

ORDINANCE No. 16 OF 1911.

A.D. 1911. AN ORDINANCE to provide for the Licensing of Persons to keep Stills.

[2nd August, 1911.]

BE it enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

No person to keep a still without a licence.

1.—(1) Except as hereinafter provided no person shall keep, use or have in his possession a still for any purpose whatsoever without first having obtained a licence for that purpose as hereinafter provided.

(2) For the purposes of this Ordinance a still shall be held to be any apparatus in capacity greater than one imperial quart or any part of such apparatus with any vessels, instruments, pipes, cocks and fittings which in the opinion of the Chief Commissary is capable of being used for the purpose of the distillation of spirits.

Application for licence.

2. Before any such licence is granted application shall be made to the Chief Commissary in writing signed by the applicant giving a description of the still, its size and capacity, the premises upon which, and the purpose for which, it is to be used or kept.

Granting of licence.

3. Such licence may be granted by the Chief Commissary, who shall have power to refuse the same, but in case such licence is refused the person applying for the same may within fourteen days of such refusal being communicated to him appeal to the Governor-in-Council, who shall have power to grant the licence if he thinks fit to do so.

Form of licence.

4. Every such licence shall state the name of the person to whom the licence is granted and the premises upon which, and the purpose for which, he is permitted to keep, use or have a still in his possession.

Register of licences.

5. The Chief Commissary shall keep a register of all licences issued under this Ordinance, and such register shall be evidence in all courts that the persons specified therein have been duly licensed to keep, use or have a still in their possession, and the absence of the name of any person from such register, or a certificate of such absence purporting to be under the hand of the Chief Commissary shall be *prima facie* evidence that such person is not licensed to keep, use, or have a still in his possession.

Notice boards.

6. All premises upon which any person is licensed to keep, use or have a still in his possession shall have affixed outside in a conspicuous place near the main entrance a notice-board bearing the name of the licensee, and the words "Licensed under the Stills Ordinance, 1911."

Inspection.

7. The Chief Commissary or any person authorized by him in writing may at any time enter the premises upon which any person so registered keeps, uses or has a still in his possession for the purpose of inspecting such still.

8. Every person who keeps, uses or has a still in his possession without being duly licensed under this Ordinance, or who being so licensed keeps, uses or has in his possession a still at any premises other than those named in the licence, or who uses a still for any other purpose than that specified in such licence, shall on summary conviction thereof be liable to a penalty not exceeding five hundred dollars or to imprisonment with or without hard labour for any period not exceeding six months.

Offences.

9. The Chief Commissary may at any time with the approval of the Governor-in-Council cancel a licence granted under this Ordinance.

Power to
cancel
licence.

10. This Ordinance shall not apply to licences for distilling spirits or to stills kept or used for the purpose of distilling spirits: Provided that it shall not be a good defence to any charge for an offence against this Ordinance for the defendant to prove that he kept or used or had in his possession a still for the purposes of distilling spirits, unless he is a duly licensed distiller under the Spirits Ordinance, 1905.

Ordinance
not to apply
to distiller
of spirits.

11. This Ordinance may be cited as the Stills Ordinance, 1911, and shall come into force on the first day of January, 1912.

Short title.