash tun. The liquor product is wort.

(ii) The wort is fermented in a back. The liquor product is wash.

Ordinary
course of
distillation.
Cf. Cwlth.
Id. s. 5.

(1) Particulars of this Ordinance are as follows:—

Date of reservation by Lieut.-Gov.	Date on which assent of Gov.-Gen. in Council published in Papua <i>Govt. Gaz.</i>	Date on which came into operation.
10. 6. 1927	24. 12. 1927	24. 12. 1927 (Papua <i>Govt. Gaz.</i> of 24. 12. 1927)

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- (iii) The wash is distilled in a still by heating to evaporation and condensing the vapour. The liquor product is spirits and the residue of the wash is spent wash.
- (iv) The spirits pass into a receiver which may be of three kinds—
 - (a) Low wines receiver for the receipt of low wines. These are spirits of the first extraction requiring further distillation. All spirits received into a low wines receiver are low wines.
 - (b) Feints receiver for the receipt of feints. These may include low wines and are spirits requiring further distillation. All spirits received into a feints receiver are feints.
 - (c) Spirits receiver for the receipt of spirits not requiring further distillation.
- (v) When liquor has been previously fermented it can be immediately utilized as wash.

Interpretation.
Cf. Cwlth.
Distillation Act,
1901-1925, s. 6.

5. In this Ordinance except where otherwise clearly intended—
- “Back” means any vessel in which wort is deposited for the purpose of fermentation.
 - “By authority” means by the authority of an officer doing duty in the matter in relation to which the expression is used.
 - “Collector” includes the Treasurer and any principal officer of Customs doing duty at the time and place and any officer doing duty in the matter in which the expression is used.
 - “Distiller” means a person who holds a Spirit Maker’s Licence issued pursuant to this Ordinance.
 - “Distillery” means the licensed premises of a distiller.
 - “Feints” means spirits received into the feints receiver.
 - “Illicit spirits” means spirits distilled moved altered removed from a distillery or interfered with in contravention of this Ordinance.
 - “Illicit still” means any still made imported used set up or in the possession or custody of any person without lawful authority.
 - “Low wines” means spirits of the first extraction received into the low wines receiver.
 - “Material store” means a store in a distillery for the storage of material for distillation.
 - “Methylate” means to mix spirits with any prescribed substance in the prescribed quantity and in the prescribed manner in the course of making power alcohol.

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- “Officer” means an officer of Customs.
- “Operations” includes all stages processes or operations in the course of or in connection with the distillation of spirits.
- “Permission” means the written permission of the Collector.
- “Plant” includes machinery apparatus vessels utensils fittings and plant of all kinds.
- “Power alcohol” means spirit which before methylation is of a strength of not less than 65 degrees overproof and methylated by the addition of one per cent. of wood naphtha one quarter per cent. of pyridine two to twenty per cent. of benzine and one-quarter per cent. of a solution of aniline violet or blue dye.
- “Prescribed” means prescribed by this Ordinance.
- “Spent wash” means the liquor which remains after the spirits have been extracted by distillation.
- “Spirits store” means a store for the storing of spirits.
- “Spirit warehouse” means a warehouse in distillery upon a distiller’s premises in which spirits may be warehoused without payment of duty.
- “Spirits” include all liquor—
- (a) of a like character and description to liquor which under the name of spirits any duty of Customs is payable;⁽²⁾ or
 - (b) upon which in the name of spirits or of power alcohol any excise is imposed by Ordinance;⁽³⁾ and whether distilled or made or in any stage of distillation or making
- “Still” means any apparatus for or capable of distilling spirits and any part thereof and any apparatus connected or used in connection therewith.
- “Still house” means the house or room in a distillery where distillation is carried on.
- “This Ordinance” includes all regulations made thereunder.
- “The Treasurer” means the Treasurer of the Territory and any person acting for him either in his absence from the Territory or his absence on duty or otherwise within the Territory.
- “Wash” means the liquor from mashed material after it has commenced to ferment and before it has been distilled.
- “Wort” means the liquor from mashed material before it has commenced to ferment.

6. The penalties referred to at the foot of sections indicate that any contravention of the section by act or omission is an offence

Penalty at foot of sections.
Cf. Cwltth.
Distillation Act, 1901-1925, s. 7.

(2) See Division I of the Second Schedule of the *Customs Tariff, 1934-1941.*

(3) No excise has been imposed on liquor by any Ordinance.

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against this Ordinance punishable on conviction by a penalty not exceeding the penalty mentioned.

