

CAP. 140.

CYPRUS

INTOXICATING LIQUOR MANUFACTURE

CHAPTER 140 OF THE LAWS

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1959

CHAPTER 140.
INTOXICATING LIQUOR MANUFACTURE.

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A LAW TO AMEND AND CONSOLIDATE THE LAWS RELATING TO THE MANUFACTURE OF INTOXICATING LIQUOR IN THE COLONY.

[22nd December, 1950.]

24 of 50.
21 of 54.
2 of 57.
38 of 57.
13 of 58.
Short title.

1. This Law may be cited as the Intoxicating Liquor (Manufacture) Licensing Law.

PART I.

PRELIMINARY.

2. (1) In this Law, unless the context otherwise requires—

“beer” has the same meaning as in the Breweries Law ;

“Comptroller” means the Comptroller of Customs and Excise, and includes any Officer authorised by him to act on his behalf for all or any of the purposes of this Law ;

“ entry ” means a declaration by a manufacturer of his intention to carry on the trade of a manufacturer and of the premises, vessels and utensils intended to be used by him in connection with his trade ; and “ entered ” shall be construed accordingly ;

“ gallon ” means an imperial gallon ;

“ intoxicating liquor ” means spirits and spirituous liquors of all kinds, whether mixed with any other ingredient or not and whether coming thereby under some other designation, but shall not include beer, wine or zivania or spirits which have been methylated or denatured ;

“ licence ” and “ permit ” mean, respectively, a licence or a permit issued by the Comptroller under this Law ;

“ manufacturer ” means a person who manufactures intoxicating liquor ;

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“ methylated ” or “ denatured ” spirits means spirits containing not less than 150 per centum of proof spirit rendered unfit for use as a beverage by being mixed with such substance or substances in such proportions as are prescribed by, and to the satisfaction of, the Comptroller ;

“ Officer ” means an officer of Customs and Excise ;

“ premises ” means any building or place used for the manufacture, storage or sale of intoxicating liquor ;

2 of 21/57.

“ proof spirit ” means ethyl alcohol of such a strength that the specific gravity at a temperature of 60° by Fahrenheit’s thermometer is .91984 ;

“ still ” means an apparatus, other than a village still, in which spirit can be produced by distillation and includes every part of a still, whether assembled or disassembled, other than plain pipes, cocks and such other fittings which when separated therefrom may be ordinarily used for other purposes ;

“ village still ” means a pot still or a still known as “ kazani,” which consists of a boiler in which fermented saccharine material may be heated and from which spirituous vapours, given off as a result, are led directly in a closed pipe of uniform diameter through a tank or like vessel containing cold liquid, by means of which such vapours are condensed into

spirit and includes every part of a village still, whether assembled or disassembled, other than plain pipes, cocks and such other fittings which when separated therefrom may be used for other purposes ;

“ wine ” means a fermented liquor made from the juice of grapes, containing not more than 40 per centum of proof spirit ;

“ zivania ” means a spirituous liquor containing not more than 106 per centum of proof spirit derived solely from the primary distillation of wine, wine lees, fermented grapes or raisins or any residues thereof.

(2) The strength of spirit or of any spirit contained in any spirituous liquor shall be ascertained in the following manner—

(a) by the indication shown, on immersion in such spirit or liquor, by Sikes’s hydrometer read in conjunction with the spirit indication per centum appropriate to such indication, at the temperature at which such spirit or liquor is then found, in tables entitled “ Tables to be used with Sikes’s Hydrometer ” issued under the authority of Her Majesty’s Commissioners of Customs and Excise in the United Kingdom ;

(b) where any spirituous liquor is sweetened, or contains any ingredient or ingredients whereby the action of the hydrometer may be defeated, by analysis by the Government Analyst or such person as may be authorised by him in that behalf,

or in such other manner as may be prescribed.

PART II.

MANUFACTURE OF INTOXICATING LIQUOR.

Licences.

3. (1) No person shall carry on the business of a manufacturer, unless he holds a licence issued by the Comptroller and has given such security and in such manner as may be prescribed for the due performance of his obligations in connection therewith.

Manufacturer's licence and fees.

(2) Every licence shall be in Form A in the Schedule to this Law and there shall be paid in respect thereof a fee of twenty-five pounds.

Schedule Form A.

3 (a) of 38/57.

(3) Every applicant for a manufacturer's licence shall furnish the Comptroller with a certificate from the Commissioner of Labour or such other person or authority as may be prescribed that the premises for which the licence is required conform with the Law and Regulations in force for the time being for the regulation of trades and industries and such premises shall contain accommodation, to the satisfaction of the Comptroller, for such Officer or Officers as the Comptroller may direct.

