

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 305.

*Distillation.*

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was vested in the Minister for Finance at the date of its preparation for inclusion.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

References in and in relation to this Chapter to—

“the Departmental Head”—should be read as references to the Secretary for Finance;

“the Department”—should be read as references to the Department of Finance.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 305.

*Distillation Act.*

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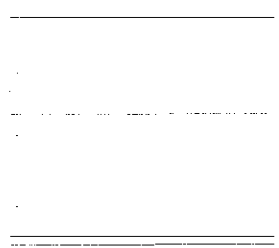
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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 305.

*Distillation Act.*

Being an Act relating to distillation.<sup>1</sup>

PART I.—PRELIMINARY.

1. Interpretation.

In this Act, unless the contrary intention appears—

- “back” means a vessel in which wort is deposited for the purposes 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” means the Comptroller of Customs or an officer doing duty in the matter in relation to which the expression is used;
- “distiller” means a person who holds a licence under Section 10;
- “distillery” means the licensed premises of a distiller;
- “feints” means spirits received into a feints receiver;
- “Government warehouse” means a Government warehouse appointed under Section 71 of the *Customs Act*;
- “illicit spirits” means spirits distilled, moved, altered, or removed from a distillery or interfered with in contravention of this Act;
- “illicit still” means a still made, imported, used, set up or in the possession or custody of a 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 a prescribed substance in the prescribed quantity and in the prescribed manner;
- “methylated spirits” means methylated spirits that before methylation is of a strength of not less than 65° overproof;
- “officer” means an officer within the meaning of the *Excise Act*;

<sup>1</sup> The *Distillation Act* 1955 of the former Territory of Papua and New Guinea contained, as Section 5, the following provision that has been omitted as not being of a legislative character, but is included here for information :—

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

- (a) The material is mashed in a mash tun. The liquor product is wort.
- (b) The wort is fermented in a back. The liquor product is wash.
- (c) 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.
- (d) The spirits pass into a receiver which may be of three kinds—
- (i) 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.
- (ii) 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.
- (iii) Spirits receiver for the receipt of spirits not requiring further distillation.
- (e) When liquor has been previously fermented it can be immediately utilized as wash.”

"operations" includes all stages, processes or operations in the course of or in connexion 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 methylated spirits to which is added 2% to 20% of benzine;

"the regulations" means any regulations made under this Act;

"spent wash" means the liquor that remains after spirits have been extracted by distillation;

"spirits" includes liquor—

(a) of a like character and description to liquor on which under the name of spirits any duty of Customs is payable; and

(b) on which in the name of spirits or of power alcohol any excise is imposed by an Act, and whether distilled or made or in any stage of distillation or making;

"spirits store" means a store for the storing of spirits;

"spirits warehouse" means a warehouse in distillery on a distiller's premises in which spirits may be warehoused without payment of duty;

"still" means—

(a) an apparatus for or capable of distilling spirits; or

(b) a part of such an apparatus; or

(c) an apparatus connected with, or used in connexion with, distilling;

"still house" means the house or room in a distillery where distillation is carried on;

"this Act" includes the regulations;

"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.

## 2. Incorporation of provisions of the Excise Act.

(1) Except so far as they are inconsistent with this Act, the following provisions of the *Excise Act* are incorporated and shall be read as one with this Act :—

(a) Section 4 (*time for compliance with provisions relating to registration and licences*); and

(b) Part II (*administration*); and

(c) Section 24 (*surrender of licence for larger licence*); and

(d) Section 27 (*reduced duty on goods for manufacture*); and

(e) Section 38 (*Customs control*); and

(f) Section 39(1) (*payment of duty*); and

(g) Part VII. (*remissions, refunds and drawbacks*); and

(h) Part VIII. (*officers of Excise*); and



- (i) Part IX. (*penal provisions*); and
- (j) Part X. (*Excise prosecutions*); and
- (k) Part XI. (*disputes as to duty*); and
- (l) Part XII. (*settlement of disputes by the Comptroller*); and
- (m) Part XIII. (*miscellaneous*).