Parts of *Excise Ordinance, 1914*, to apply. Cf. Cwltth. *Distillation Act, 1901-1925*, s. 8.

7. Parts II. VIII. IX. X. XI. XII. XIII. and XIV. of the *Excise Ordinance, 1914*, shall except so far as inconsistent with this Ordinance be incorporated and read as one with this Ordinance.

PART II.—STILLS.

Making, selling or importing stills. Cf. Cwltth. *Ib.* s. 10.

8. No person shall without permission of the Treasurer—

- (a) make or commence to make any still;
- (b) remove or set up or erect any still;
- (c) sell or purchase any still either by itself or with other property or as part of any premises;
- (d) import any still.

Penalty: One hundred pounds.

Use of stills. Cf. Cwltth. *Ib.* s. 11.

9.—(1.) Stills may be used for any purpose other than the distillation of spirits if the owner has—

- (i) given written notice to the Treasurer specifying—
 - (a) the size or capacity of the still;
 - (b) the purpose for which the still is used or intended to be used;
 - (c) the place where the still is to be used or intended to be used;
- (ii) obtained the sanction of the Lieutenant-Governor in Council;⁽⁴⁾
- (iii) given security to the Treasurer in such sum as the Treasurer requires not exceeding One hundred pounds that the still shall not be used for distilling spirits.

(2.) Any still used in contravention of this section shall be an illicit still.

PART III.—LICENCES.

Stills not to be used unless licensed. Cf. Cwltth. *Ib.* s. 12.

10. No person shall distil spirits unless he is licensed to do so under this Ordinance and no person shall distil spirits except pursuant to his licence.

Penalty: Five hundred pounds.

Description of licences. Cf. Cwltth. *Ib.* s. 13.

11. Licences to distil shall be divided into the following classes:—

- (a) Spirit Maker's Licences authorizing the licensee to distil and re-distil spirit until it complies with the standard of strength of power alcohol before it is methylated as prescribed from any indigenous tree or plant (except the sago palm) to which the provisions of the

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

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Sago Ordinance, 1908-1920,⁽⁵⁾ or any of them have been extended⁽⁶⁾ under the provisions of Section 7 of that Ordinance and in respect of which tree or plant the licensee under this Ordinance is the holder of a licence under the *Sago Ordinance, 1908-1920*,⁽⁵⁾ to cut and remove;

- (b) Test Still Licences authorizing a distiller to use a still of a capacity of not more than one gallon for the purpose of distilling in a distillery.

12. No person who is licensed to retail spirits in less quantity than two gallons shall be licensed under this Ordinance and if any person licensed under this Ordinance shall be licensed to retail spirits in such quantities his licence under this Ordinance shall thereupon cease.

Persons incapable of holding licences.
Cf. Cwltth. *Distillation Act, 1901-1925, s. 15.*

13. The annual fees for licences shall be as prescribed computing as from the first of January and when by reason of the time of the granting of a licence it will not continue for a full year the amount shall be reduced proportionately.

Licence-fee.
Cf. Cwltth. *Ib. s. 16.*

14. Applications for licences may be made to the Treasurer and shall be in the form and be accompanied by the particulars prescribed.

Applications.
Cf. Cwltth. *Ib. s. 17.*

15.—(1.) The applicant for a licence shall pay to the Treasurer the prescribed licence-fee and shall give security to the Treasurer for compliance with this Ordinance in accordance with the scale prescribed.

Application to pay licence-fee and give security.
Cf. Cwltth. *Ib. s. 18.*

(2.) Until otherwise prescribed the amount of such security shall be One thousand pounds in respect of a Spirit Maker's Licence and Fifty pounds in respect of a Test Still Licence.

16. Where any security is required to be given it may at the discretion of the Treasurer be by bond or guarantee or cash deposit or by all or any of those methods.

How security given.
Cf. Cwltth. *Ib. s. 19.*

17. The Treasurer if satisfied that the application ought to be granted may with the written approval of the Lieutenant-Governor⁽⁴⁾ grant a licence to the applicant but if the application is refused the licence-fee shall be returned to the applicant.

Treasurer to grant licence.
Cf. Cwltth. *Ib. s. 20.*

18. Licences shall unless previously cancelled remain in force until the thirty-first day of December next after the granting of the licence.

Period of licences.
Cf. Cwltth. *Ib. s. 21.*

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(5) Now the *Sago Ordinance, 1908-1936.*

(6) The provisions of the *Sago Ordinance, 1908-1936,* have been extended to mangroves, nipa palm and *kuru-kuru* grass: see footnote (4) to that Ordinance.