^{3 (b) of 38/57.} (4) No licence shall be issued under this section until the entry referred to in subsection (1) of section 10 has been made by the manufacturer and checked by an Officer.

(5) The Comptroller may refuse to issue a licence in respect of any premises the situation of which is, in his opinion, such as to prevent the satisfactory exercise of Revenue supervision.

(6) Any person, not being the holder of a licence who—

(a) manufactures any intoxicating liquor ;

(b) has in his possession or keeps or makes use of any still, vessels, utensils, apparatus or materials in such circumstances as to indicate that they are kept or used for the manufacture of intoxicating liquor,

is guilty of an offence and is liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine and the Court trying the case may order that any still, vessels, utensils, apparatus or materials in respect of which the offence has been committed shall be forfeited.

Licence to be personal to holder.

4. (1) A licence shall be personal to the holder and shall be valid only in respect of the premises mentioned therein.

(2) A licence shall not be transferable save with the approval of the Comptroller.

Duration of licence.

5. Every licence shall, unless previously cancelled, expire on the thirty-first day of December in the year in which it was issued.

No fee refunded.

6. No fee paid in respect of any licence shall be refunded on the ground that the licence has been suspended or cancelled.

7. The holder of a licence shall, at all times, exhibit the licence in a conspicuous place upon the premises and, if he fails so to do, he is guilty of an offence and is liable to a fine not exceeding twenty pounds.

Exhibition
of licence.

Premises.

8. Premises, stills, vessels and utensils used by a manufacturer in the manufacture or storage of intoxicating liquor shall be maintained at all times in proper repair, condition, and state of security to the satisfaction of the Comptroller so as to enable the exercise of effective supervision in the interests of Revenue and, if they are not so maintained, the Comptroller may, by notice in writing under his hand, require the licensee to remedy the failure within such period, not being less than ten days, as may be specified in the notice and, if the licensee fails to comply with the requirement, the Comptroller may suspend the licence until the failure is remedied :

Premises to
be main-
tained in
proper
repair and
condition.
4 of 38/57.

Provided that the licensee may, within three days from the day of the notification to him of the suspension, appeal to the Governor whose decision thereon shall be final and conclusive :

Provided further that the suspension shall not take effect until after the expiration of three days from the day of its notification as aforesaid and that, where a valid appeal has been made, the suspension shall not have effect unless and until the appeal has been determined and the Governor confirms the suspension.

9. The Comptroller may require any of the doors of the premises to be secured by two locks and thereupon such doors shall be so secured ; the key of one lock shall be held by the manufacturer and the key of the other by an Officer.

Securing of
doors of
premises.

10. (1) Every manufacturer shall make entry in the prescribed manner of the premises, stills, village stills, vessels and utensils intended to be used in his business as a manufacturer and shall cause them to be marked in such manner, and shall provide such staples and fastenings thereon as may be required and approved by the Comptroller and no alteration of any such premises, stills, village stills, vessels or utensils shall be made without the prior approval of the Comptroller.

Entry and
marking of
premises,
etc.

5 of 38/57. (2) Any manufacturer who fails to observe, or acts in contravention of, the provisions of subsection (1) is guilty of an offence and is liable to a fine not exceeding fifty pounds.

No access to premises save with permission.

11. (1) Subject to any other Law enabling entry to any premises, no person other than the manufacturer and his employees shall enter or have access to the premises of a manufacturer save with the permission of an Officer.

(2) Any person who acts in contravention of subsection (1) is guilty of an offence and is liable to a fine not exceeding twenty-five pounds.

Days and hours of work.
3 of 21/57.

12. (1) The days and hours during which any premises may be open for the manufacture of intoxicating liquor or for any other purpose shall be such as may be approved by the Comptroller, but so that the ordinary hours of duty per week of any Officer performing duty therein shall not exceed those prescribed for Customs officers under the Customs Management Law, or any Law amending or substituted for the same.

Cap. 315.

(2) Overtime work outside such approved days and hours may be permitted by the Collector of Customs upon written application by the manufacturer concerned and payment by him of fees at such rates and under such conditions as may be prescribed under the Customs Management Law, or any Law amending or substituted for the same.

Cap. 315.

Imposition of excise duty.

Excise Duty.

2 of 13/58.

13. (1) Upon and after the enactment of this Law, there shall be levied and paid upon intoxicating liquor manufactured and issued for consumption in the Colony an excise duty at the rate of nine hundred mils on each gallon of proof spirit contained therein ;

Provided that excise duty shall not be payable in respect of—

(a) any spirit issued from a manufacturer's premises, with the written authority of the Comptroller, to the Director of Medical Services for the sole use of the Medical Services of the Colony;

(b) any spirit issued from a manufacturer's premises, with the written authority of the Comptroller, to and for the sole use of Her Majesty's Forces, for surgical or medical use ;

- (c) any spirit used solely for the purpose of fortifying wine in any manufacturer's premises under the supervision of an Officer ;
- (d) any spirit issued from a manufacturer's premises, with the written authority of the Comptroller and subject to such conditions as the Comptroller may impose, used solely for the purpose of fortifying wine, under the supervision of an Officer, in any winery other than in any manufacturer's premises.