## PART II.—STILLS.

## 3. Making, selling, importing, etc., stills.

A person who, without the permission of the Comptroller of Customs—

- (a) makes or commences to make a still; or
- (b) moves or sets up or erects a still; or
- (c) sells or purchases a still by itself or with other property or as part of any premises; or
- (d) imports a still,

is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

## 4. Use of stills.

A still may be used for a purpose other than the distillation of spirits if the owner has—

- (a) given written notice to the Comptroller of Customs specifying—
  - (i) the size or capacity of the still; and
  - (ii) the purpose for which the still is used or intended to be used; and
- (b) obtained the sanction of the Minister; and
- (c) given security to the Comptroller of Customs in such sum as the Comptroller of Customs requires, not exceeding K200.00, that the still will not be used for distilling spirits.

Amended by No. 25 of 1976, Schedule 4.)

## 5. Small stills.

Sections 3 and 4 do not apply to a still of a capacity not exceeding 4.5 litres<sup>1</sup> if, prior to using the still, the owner gives written notice to the Comptroller of Customs specifying the purpose for which, and the place at which, the still is intended to be used.

## PART III.—LICENCES.

## 6. Unlicensed distilling.

- (1) A person other than a licensed distiller who distils spirits is guilty of an offence.
- (2) A person who distils spirits otherwise than in accordance with his licence is guilty of an offence.

Penalty: A fine not exceeding K3 000.00.

(Amended by No. 18 of 1982, Sched. 5.)

<sup>1</sup>Metricated editorially. The original measurement was 1 gallon.

**7. Licences.**

(1) A licence under this Act authorizes the licensee to distil and re-distil spirits from any indigenous tree or plant (except the sago palm), in accordance with the licence, until it complies with the standard of strength of methylated spirits.

(2) The regulations may prescribe—

(a) different types of licences for different purposes in relation to the distillation of spirits; and

(b) different conditions for each of them.

**8. Licence fee.**

The annual fees for licences are as prescribed.

**9. Applications for licences.**

(1) Applications for licences may be made to the Comptroller of Customs, and shall be in the prescribed form and accompanied by the prescribed particulars.

(2) The applicant for a licence shall—

(a) pay to the Comptroller of Customs the prescribed licence fee; and

(b) give security in the prescribed form to the Comptroller for compliance with this Act.

**10. Grant of licences.**

(1) If the Comptroller of Customs is satisfied that the application ought to be granted, and with the written approval of the Minister, the Comptroller of Customs may grant to the applicant a licence.

(2) If the application is refused the licence fee shall be returned to the applicant.

**11. Period of licences.**

Unless previously cancelled, a licence remains in force until 31 December after the granting of the licence.

**12. Renewal of licences.**

(1) Subject to Subsection (2), a licence may be renewed by the Comptroller of Customs on application for renewal made before the expiry of the licence and on payment of the annual licence fee.

(2) The Comptroller of Customs may, in his discretion, extend, for a period not exceeding 30 days, the time within which application for the renewal of a licence and the payment of the licence fee shall be made.

(3) The Comptroller of Customs may require the applicant for renewal to give fresh security, and if fresh security is not given may refuse to renew the licence.

(4) In the absence of a notice of termination on the part of the subscribers, the liability of the subscribers in relation to the security given in respect of the original licence remains in force for any period for which the licence is renewed.

**13. Transfer of licences.**

A licence may be transferred with the consent of the Comptroller of Customs on security being given by the transferee.

**14. Securities.**

Where a security is required by or under this Act, it may, in the discretion of the Comptroller of Customs, be given—

- (a) by bond; or
- (b) by guarantee; or
- (c) by cash deposit,

or partly by one such method and partly by another.

**15. Responsibility of distillers.**

A 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 Act within his distillery.

**16. Cancellation of licences.**

A licence may be cancelled by the Minister by notice in the National Gazette if the licensee is convicted of an offence against this Act.

**PART IV.—EXCISE SUPERVISION, ETC.****17. Supervision by officers.**

(1) For the purposes of this Act, the distillation of spirits by distillers is subject to the right of supervision by officers.

(2) A distiller who fails—

- (a) to provide all reasonable facilities for enabling officers to exercise their powers under this Act; or
- (b) to provide, in connexion with his distillery—
  - (i) reasonable office accommodation; and
  - (ii) if required by the Collector, board and lodging for the supervising officer,

is guilty of an offence.