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Renewal of licences.
Cf. Cwth. *Distillation Act*, 1901-1925, s. 22.

19.—(1.) Licences may be renewed by the Treasurer upon an application for renewal before the expiry of the licence sought to be renewed and on payment of the annual licence-fee:

Provided that the Treasurer may in any case in his discretion extend for a period of thirty days the time within which application for the renewal of the licence and the payment of the licence-fee shall be made.

(2.) The liability of the subscribers to the security given in respect of the original licence shall in the absence of any notice of termination on the part of the subscribers remain in full force for the period for which the licence is renewed.

Fresh security.
Cf. Cwth. *Ib.* s. 23.

20. The Treasurer may require the applicant for the renewal of a licence to give fresh security and if fresh security is not given accordingly may refuse to renew the licence.

Transfer and cancellation.
Cf. Cwth. *Ib.* s. 24.

21. Licences may be transferred by permission of the Treasurer on security being given by the transferee and may be cancelled by the Lieutenant-Governor⁽⁴⁾ by notice published in the *Gazette* if the licensee is convicted of any offence against this Ordinance.

PART IV.—EXCISE SUPERVISION DISTILLERS' BOOKS AND REGULATION OF DISTILLERIES GENERALLY.

Supervision by officers.
Cf. Cwth. *Ib.* s. 28.

22. The distillation of spirits by distillers shall for the protection of the revenue be subject to the right of supervision by officers.

Accommodation for officers.
Cf. Cwth. *Ib.* s. 29.

23. Every distiller shall provide in connection with his distillery reasonable office accommodation for the supervising officer and when required by the Collector board and lodging for the officer.

Penalty: Fifty pounds.

Facilities to officers.
Cf. Cwth. *Ib.* s. 30.

24. Every distiller shall provide all reasonable facilities for enabling officers to exercise their powers under this Ordinance.

Penalty: Fifty pounds.

Duties of distiller.
Cf. Cwth. *Ib.* s. 31.

25. In particular and without limiting the effect of the previous section every distiller shall in his distillery—

- (a) provide to the satisfaction of the Collector windows or apertures for the admission of sufficient light;
- (b) keep burning from sunset to sunrise or so long as operations are being carried on after sunset and before sunrise sufficient lamps or lights to the satisfaction of the officer;

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

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- (c) provide and place strong safe and sufficient ladders so as to enable the officer to examine any vessel or utensil;
- (d) provide assistance when requested by any officer for carrying out any duties requiring assistance;
- (e) remove when requested by any officer any rubbish or any obstruction which may conceal from view any part of the operations which are being carried on upon his distillery;
- (f) place every vessel and utensil in a convenient position so as to be easy of access to the officers;
- (g) keep and maintain correct weights scales and measures to the satisfaction of the Collector available at all times for the use of officers;
- (h) keep all plant in a secure and clean condition and free from leakage;
- (i) empty and re-gauge any plant whenever required by the Collector;
- (j) draw off the water in any worm tub and clean the tub and worm when required to do so by an officer at any time when the still is not being worked and keep the worm tub free from water for sufficient time not exceeding two hours for the officer to examine the tub and worm.

Penalty: One hundred pounds.

26. For the information of officers distillers shall keep books and prepare and render accounts as prescribed and shall also as prescribed verify such books and accounts.

Books and accounts.
Cf. Cwth.
Distillation Act,
1901-1925, s. 32.

Penalty: One hundred pounds.

27. No business trade or work other than that of a distiller shall be carried on in a distillery without the permission in writing of the Treasurer

No other trade to be carried on upon the premises.
Cf. Cwth.
Ib. s. 33.

Penalty: One hundred pounds.

28. No distiller shall distil spirits on any premises other than his distillery.

Distillation only on licensed premises.
Cf. Cwth. *Ib.*
s. 34.

Penalty: Five hundred pounds.

29. No distiller shall—

- (a) mix with or add to any low wines feints or spirits in any receiver or charger any substance which increases their specific gravity or prevents their true strength from being ascertained;

Prohibitions.
Cf. Cwth. *Ib.*
s. 35.

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- (b) use in mashing or mix with any wort or wash any material so that the specific gravity of the wort or wash cannot be correctly ascertained by the prescribed saccharometer;
- (c) have in his distillery except by authority any wort wash or fermented liquor not made in the distillery;
- (d) except by authority mix any wort wash or fermented liquor made in his distillery with any wort wash or fermented liquor made elsewhere.