(2) The Governor in Council may, at any time, reduce, increase or otherwise vary the rate of excise duty and may abolish such duty and reimpose the same :

Provided that no increase shall exceed by more than twenty per centum the rate imposed in subsection (1).

14. The excise duty for the time being leviabie shall be charged and paid before the intoxicating liquor is removed from the premises, unless removed therefrom for exportation or to the entered premises of another manufacturer as in this Law provided.

Time when
duty
payable.

15. (1) If any intoxicating liquor is destroyed by accidental fire or other unavoidable cause, or has become unfit for consumption while on any entered premises, the Comptroller shall, on proof to his satisfaction of such loss or unfitness, remit or repay the duties charged or paid :

Remission
of duty in
certain cases.

Provided that, where the intoxicating liquor has become unfit for consumption, a manufacturer may be permitted to recover the spirit contained in such liquor by distillation, and shall destroy any part thereof remaining after the recovery of the spirit contained therein, in the presence of an Officer.

(2) Any person who, for the purpose of obtaining any remission of duty under this section, knowingly makes any false statement or false representation is guilty of an offence and is liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine and shall, in addition, pay any amount remitted or repaid under the provisions of subsection (1).

Exportation of Intoxicating Liquor.

Exportation
of
intoxicating
liquor.

16. (1) Any person who desires to export any intoxicating liquor from the Colony shall, before such liquor is removed from the premises, give notice thereof to the Comptroller, specifying the destination of the consignment and containing such other particulars as may be prescribed and the Comptroller may, whenever he deems it necessary, require the exporter, before any intoxicating liquor is removed from the premises, to give security either by a cash deposit of an amount equivalent to the amount of the excise duty which would be chargeable on such intoxicating liquor or by a bond for such equivalent amount, secured to the satisfaction of the Comptroller, undertaking that such intoxicating liquor shall be exported to, and landed at, the declared destination or an intermediate port in a place outside the Colony in transit for such destination and that the exporter shall be bound to furnish the Comptroller with a certificate from the proper authority at destination, or such intermediate port as aforesaid, of the due arrival and landing thereat of the intoxicating liquor, within such period as to the Comptroller may seem reasonable, and, if such certificate is not furnished within such period, the security given as hereinbefore provided or any part thereof as the Comptroller may deem fit shall, if in cash, be forfeited or, if by bond, be payable forthwith on demand made by the Comptroller addressed to the person or persons who executed such bond.

(2) Any intoxicating liquor exported as in subsection (1) provided shall be exempt from the payment of excise duty.

(3) A bond given for the purposes of subsection (1) shall not be chargeable with any stamp duty.

Miscellaneous.

Restriction
of quantity
in deliveries
of intoxicating
liquor.

17. (1) No intoxicating liquor shall be delivered from the premises of a manufacturer in any less quantity than one dozen pint bottles or, if in containers other than bottles, in any less quantity than one gallon, at any one time.

(2) Any person who acts in contravention of subsection (1) is guilty of an offence and is liable to a fine not exceeding twenty-five pounds and the Court trying the case may order that any intoxicating liquor in respect of which the offence has been committed shall be forfeited.

18. (1) Any manufacturer who desires to remove any intoxicating liquor or methylated or denatured spirits from his premises shall, after payment of any duty thereon, prepare and sign or cause to be prepared and signed on his behalf an invoice or way-bill in respect thereof for presentation to an Officer setting forth the address of his premises, the description, quantity, proof strength and destination of such liquor or spirits together with the date of removal; and no removal shall take place, unless and until the permission of such Officer, to be signified by signing the invoice or way-bill and by stamping the same with a Customs stamp, is first obtained.

Documents to be made out on delivery of intoxicating liquor and methylated or denatured spirits.

6 (a) of 38/57.

(2) Where any intoxicating liquor or methylated or denatured spirits in a quantity of one dozen or more pint bottles or, if in containers other than bottles, in a quantity of one gallon or more—

(a) are removed from the shop, store or other place of any person who is the holder of a dealer's licence under the Sale of Intoxicating Liquors Law, for itinerant sale to prospective buyers unknown at the time of removal, the holder of the licence shall prepare and sign or cause to be prepared and signed on his behalf a way-bill in respect of such liquor or spirits, setting forth the address of his shop, store or other place, the date of removal, the description, quantity and proof strength of such liquor or spirits together with the registration number of the vehicle or description of any other means of conveyance by which they are removed and also containing a statement that the intoxicating liquor or methylated and denatured spirits are intended for sale to prospective buyers during the journey;

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6 (b) of 38/57.

