

TANGANYIKA



No. 57 OF 1963

I ASSENT,

Julius K. Nyerere
.....
President

24TH DECEMBER, 1963
.....

An Act to control the Compounding of Potable Spirits

[27TH DECEMBER, 1963]

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited as the Potable Spirits (Compounding) Act, Short title
1963.

2. In this Act, unless the context otherwise requires-

Interpre-
tation

"to compound spirits" means to communicate any flavour to, or to mix any ingredient or material with, spirits, but not so as to denature the spirits;

"denatured spirits" means spirits mixed with any substance so as to render the mixture unfit, and incapable of being readily converted so as to be fit, for human consumption as a beverage;

"licensing officer" means a person appointed under section 3 to be a licensing officer for the purposes of this Act;

"Minister" means the Minister for the time being responsible for finance;

"spirits" means spirits of any description and includes all mixtures, compounds or preparations made with spirits, but does not include any denatured spirits.

3.-(1) The Minister may appoint any person in the service of the Republic to be a licensing officer for the purposes of this Act either for the whole or any part of Tanganyika.

Appointment
of licensing
officers

(2) Every appointment made under subsection (1) shall be notified in the *Gazette*.

4. Any person who, for profit or sale, compounds spirits otherwise than under and in accordance with a licence issued under section 5, shall be guilty of an offence and liable on conviction to a fine not exceeding ten thousand shillings or to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment:

Offences to
compound
spirits
without a
licence

Provided that nothing in this section shall apply to the bona fide compounding of spirits-

- Cap. 365 (a) upon any premises licensed under the Intoxicating Liquors Ordinance, by the licensee, for the lawful sale thereof for consumption on those premises;
- (b) in any canteen, club, institute, mess or similar institution not conducted by a private individual for personal profit, for the lawful sale thereof to the members only of such canteen, club, institute, mess or similar institution, for consumption therein;
- (c) in any vessel in territorial waters, or in any aircraft, for the lawful sale thereof to any passenger on or officer or member of the crew of such vessel or aircraft, for consumption therein;
- Cap. 409 (d) in the course of the lawful preparation or administration of medicine by a medical practitioner registered or licensed under the Medical Practitioners and Dentists Ordinance, a veterinary surgeon registered or licensed under the Veterinary Surgeons Ordinance, or a pharmacist registered under the Pharmacy and Poisons Ordinance;
- Cap. 376 (e) authorized under the East African Excise Management Act, 1952; or
- Cap. 416 (f) in any circumstances or in any particular case or for any purpose where an exemption from the provisions of this section has been granted in writing by a licensing officer.
- H.C. Act No 13 of 1952
- Issue of licences 5. Upon application being made to him in that behalf, a licensing officer may in his discretion issue a licence to compound spirits on such terms and subject to such conditions, including the specification of formula, as he may think fit.
- Regulations 6. The Minister may make regulations-
- (a) prescribing the form of licences issued under this Act and the fees to be paid therefor and providing for the duration and cancellation thereof; and
- (b) generally for the better carrying out of the provisions of this Act.

Passed in the National Assembly on the fourth day of December, 1963.

Pius Msekwa
Clerk of the National Assembly