Penalty: One hundred pounds.

No alteration to be made in premises without permission.

Cf. Cwith. Distillation Act, 1901-1925, s. 36.

30. No person shall—

- (i) without permission use any place or plant in a distillery for any purpose other than that set out in the application for the licence or the plans models or description accompanying the application;
- (ii) alter the size or position of any place or plant in a distillery without first submitting a plan or description of the proposed alteration nor without permission to make such alteration;
- (iii) bring into or have in a distillery any plant which is not specified in the application for a licence or in the permission;
- (iv) place any pipe or tube used in a distillery below the surface of the ground unless it is enclosed in a wooden case capable of being easily opened so that the pipe or tube may be readily exposed to view;
- (v) place affix or make any cock plug pipe or opening in on to into or from any vessel or utensil in a distillery in contravention of this Ordinance;
- (vi) make or use any cover fastening cock plug or pipe so that any vessel or utensil in a distillery can be employed opened removed filled or emptied in contravention of this Ordinance.

Penalty: One hundred pounds.

Purpose of distillation.

31. The distillation of spirits shall be for the purpose and in the course of making power alcohol only.

Where power alcohol may be made.

32. Power alcohol shall be made only in a distillery.

Penalty: One hundred pounds.

No spirits below a certain standard to be methylated.

33. No spirits in a distillery of a standard less than sixty-five degrees overproof shall be methylated in any manner or by any method whatsoever.

Penalty: One hundred pounds.

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34.—(1.) All spirits (not already being power alcohol) in a distillery at any of the prescribed periods in each year shall within a prescribed period thereafter respectively by any operation which may be necessary for the purpose and by being methylated be converted into power alcohol within the meaning of this Ordinance.

Spirits in distilleries at prescribed periods to be methylated.

(2.) If any distiller shall fail to comply with the provisions of Subsection (1.) of this section the spirits therein referred to shall be and be deemed to be illicit spirits.

35. All power alcohol in a distillery shall be kept by the distiller separate and apart from all other spirits in the manner prescribed.

Power alcohol to be kept separate.

36. Every distiller is responsible for the safe custody of all material wort wash low wines feints spirits and power alcohol in his distillery and for the observance of this Ordinance within his distillery.

Responsibility of distillers.
Cf. Cwth. *Distillation Act, 1901-1925, s. 38.*

PART V.—REMOVAL OF SPIRITS AND COMPUTATION AND PAYMENT OF DUTY.

37. No spirits shall be removed from a distillery or delivered unless—

Authority to remove.

- (a) they are power alcohol within the meaning of this Ordinance; and
- (b) an entry has been made and passed authorizing their removal.

Penalty: Five hundred pounds.

38. No entry authorizing the removal of power alcohol shall be passed in respect of a smaller quantity than ten gallons.

Strength and quantity of spirits removed.
Cf. Cwth. *Ib. s. 40.*

39. No distiller shall except by authority remove or suffer to be removed from his distillery any power alcohol at any time except between the hours of nine o'clock in the forenoon and four o'clock in the afternoon.

Hours for removal.
Cf. Cwth. *Ib. s. 41.*

Penalty: One hundred pounds.

40. Entries may be made by the distiller and passed by an officer and may authorize the removal of power alcohol for—

Purposes for which spirit may be removed.
Cf. Cwth. *Ib. s. 42.*

- (a) home consumption;
- (b) removal to a warehouse;
- (c) exportation.

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Security on removal.

Cf. Cwltth. *Distillation Act*, 1901-1925, s. 43.

41. The distiller shall give security for the due removal or exportation of the power alcohol before any entry is passed for the removal of power alcohol to a warehouse or for exportation.

Customs control.

Cf. Cwltth. *Ib.* s. 45.

42. All spirits distilled in a distillery and (until delivery for home consumption or until exportation to parts beyond the seas whichever shall first happen) all power alcohol shall be subject to the control of the Customs and shall not be moved altered or interfered with except by authority and in accordance with this Ordinance.

Penalty: One hundred pounds.

Strength of spirits.

Cf. Cwltth. *Ib.* s. 46.

43. The strength of spirits may be ascertained for any of the purposes of this Ordinance by means of a hydrometer approved by the Treasurer.

Obscuration.

Cf. Cwltth. *Ib.* s. 47.

44. If in the opinion of the Collector the strength of any spirits cannot immediately be accurately ascertained by hydrometer the strength may be ascertained after distillation or in any prescribed manner.