(b) are removed from any place other than a manufacturer's premises as in subsection (1) provided, or the shop, store or other place of the holder of a licence as in paragraph (a) hereof provided, the person from whose place such liquor or spirits are removed shall prepare and sign or cause to be prepared and signed on his behalf an invoice or way-bill, in respect of such liquor or spirits setting forth the address of his place, the date of removal, the description, quantity

6 (c) of 38/57.

proof strength and destination of such liquor or spirits.

4 of 21/54.

(3) The invoice or way-bill, as the case may be, as in subsection (1) and in paragraph (b) of subsection (2) provided, shall be sent together with and shall accompany the intoxicating liquor or methylated or denatured spirits, to which it relates, to their destination, where it shall be handed to the person taking delivery of such liquor or spirits who shall thereupon cancel the invoice or way-bill, as the case may be, by entering thereon the date of such delivery over his signature.

6 (d) of 38/57.

(4) The way-bill as in paragraph (a) of subsection (2) provided shall be carried by the driver of the vehicle or person in charge of the conveyance or such other person as may accompany the intoxicating liquor or methylated or denatured spirits on behalf of the holder of the licence and the driver or other person shall, as soon as he makes any delivery therefrom, prepare and sign or cause to be prepared and signed an invoice in respect of such liquor or spirits, setting forth the address of his premises, the date of such delivery, the description, quantity and proof strength of such liquor or spirits, and the name and address of the person taking delivery thereof and shall enter upon the way-bill the same particulars as are required to be shown on such invoice and shall, in due course, take back and return the relative way-bill to the holder of the licence who shall, thereupon, cancel the same by entering thereon the date of such return over his signature.

6 (e) of 38/57.

(5) Every invoice or way-bill issued in connection with the removal of any intoxicating liquor or methylated or denatured spirits, and delivered as in subsections (1), (2) and (3) provided, and every way-bill returned to the holder of the licence as in subsection (4) provided, shall be kept by the person concerned for a period of not less than three months from the date on which the invoice or way-bill has been or should have been delivered or returned to him and shall, upon the demand of any Officer or police officer, produce the same to such Officer or police officer.

(6) Any person who—

(a) fails to observe, or acts in contravention of, any of the provisions of subsection (1), (2), (3) or (4) ;

(b) in any invoice or way-bill required to be prepared under the provisions of subsection (1) or (2), makes any statement or gives any particular which is false ;

- (c) without reasonable cause (the proof whereof shall lie upon him) erases, obliterates or alters any statement or particular in any such invoice or way-bill or any part thereof ;
- (d) without reasonable cause (the proof whereof shall lie upon him) fails or refuses to produce on the demand of an Officer or a police officer, during the period set out in subsection (5), any invoice or way-bill which should have been kept by him as in that subsection provided,

is guilty of an offence and is liable to imprisonment not exceeding six months, or to a fine not exceeding fifty pounds or to both such imprisonment and fine and, in the case of a person convicted of an offence under paragraph (a) of this subsection, the Court trying the case shall order that any intoxicating liquor or methylated or denatured spirits in respect of which the offence has been committed, and any means of conveyance used in connection with the removal thereof, shall be forfeited, unless the owner of such liquor, spirits or means of conveyance proves to the satisfaction of the Court that he took all reasonable means and precautions to prevent the commission of the offence.

19. (1) Intoxicating liquor may, with the written permission of the Comptroller, be removed prior to the payment of excise duty from the premises of a manufacturer to the premises of another manufacturer, upon the person removing such liquor or his agent giving such security therefor as the Comptroller may require and under such conditions as the Comptroller may deem fit to impose.

Removal of
intoxicating
liquor to
premises of
other manu-
facturer.
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(2) The Officer at the receiving manufacturer's premises shall take account of the intoxicating liquor immediately on receipt.

(3) If any of the containers show a loss in excess of that prescribed for losses in transit under bond, he shall advise the Officer at the premises of the despatching manufacturer of the amount by which the loss of any container exceeds that allowed, and the latter Officer shall charge the despatching manufacturer excise duty on that amount at the current rate in force. The despatching manufacturer may claim remission or repayment of that duty by written application to the Comptroller, giving a full explanation of such excessive loss, and the Comptroller, if satisfied, may authorise such remission or repayment, in full or in part.

