

✓ GOVERNMENT NOTICE No. 211 published on 10/4/64

TYC. 45/30

THE POTABLE SPIRITS (COMPOUNDING) ACT, 1963
(ACT No. 57 OF 1963)

REGULATIONS

Made under section 6

THE COMPOUNDING OF POTABLE SPIRITS REGULATIONS, 1964

1. These Regulations may be cited as the Compounding of Potable Spirits Regulations, 1964.

2. In these Regulations—

“Act” means the Potable Spirits (Compounding) Act, 1963;

“licensee” means the holder of a licence issued under section 5 of the Act;

“Minister” means the Minister for the time being responsible for Finance.

3. Every application to compound spirits shall be made in duplicate to the Licensing Officer in the form set out in the First Schedule to these Regulations and shall be accompanied by the fee of twenty shillings.

4. Upon receipt of an application and the fee therefor under Regulation 3, the Licensing Officer may in his discretion issue a licence to compound spirits in the form set out in the Second Schedule to these Regulations, subject to such terms and conditions as he thinks fit, or without assigning any reason therefor, refuse to issue a licence.

5.—(1) Every licence to compound spirits shall expire on the 31st December following the date of issue thereof.

(2) The Licensing Officer may renew such licence for the next succeeding year, upon receipt by him of an application in writing from the licensee before the expiration of the current licence accompanied by the fee of twenty shillings.

6. The Licensing Officer may at any time, without prejudice to any prosecution for any offence then pending, by notice in writing addressed to the licensee, vary the terms and conditions of, suspend or revoke any licence to compound spirits if he is satisfied that the licensee has committed any breach of—

(a) the provisions of the East African Customs Management Act, H.C. 12 of 1952, the East African Excise Management Act, 1952, the 1952 Intoxicating Liquor Ordinance, or of any subsidiary Legislation H.C. 13 of 1952 made under those Acts or that Ordinance in so far as such provisions relate to spirits; or

(b) the Act or these Regulations or any of the terms and conditions of the licence.

G.N. No. 211 (contd.)

7. Where any person is aggrieved by the refusal to grant a licence or by the variation of the terms and conditions, the suspension or revocation of, or the refusal to renew the licence, he may within fourteen days of the receipt of the notice thereof, appeal in writing to the Minister whose determination thereon shall be final and shall not be questioned in any court.

8.—(1) The Licensing Officer may in writing require any licensee to keep such records and in such form as may appear to him to be necessary to carry out the provisions and purpose of the Act.

(2) Any licensee who fails to make any record required under this Regulation or who makes or is privy to making any false entry in such record or who omits or is privy to omitting any material particular from such record shall be guilty of an offence against these Regulations.

9.—(1) Any officer serving in the East African Customs and Excise Department of the East African Common Services Organization, in uniform or upon production of his authority if so requested, may at any reasonable time—

- (a) enter any premises used by a licensee for the purpose of compounding spirits;
- (b) make such inspection, search and enquiry as he may consider necessary for the carrying out of the provisions of the Act, including inspection of books and records; and
- (c) take reasonable samples of any spirits or of any materials used in the compounding of spirits.

(2) Any person who obstructs any officer acting in pursuance of powers conferred by this Regulation shall be guilty of an offence.

10. Any person who is guilty of an offence against these Regulations shall be liable to a fine not exceeding two thousand shillings or to a term of imprisonment not exceeding two months or both such fine and imprisonment.

FIRST SCHEDULE

(Regulation 3)

POTABLE SPIRITS (COMPOUNDING) ACT, 1963
(ACT No. 57 OF 1963)
(Section 6)

The Compounding of Potable Spirits Regulations, 1964

APPLICATION FOR A LICENCE TO COMPOUND SPIRITS
(To be submitted in duplicate)

I/We of
..... hereby apply for a licence
to compound spirits in my/our premises situated at.....
and hereby declared that—

G.N. No. 211 (contd.)

- (a) the under-mentioned buildings, rooms, places and items of plant and no other will be used for the compounding of spirits and storage of materials used in connection therewith;

namely
.....
.....
.....

- (b) the process of compounding, the formulae to which such spirits will be compounded and the materials that will be used therein will be as set out in the Schedule attached to this application.

Date

.....
Signature(s) of Applicant(s)

SECOND SCHEDULE

(Regulation 4)

POTABLE SPIRITS (COMPOUNDING) ACT, 1963

(ACT No. 57 OF 1963)

(Section 6)

The Compounding of Potable Spirits Regulations, 1964

COMPOUNDING LICENCE

Name

of
is hereby licensed to compound—

1.
2.
3.
4.

in premises situated at
from the date hereof to 31st December, 19....., subject to the conditions endorsed overleaf.

Date
.....

Licensing Officer

FEE PAID: SHS. 20/-.

Made this day of 196.....

Dar es Salaam,
31st March, 1964

P. BOMANI,
Minister for Finance