Penalty: A fine not exceeding K300.00.

(Amended by No. 18 of 1982, Sched. 5.)

**18. Ancillary duties of distillers.**

In particular, and without limiting the effect of Section 17(2), a distiller who, in relation to his distillery, fails—

- (a) to provide, to the satisfaction of the Collector, windows or apertures for the admission of sufficient light; and
- (b) to keep burning from sunset to sunrise, or for so long as operations are being carried on after sunset and before sunrise, sufficient lamps or lights, to the satisfaction of an officer; and
- (c) to provide and place strong, safe and sufficient ladders to enable an officer to examine any vessel or utensil; and
- (d) to provide assistance when requested by an officer for carrying out his duties under this Act; and

- (e) to remove, when requested to do so by an officer, any rubbish or obstruction that conceals from view a part of the operations that are being carried on in the distillery; and
- (f) to place every vessel and utensil in a convenient position so as to be of easy access to an officer; and
- (g) to keep and maintain correct weights, scales and measures, to the satisfaction of the Collector, available at all times for the use of officers; and
- (h) to keep all plant in a secure and clean condition and free from leakage; and
- (i) to empty and re-gauge plant when required to do so by the Collector; and
- (j) when required to do so by an officer at any time when the still is not being worked—
  - (i) to draw off the water in any worm tub; and
  - (ii) to clean the tub and worm; and
  - (iii) to keep the worm tub free from water for sufficient time, not exceeding two hours, for the officer to examine the tub and worm,

is guilty of an offence.

Penalty: A fine not exceeding K600.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**19. Distillers' books.**

A distiller who fails—

- (a) to keep the prescribed books, and render the prescribed accounts, for the information of officers; or
- (b) to verify, as prescribed, those books and accounts,

is guilty of an offence.

Penalty: A fine not exceeding K600.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**PART V.—REGULATION OF DISTILLATION AND DISTILLERIES GENERALLY.**

**20. Purpose of distillation.**

A distiller who distils spirits otherwise than for the purpose of making, and in the course of making, methylated spirits or power alcohol is guilty of an offence.

Penalty: A fine not exceeding K600.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**21. Power alcohol, etc., to be made in distillery.**

A person who makes methylated spirits or power alcohol otherwise than in a distillery is guilty of an offence.

Penalty: A fine not exceeding K600.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**22. Distillation on unlicensed premises.**

A distiller who distils spirits on premises other than his distillery is guilty of an offence.

Penalty: A fine not exceeding K3 000.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**23. Trading, etc., in distilleries.**

A person who carries on, in a distillery, a business, trade or work other than that of a distiller, without the written permission of the Comptroller of Customs is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

**24. Methylation.**

(1) A person who, in any manner or by any method, methylates in a distillery spirits of a standard less than 65° overproof is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(2) All spirits (not already being methylated spirits or power alcohol) in a distillery at any of the prescribed periods in each year shall, within the prescribed period after the end of any such period, by any operation that may be necessary for the purpose and by being methylated, be converted into methylated spirits or power alcohol within the meaning of this Act.

(3) If a distiller fails to comply with Subsection (2) in relation to any spirits—

(a) the spirits are illicit spirits; and

(b) he is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

**25. Methylated spirits and power alcohol to be kept separate.**

A distiller who does not keep, in the prescribed manner, methylated spirits and power alcohol in his distillery separate and apart from all other spirits is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

**26. Offences in relation to the course of distillation.**

A distiller who—

(a) mixes with or adds to low wines, feints or spirits in a receiver or charger a substance that increases their specific gravity or prevents their true strength from being ascertained; or

(b) uses in mashing or mixes with wort or wash any material so that the specific gravity of the wort or wash cannot be correctly ascertained by the prescribed saccharometer; or

(c) has in his distillery, except by authority, wort, wash or fermented liquor not made in the distillery; or

(d) except by authority, mixes wort, wash or fermented liquor made in his distillery with wort, wash or fermented liquor made elsewhere,

is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

**27. Unauthorized alterations to premises or use of premises.**

A person who—

(a) without permission, uses any place or plant in a distillery for a purpose other than that set out in the application for the licence or the plans, models or description accompanying the application; or