(4) If no loss in transit occurs, or if all losses are within those prescribed, the Officer at the receiving manufacturer's premises shall issue to the Officer at the despatching manufacturer's premises a certificate of receipt for the entire quantity as advised, crediting the receiving manufacturer with the actual quantity received.

Books and records to be kept.

20. (1) A manufacturer shall furnish such notices as to his manufacturing operations, and shall keep on his premises such other books and registers, in such form as may be required and approved by the Comptroller, in which he shall enter true and accurate particulars of the quantity and kind of materials used, and of all intoxicating liquor received, manufactured and issued and such other particulars as may be required by the Comptroller, and such books and registers shall be open at all times to inspection by an Officer who may make any entry therein or take any extracts therefrom as he may deem necessary in connection with his inspection.

(2) Any manufacturer who—

- (a) fails to observe, or acts in contravention of, any of the provisions of subsection (1) ;
- (b) furnishes, under subsection (1), any notice which is false in any material particular ;
- (c) knowingly makes any false entry in any book or register kept as in subsection (1) provided,

is guilty of an offence and is liable to imprisonment not exceeding three months or to a fine not exceeding twenty pounds or to both such imprisonment and fine.

Balancing stock.

21. The stock of intoxicating liquor manufactured or received in any premises shall be balanced at any time the Comptroller may direct and, if any increase or deficiency is found in stock in excess of that prescribed, the manufacturer, unless he duly accounts for the same to the satisfaction of the Comptroller, shall, upon the demand of the Comptroller, pay double the amount of duty on such excess.

Special provisions regarding zivania.

22. (1) Notwithstanding anything in this Law contained, every manufacturer shall keep on his premises such books, in such form as may be required and approved by the Comptroller, in which he shall enter true and accurate particulars of all zivania held at, or received into, his premises and of

any quantity of such zivania used or otherwise disposed of by him.

(2) The provisions of section 21 shall apply *mutatis mutandis* to zivania and, for this purpose, if any increase or deficiency is found in the stock of zivania in excess of that prescribed, the manufacturer, unless he duly accounts for the same to the satisfaction of the Comptroller, shall, upon the demand of the Comptroller, pay an amount equal to the amount of duty which would have been payable on such excess under section 21, if zivania were an intoxicating liquor.

(3) Any manufacturer who—

(a) fails to observe, or acts in contravention of, any of the provisions of subsection (1) ;

(b) knowingly makes any false entry in any book kept as in subsection (1) provided,

is guilty of an offence and is liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds or to both such imprisonment and fine.

23. (1) A manufacturer shall provide and maintain on his premises such scales, weights and measures, lights, ladders and other conveniences as may be prescribed and shall give such assistance in their use by an Officer as may be required by such Officer.

Scales,
measures,
etc.

(2) Any manufacturer who provides or uses, or has on his premises any device or contrivance, by which an Officer may be prevented, hindered or deceived in taking the just and true quantity of intoxicating liquor or the gauge or measurement of any vessel or utensil, is guilty of an offence and is liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine and, in addition, the Court trying the offence may order the person concerned to pay double the amount of excise duty which shall appear to have been undercharged by reason of such device or contrivance.

24. (1) No manufacturer shall, for the purpose of manufacturing any intoxicating liquor, use any materials or substance as may be prescribed as being prejudicial to the health of the consumer or deliver any intoxicating liquor containing any such materials or substance or which for any reason is unfit for human consumption.

Materials
used for
manufac-
ture of
intoxicating
liquor.

(2) The Comptroller may, by notice in the *Gazette*, prohibit the use in the manufacture of intoxicating liquor of any material or substance which he considers to be prejudicial to the interests of the Revenue.

(3) Subject to the provisions of this section, a manufacturer may distil, vat, blend, rack or carry on such operations in the manufacture of intoxicating liquor as are not prohibited by this Law or any regulations made thereunder or by the Comptroller.

(4) Any manufacturer who fails to observe, or acts in contravention of, any of the provisions of subsection (1), or uses in the manufacture of intoxicating liquor any material or substance prohibited under the provisions of subsection (2), is guilty of an offence and is liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine and any material, substance or intoxicating liquor in respect of which the offence has been committed shall be forfeited.

Labelling
and prohi-
bition of
adulteration,
dilution or
grogging of
intoxicating
liquor.

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25. (1) No person shall deliver, sell, expose or offer for sale, for home consumption, intoxicating liquor in bottle, unless each such bottle is properly corked and capsuled to the satisfaction of the Comptroller, a label being firmly attached thereon setting forth in respect of such intoxicating liquor the manufacturer's name, description, proof strength by reference to which the excise duty chargeable thereon was computed, and the quantity in fluid ounces contained in such bottle.