Payment of duty.

Cf. Cwltth. *Ib.* s. 48.

45. The distiller shall pay the duty on power alcohol to the Collector before it is removed from the distillery.

PART VI.—POWERS OF OFFICERS.

Access to distilleries and books.

Cf. Cwltth. *Ib.* s. 60.

46. Officers shall at all times have complete access to every part of all distilleries or premises on which a still is kept and may examine gauge re-test take account of and note any plant materials and spirits in the distillery or premises and may examine and take copies of or extracts from all books and accounts required to be kept by the distiller for the information of the officers and of all books kept by the distiller in relation to the distillery or the making of spirits or the making or sale of power alcohol.

Power to enter premises.

Cf. Cwltth. *Ib.* s. 61.

47. Any officer after having declared his name and business and demanded admission to a distillery or any part thereof if not forthwith admitted pursuant to his demand may break open any door or window or through any wall in or on such distillery to obtain admission.

Vessels to be emptied and cleaned.

Cf. Cwltth. *Ib.* s. 62.

48. For the purpose of testing the quantity of spirits at proof in any wash by distillation the officer may require any charger or receiver to be emptied and cleaned and any quantity of the wash to be distilled and the produce to be conveyed into the charger or receiver.

For this purpose the distiller shall on request and on reasonable notice provide the officer with assistance.

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All low wines feints or spirits so distilled and conveyed into a charger or receiver shall be kept therein unmixed and unaltered until the officer has taken an account of the quantity and strength thereof.

Penalty: One hundred pounds.

49. Any officer may take a sample of wort wash low wines feints or spirits from any vessel and the strength of any sample so taken shall be deemed the strength of the whole of the contents of the vessel from which it is taken.

Samples.
Cf. Cwlth.
Distillation Act,
1901-1925, s. 63.

A distiller may before any such sample is taken stir up and mix together all the liquor contained in the vessel from which the sample is to be taken.

50. Any officer having reasonable cause of suspicion may either by day or night break up the ground in or adjoining or near a distillery or any wall or partition thereof and do any act which he may deem necessary for the purpose of detecting any contravention of this Ordinance and may on finding any pipe or conveyance leading to or from the distillery break up or break any ground house wall or other place through or into which the pipe or conveyance leads and may break up or cut away any such pipe or conveyance and turn any cock and examine whether any such pipe or conveyance conveys or conceals any spirits.

Powers of
officer in
detecting illegal
dealing with
spirits.
Cf. Cwlth.
Ib. s. 64.

51. Any officer having with him a writ of assistance or a Customs warrant under the *Customs Ordinance, 1909-1916*,⁽⁷⁾ may at any time in the day or night enter into any house premises or place and may break open and search the same and any depository chests trunks or packages in which illicit stills or illicit spirits may be or may be supposed to be.

Power under
writ of
assistance.
Cf. Cwlth. *Ib.*
s. 65.

52. Any officer having reasonable cause of suspicion may stop any person carrying goods and question such person as to whether he has in his possession any illicit still or illicit spirits and may search any goods such person is carrying.

Power to stop
persons carrying
goods.
Cf. Cwlth. *Ib.*
s. 66.

53. Any officer upon reasonable suspicion may stop and search any vehicle or boat for the purpose of ascertaining whether any illicit still or illicit spirits are thereon and the driver of such vehicle or the person in charge of such boat shall stop and permit an officer to search his vehicle or boat when required by an officer so to do.

Power to search
vehicles.
Cf. Cwlth. *Ib.*
s. 67.

Penalty: Twenty pounds.

54. Any officer may seize and secure any forfeited goods or any goods which he has reasonable cause to believe are forfeited and may convey them to a King's warehouse police station or place of security or mark and impound them on the premises where they are found.

Power of
seizure.
Cf. Cwlth. *Ib.*
s. 68.

(7) Now the *Customs Ordinance, 1909-1939.*

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Power to lock.
Cf. Cwlth.
Distillation Act,
1901-1925, s. 69.

55. Any officer may lock up seal mark fasten or otherwise secure any plant in or on any distillery or premises on which a still is kept and any seized goods; and no such lock seal mark or fastening shall be opened altered broken or erased except by authority.

Penalty: One hundred pounds.

Official stills.
Cf. Cwlth.
Ib. s. 70.

56. Nothing in this Ordinance shall prevent the use of stills by officers for official purposes or with permission by any public department of the Territory or for any official educational or testing purposes.