- (b) alters the size or position of any place or plant in a distillery without first submitting a plan or description of the proposed alteration, or without permission to make the alteration; or
- (c) brings into, or has in, a distillery plant that is not specified in the application for a licence or in the permission; or
- (d) without the written permission of the Comptroller of Customs, places a 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; or
- (e) places, fixes or makes a cock, plug, pipe or opening in, on, into or from a vessel or utensil in a distillery in contravention of this Act; or
- (f) makes or uses a cover, fastening, cock, plug or pipe so that a vessel or utensil in a distillery can be employed, opened, removed, filled or emptied in contravention of this Act,

is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

#### PART VI.—REMOVAL OF SPIRITS.

##### 28. Customs control.

(1) All spirits distilled in a distillery and (until delivery for home consumption, sale or export) all methylated spirits and power alcohol are subject to the control of the Customs.

(2) A person who moves, alters or interferes with any spirits referred to in Subsection (1) otherwise than by authority and in accordance with this Act is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

##### 29. Authority to remove.

(1) A person who removes from a distillery, or delivers, spirits other than methylated spirits or power alcohol is guilty of an offence unless an entry has been made and passed authorizing their removal.

Penalty: A fine not exceeding K3 000.00.

(2) An entry authorizing the removal of methylated spirits or power alcohol shall not be passed in respect of a smaller quantity than 45.5 litres<sup>1</sup>.

(Amended by No. 18 of 1982, Sched. 5.)

##### 30. Hours of removal.

A distiller who, except by authority, removes or suffers to be removed from his distillery methylated spirits or power alcohol at any time except between 9 a.m. and 4 p.m. is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

##### 31. Purpose for which spirits may be removed.

Entries may be made by the distiller and passed by an officer authorizing the removal of methylated spirits or power alcohol for—

- (a) home consumption; or
- (b) removal to a warehouse; or

<sup>1</sup>Metricated editorially. The original measurement was 10 gallons.

- (c) sale; or
- (d) export.

### 32. Security on removal.

The distiller shall give security for the due removal or export of methylated spirits or power alcohol before an entry is passed for the removal of the methylated spirits or power alcohol to a warehouse or for sale or export.

### 33. Payment of duty before removal of spirits.

A distiller who does not pay the duty (if any) on methylated spirits or power alcohol before it is removed from his distillery is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

## PART VII.—POWERS OF OFFICERS<sup>1</sup>.

### 34. Access to distillery and distiller's books.

An officer—

- (a) shall be allowed complete access at all times to every part of a distillery or of premises on which a still is kept; and
- (b) may examine, gauge, re-test, take account of and note any plant, materials or spirits in the distillery or premises; and
- (c) may examine and take copies of, or extracts from—
  - (i) all books and accounts required to be kept by the distiller under Section 19; and
  - (ii) all books kept by the distiller in relation to—
    - (A) the distillery; or
    - (B) the making of spirits; or
    - (C) the sale of methylated spirits or power alcohol.

### 35. Entry and search of premises.

(1) If after having declared his name and business and demanded admission to a distillery or a part of a distillery an officer is not immediately admitted accordingly, he may break open a door or window, or break through a wall, in or on the distillery in order to obtain admission.

(2) An officer having with him a writ of assistance or a Customs warrant under the *Customs Act* may—

- (a) at any time of the day or night enter into any house, premises or place; and
- (b) break open and search—
  - (i) the house, premises or place; and
  - (ii) any depository, chest, trunk or package,

in which illicit stills or illicit spirits are or may reasonably be supposed to be.

<sup>1</sup>And see Constitution, Subdivision III.3.C, and especially Sections 44 and 53.

**36. Stopping and search of vehicles and boats.**

(1) An officer may, on reasonable suspicion, stop and search any vehicle or boat for the purpose of ascertaining whether an illicit still or illicit spirits are on it.

(2) When required to do so by an officer, the driver of a vehicle or the person in charge of a boat must stop the vehicle or boat and permit an officer to search it.

Penalty: A fine not exceeding K120.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**37. Detection and search of persons.**

An officer having reasonable cause for suspicion may—

(a) stop a person carrying any goods and question him as to whether he has in his possession an illicit still of illicit spirits; and

(b) search any goods that the person is carrying.