(2) After delivery from a manufacturer's premises of any intoxicating liquor for consumption in the Colony, no manufacturer, dealer in or retailer of intoxicating liquor shall dilute or adulterate such intoxicating liquor by the addition thereto of zivania, water, colouring or flavouring matter or any other thing whatsoever, or wilfully change its original character.

(3) No person shall—

(a) subject any cask or vat to any process for the purpose of extracting any spirits absorbed in the wood thereof; or

(b) have on his premises any cask or vat which has been subjected to any such process; or

(c) have on his premises any intoxicating liquor which has been extracted from the wood of any cask or vat.

(4) Any person who acts in contravention of the provisions of this section shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine and the Court trying the case may order that any intoxicating liquor and anything by means of, or in relation to, which the offence has been committed shall be forfeited.

26. (1) A licence shall authorise the manufacturer to sell at his entered premises intoxicating liquor of his own manufacture being not less than one dozen pint bottles or, if in containers other than bottles, being not less than one gallon at any one time, without further licence under the provisions of the Sale of Intoxicating Liquors Law, 1943.

Sale of intoxicating liquor in licensee's premises.

1949 Cap. 152.

(2) Notwithstanding anything contained in the Intoxicating Liquors Law, 1943, no retailer's licence shall be granted thereunder to any manufacturer in respect of any place within half a mile of the premises in which such manufacturer is licensed to carry on manufacture of intoxicating liquor :

Provided that, with the permission of the Comptroller, a retailer's licence under the Intoxicating Liquors Law, 1943, may be granted to a manufacturer in respect of any place which, on the date of the coming into operation of this Law*, is licensed under the Intoxicating Liquors Law, 1943, for the sale of intoxicating liquor by retail, notwithstanding that such place is within half a mile from the premises of such manufacturer.

27. Any Officer may, in any premises, take any gauge or measurement of any still, village still, vessel or container used in the manufacture or for the purpose of delivery of intoxicating liquor, and samples of intoxicating liquor or of any materials or substance used in the manufacturer of intoxicating liquor, for the purpose of examination or analysis, and no payment shall be made therefor.

Taking samples, etc.

28. (1) No person shall manufacture or construct a still save under and in accordance with the terms of a permit issued by the Comptroller.

Control of manufacture of stills.

(2) Any person, who acts in contravention of subsection

* See page 24.

(1) or of any terms imposed in a permit issued thereunder, is guilty of an offence and is liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine and the Court trying the offence may order that any still in respect of which the offence has been committed shall be forfeited.

PART III.

MATURATION WAREHOUSES.

Licensing of
maturation
warehouses.
9 of 38/57.

29. Intoxicating liquor manufactured by a manufacturer licensed under the provisions of this Law which is kept for maturation in wooden casks or wooden vats and which is intended for subsequent export or delivery for home consumption may be warehoused in maturation warehouses licensed by the Comptroller, upon the payment of a fee of one pound and subject to such terms and conditions as the Comptroller may deem fit to impose.

Licence
to be
personal
to holder.
9 of 38/57.

30. (1) A licence granted under the provisions of this section shall be personal to the holder and shall be valid only in respect of the premises mentioned therein.

(2) A licence shall not be transferable save with the approval of the Comptroller.

Duration
of licence.
9 of 38/57.

31. Every licence shall, unless previously cancelled, expire on the thirty-first day of December in the year in which it was issued.

No fee
refunded.
9 of 38/57.

32. No fee paid in respect of any licence shall be refunded on the ground that the licence has been cancelled.

PART IV.

CONTROL OF VILLAGE STILLs.

Control of
village
stills.
5 of 21/54.
Schedule
Form B.

33. (1) No person shall have in his possession, keep or use a village still save under and in accordance with the terms of a permit issued by the Comptroller upon application made in that behalf in Form B in the Schedule to this Law :

Provided that nothing herein contained shall apply to any village still kept or used by a licensed manufacturer in his entered premises.

Schedule
Form C.

(2) Every permit under subsection (1) shall be in Form C in the Schedule to this Law and shall be issued free of charge :

Provided that no permit shall be issued in respect of a village still unless the applicant satisfies the Comptroller that he is ordinarily resident in a village or locality where grapes are cultivated for sale or for the manufacture of wine or zivania.

(3) Save with the written authority of the Comptroller—

- (a) no village still shall be removed from the place in respect of which the permit was issued ;
- (b) no permit shall be transferred in the name of any other person.

34. No person shall manufacture or construct a village still save under and in accordance with the terms of a permit issued by the Comptroller. Control of manufacture of village stills.

35. Any person who fails to observe, or acts in contravention of, any of the provisions of section 33 or 34 or of any terms imposed in any permit issued thereunder is guilty of an offence and is liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine and the Court trying the offence may order that any village still in respect of which the offence has been committed shall be forfeited. Penalty for contraventions of sections 33 and 34.