Power to
purchase
samples.
Cf. Cwlth. *Ib.*
s. 71.

57. No person being the owner of or in possession of any spirits or of any liquor which an officer has reasonable ground to suspect is spirits shall refuse to deliver to an officer samples of such spirits or liquor on tender of a reasonable price for such samples.

Penalty: Twenty pounds.

Obstructing
officers.
Cf. Cwlth. *Ib.*
s. 72.

58. No person shall obstruct molest resist or hinder any officer in the performance of his duty under this Ordinance.

Penalty: Fifty pounds.

PART VII.—PENAL PROVISIONS.

Forfeiture.
Cf. Cwlth. *Ib.*
s. 73.

59. The following are forfeited to the King:—

- (i) All illicit stills.
- (ii) All illicit spirits and the vessels in which they are contained.
- (iii) All material capable of being used in the course of or in connection with the distillation of spirits found on any premises on which there is an illicit still.
- (iv) All vehicles or boats conveying any illicit still or illicit spirits and all animals and harness used in drawing any such vehicle.
- (v) All wort and all wash removed from a distillery except by authority.
- (vi) All low wines feints or spirits in any receiver or charger with which or to which any substance has been mixed or added except by authority which increases their specific gravity or prevents their true strength from being ascertained.
- (vii) All wort or wash in a distillery the gravity of which cannot be correctly ascertained by the prescribed saccharometer.
- (viii) All wort wash or fermented liquor unlawfully in a distillery.
- (ix) All spirits found in any distillery elsewhere than in the proper charger receiver spirit store or spirit warehouse.

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60. No person shall—

- (1) use or unlawfully have in his possession or custody or under his control or upon his premises any illicit still;
- (2) make any illicit spirits;
- (3) supply the means or materials for establishing maintaining or working any illicit still;
- (4) receive carry convey or conceal or have upon his premises or in his custody or under his control any illicit spirits;
- (5) be found without lawful excuse in any place where distillation is being illegally carried on;
- (6) sell or dispose of any illicit spirits;
- (7) purchase any illicit spirits knowing them to be illicit spirits;
- (8) make sell or have in his possession or custody or control any wash or wort intended for distillation by an illicit still.

Offences as to
illicit stills
and spirits.
Cf. Cwlth.
Distillation Act,
1901-1925, s. 74.

Penalty: Five hundred pounds.

61. No person being the holder of a Test Still Licence shall use his still contrary to the tenor of his licence or the provisions of this Ordinance.

Unlawful use
of stills.
Cf. Cwlth. *Ib.*
s. 75.

Penalty: One hundred pounds.

62. No distiller shall keep or make use of any store for the sale or storage of any duty-paid power alcohol at any place within a distance of one hundred yards from the licensed premises of the distiller.

Distance of
stores for sale
of spirits from
distillery.
Cf. Cwlth. *Ib.*
s. 77.

Penalty: One hundred pounds.

63. Any person by act or omission guilty of any contravention of this Ordinance for which no other penalty is provided shall be liable to a penalty of not more than Fifty pounds.

Penalty in cases
not provided
for.
Cf. Cwlth. *Ib.*
s. 78.

64. Any attempt to commit an offence against this Ordinance shall be an offence against this Ordinance punishable as if the offence had been committed.

Attempted
offences.
Cf. Cwlth. *Ib.*
s. 79.

65. Whoever aids abets counsels or procures or by act or omission is directly or indirectly concerned in the commission of any offence against this Ordinance shall be deemed to have committed such offence and shall be punishable accordingly.

Aiders and
abettors.
Cf. Cwlth.
Ib. s. 80.

PART VIII.—MISCELLANEOUS.

66. Any person providing board and lodging for an officer pursuant to the request of the Collector shall be entitled to fair remuneration therefor at such rates as shall be agreed or prescribed.

Board and
lodging to be
paid for.
Cf. Cwlth.
Ib. s. 81.

LIQUOR—

Regulations

67. The Lieutenant-Governor⁽⁴⁾ may make regulations⁽⁸⁾ not inconsistent with this Ordinance for prescribing all matters which by this Ordinance are required or permitted to be prescribed or which may be necessary or convenient to be prescribed for giving effect to this Ordinance and in addition thereto and not by way of limitation thereof for any of the following matters:—

- (a) Limiting or restricting the work or duties which any native shall be allowed or permitted by a distiller to perform in or about a distillery.
- (b) Prohibiting any native or class of natives being engaged for work in or entering or remaining in a distillery.

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

(8) No regulations have been made.