PART V.

GENERAL.

36. Every Officer and every police officer shall have power— Powers of Officers and police officers.

- (a) to search any person who enters or leaves any premises ;
- (b) to search any part of any premises ;
- (c) to stop and search any means of conveyance, in or on which he has reasonable cause to believe that any intoxicating liquor, or methylated or denatured spirits, are being conveyed and to demand from the person in charge of such means of conveyance or the person who may accompany such liquor or spirits the production of the invoice or way-bill which should accompany or should be carried in connection with such liquor or spirits ;

(d) if the invoice or way-bill is not produced as in paragraph (c) hereof or, if produced, it is found not to comply with the requirements of section 18, or if the intoxicating liquor or methylated or denatured spirits are found not to be as stated in the accompanying invoice or way-bill and the Officer or police officer has reasonable cause to believe that such liquor or spirits are being removed contrary to the provisions of section 18, to seize and carry away such liquor or spirits together with the invoice or way-bill, if any, purporting to have been issued in respect thereof, and to deliver the same to the Collector of Customs at the nearest Customs House to be detained there for further examination of the case :

Provided that, unless within seven days from the date of the seizure, criminal proceedings are taken in connection therewith, anything seized as hereinbefore provided shall be returned to the person from whom it had been seized ;

(e) in order to prevent or detect the violation of any of the provisions of this Law or any Regulations made thereunder, to enter any building or place wherein he has reason to believe that any intoxicating liquor, still, village still, vessels, utensils or materials for the manufacture or adulteration of intoxicating liquor are unlawfully kept, deposited, or used, and to break open and forcibly enter any such building or place and search, examine and take any gauge, measurement, samples, or account of any such intoxicating liquor, still, village still, vessels, utensils or materials found in such building or place, and seize and carry away any such intoxicating liquor, still, village still, vessels, utensils or materials which appear to be evidence of the commission of an offence :

Provided that the right to enter, search and seize shall not be exercised in respect of a dwelling house, unless a search warrant has been obtained therefor.

Sealing and
securing by
Officer.

37. (1) Every Officer may, in a manufacturer's premises, seal up or otherwise secure in such manner as he may deem fit for the protection of the Revenue, and unseal or reseal

any pipe, cock, connection in, on, or fitted to, any still, village still, or apparatus used in connection therewith, with a view to preventing any distillation being carried out, in his absence, in such still, village still or apparatus or being carried out in such manner as might prevent him from taking a full account of any spirit produced by distillation by or in such still, village still or apparatus.

(2) Any person who, except with the authority of an Officer, breaks, destroys or in any way interferes with any seal or any other thing used by any Officer for the purposes of subsection (1,) is guilty of an offence and is liable to imprisonment not exceeding three months or to a fine not exceeding fifty pounds or to both such imprisonment and fine.

38. Any person who—

- (a) obstructs, assaults or resists an Officer or police officer in the execution of any of his duties or the exercise of any of his powers under this Law ;
- (b) refuses to stop when so requested by an Officer or police officer exercising powers under section 18 or resists search as in that section provided ;
- (c) without authority of the Comptroller, has in his possession or under his control any plain spirit exceeding in quantity one gallon, not being spirit kept by a licensed manufacturer in his entered premises ;
- (d) is found in possession, for sale, of any spirits appearing to be methylated or denatured spirits which, upon examination and test by Sikes's hydrometer, are found to contain less than 150 per centum of proof spirit or, upon examination by the Government Analyst, are found not to contain the substance or substances prescribed by the Comptroller for methylating or denaturing spirits,

Miscellaneous offences.

10 of 38/57.

is guilty of an offence and is liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine and the Court trying the case may order that any thing in respect of which the offence has been committed shall be forfeited.

Sections
20 to 25.
of the
Criminal
Code to
apply.
Cap. 154.

39. The provisions of sections 20 to 25 of the Cyprus Criminal Code (relating to parties to offences), shall apply to an offence committed under the provisions of this Law.

Cancellation
or suspen-
sion of
licence or
permit.

40. Upon the conviction of the holder of a licence or of a permit for any offence against this Law or any Regulations made thereunder, the Court may, in addition to any other penalty, order that the licence or permit shall be cancelled or that it shall be suspended for such time as the Court may direct.

Forfeiture
of intoxi-
cating
liquor,
vessels, etc.,
when offence
committed.

41. Where any person, not being a licensed manufacturer, is convicted of an offence under this Law, the Court may, in addition to any other penalty, order any intoxicating liquor or methylated or denatured spirits and any still, village still, vessels, utensils, and materials used or appearing to be intended for use in the manufacture, dilution or adulteration of intoxicating liquor or methylated or denatured spirits which are found in his possession, to be forfeited.

Seizure of
articles
liable to
forfeiture

42. Any articles liable to forfeiture under this Law may be seized by any Officer or by any police officer and shall be placed for safe custody in the nearest Customs House or police station.

Comptroller
may
compound
offences.

43. The Comptroller may compound any offence or act committed or reasonably suspected to have been committed by any person against or in contravention of the provisions of this Law or any Regulations made thereunder on such terms and conditions as he, in his discretion, thinks proper, with full power to accept from such person a payment in money not exceeding the penalty incurred or alleged to have been incurred under this Law or any Regulations made thereunder for such offence or act, without any proceedings brought or commenced for the recovery thereof, and such compounding may include the forfeiture of any articles which are liable to forfeiture under this Law.

Rewards.

44. The Governor may order to be paid, in respect of the detection of any offence under this Law or any Regulations made thereunder, to the person or persons making the seizure or giving the information which led to the detection, such reward as he may think fit.

45. (1) The Governor in Council may make Regulations to be published in the *Gazette* for all or any of the following purposes, that is to say :—

Power to
make Regu-
lations.

- (a) with regard to the requirements to be complied with by a licensee in respect of his premises ;
- (b) to regulate the management of places in which intoxicating liquor is manufactured and the proper custody of the intoxicating liquor manufactured ;
- (c) to regulate the security required from any manufacturer for the performance of his obligations ;
- (d) to define the processes which will be regarded as constituting manufacture of intoxicating liquor ;
- (e) to define the time when intoxicating liquor or zivania shall be deemed to have been manufactured or received in any premises in connection with the balancing of stock ;
- (f) to regulate the conditions under which excise duty will be remitted or repaid on intoxicating liquor which has been destroyed by accidental fire or other unavoidable cause or has become unfit for consumption whilst on the entered premises of a manufacturer ;
- (g) to define any other cases in which remission or repayment of duty may be made ;
- (h) to regulate the method of dealing with deficiencies ;
- (i) to regulate the form and manner of making entry, the mode of entering and preserving entries and the circumstances in which entries shall be considered to be null and void ;
- (j) to regulate the marking and use of premises, stills, village stills, vessels and utensils ;
- (k) to specify the weights, measures and scales, lights, ladders and other conveniences to be provided by a manufacturer ;
- (l) to regulate the removal of intoxicating liquor for export ;
- (m) to regulate the disposal of forfeited goods ;
- (n) to make provision for anything which, under this Law, is to be prescribed ;

- (o) to make provision for and regulate appeals to the Governor in Council against the refusal of the Comptroller to issue a licence or a permit ;
 - (p) generally for the protection of the Revenue and for the better carrying out of the purposes of this Law.
- (2) Any Regulations made under subsection (1) may prescribe a penalty of a fine not exceeding twenty-five pounds for any breach thereof.

SCHEDULE.

FORM A.

(Section 3 (2).)

THE INTOXICATING LIQUOR (MANUFACTURE) LICENSING LAW, CAP. 140.
LICENCE.

Licence is hereby granted to.....of.....
to manufacture and issue intoxicating liquor from his/their premises
situated at.....
subject to the provisions of the Intoxicating Liquor (Manufacture)
Licensing Law, Cap. 140, and any Regulations made thereunder.

This licence is not transferable save with the approval of the
Comptroller and shall expire on the 31st day of December, 19.....
FEE PAID, £25.

11 of 38/57. Date..... *Comptroller of Customs and Excise.*

FORM B.

(Section 33).

APPLICATION FOR PERMIT FOR VILLAGE STILL.

*(This application must be sent or taken to the Customs House of the District
where the village still is kept.)*

To the Comptroller of Customs and Excise,

I/We....., of.....
hereby apply for a permit to keep a village still which is my/our
property, and of which the undermentioned are the particulars :—

Capacity in okes :

Name and address of owner of premises or place where kept :

Place where kept :

Signature(s) certified by

Mukhtar of.....

**Signature of Applicant(s).*

Place

Date.....

*To be signed by the joint-owners, if more than one owner.

FORM C.
(Section 33).

PERMIT FOR VILLAGE STILL.

Permit is hereby granted to..... of
to keep a village still of a capacity of.....
okes in..... at

The above village still shall not be used except for the purposes of
manufacturing zivania by the primary distillation of wine, wine lees,
fermented grapes or raisins or any residues thereof, at the following
place :—

.....
.....
.....

The above village still shall not be transferred to another person,
or removed elsewhere without prior notification to and approval by
the Comptroller.

This permit is issued free of charge.

Date.....
Comptroller of Customs and Excise.

This Law came into operation on the 1st January, 1951.