**38. Powers of officer in detecting illegal dealing with spirits.**

An officer—

(a) having reasonable cause for suspicion may, by day or night—

(i) break up the ground in, adjoining or near a distillery or a wall or portion of a wall; and

(ii) do any act that he thinks necessary for the purpose of detecting a contravention of this Act; and

(b) may, on finding a pipe or conveyance leading to or from the distillery—

(i) break up or break any ground, house, wall or other place through or into which the pipe or conveyance leads; and

(ii) break up or cut away any such pipe or conveyance; and

(iii) turn any cock; and

(iv) examine whether any such pipe or conveyance conveys or conceals spirits.

**39. Seizure of forfeited goods.**

An officer may seize and secure forfeited goods or goods that he has reasonable cause to believe are forfeited, and may—

(a) convey them to a Government warehouse, police station or place of security; or

(b) mark and impound them on the premises where they are found.

**40. Locking of plant, etc.**

(1) An officer may lock up, seal, mark, fasten or otherwise secure plant in or on a distillery or premises on which a still or seized goods are kept.

(2) A person who, except by authority, opens, alters, breaks or erases any lock, seal, mark or fastening placed under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K600.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**41. Samples.**

(1) An officer may take a sample of wort, wash, low wines, feints or spirits from a vessel, and the strength of a sample so taken shall prima facie be deemed to be the strength of the whole of the contents of the vessel from which it is taken.



(2) Before a sample is taken under Subsection (1), a distiller may stir up and mix together all the liquor in the vessel from which the sample is to be taken.

(3) A person who is the owner of, or is in possession of—

(a) any spirits; or

(b) any liquor that an officer has reasonable ground to suspect is spirits,

and refuses to deliver to an officer samples of the spirits or liquor on tender of a reasonable price, is guilty of an offence.

Penalty: A fine not exceeding K120.00.

(Amended by No. 18 of 1982, Sched. 5.)

**42. Testing of quantity of proof spirit.**

(1) For the purpose of testing the quantity of spirits at proof in a wash by distillation the officer may require a 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.

(2) A distiller who fails to keep all low wines, feints or spirits placed in a charger or receiver under Subsection (1) unmixed and unaltered until the officer has taken an account of their quantity and strength is guilty of an offence.

Penalty: A fine not exceeding K600.00.

(Amended by No. 18 of 1982, Sched. 5.)

**43. Obstruction.**

A person who obstructs, molests, resists or hinders an officer in the performance of his duty under this Act is guilty of an offence.

Penalty: A fine not exceeding K300.00.

(Amended by No. 18 of 1982, Sched. 5.)

**PART VIII.—PENAL PROVISIONS.**

*Division 1.—Forfeitures.*

**44. Forfeiture.**

The following things are forfeit to the State :—

(a) an illicit still; and

(b) illicit spirits and the vessels in which they are contained; and

(c) any material capable of being used in the course of or in connexion with the distillation of spirits found on premises on which there is an illicit still; and

(d) any vehicle or boat conveying an illicit still or illicit spirits and animals and harness used in drawing any such vehicle; and

(e) any wort and wash removed from a distillery except by authority; and

(f) all low wines, feints or spirits in a receiver or charger with which or to which a substance has been mixed or added, except by authority, that increases their specific gravity or prevents their true strength from being ascertained; and

(g) any wort and wash in a distillery the gravity of which cannot be ascertained by the prescribed saccharometer; and

(h) wort, wash and fermented liquor unlawfully in a distillery; and

(i) spirits found in a distillery elsewhere than in the proper charger, receiver, spirit store or spirit warehouse.

*Division 2.—General Offences.*

**45. Illicit stills and spirits.**

A person who knowingly—

- (a) uses or unlawfully has in his possession or custody, or under his control or on his premises, an illicit still; or
- (b) makes illicit spirits; or
- (c) supplies the means or materials for establishing, maintaining or working an illicit still; or
- (d) receives, carries, conveys or conceals or has on his premises, or in his custody or under his control, illicit spirits; or
- (e) is found without lawful excuse in a place where distillation is being illegally carried on; or
- (f) sells or disposes of illicit spirits; or
- (g) purchases illicit spirits; or
- (h) makes, sells or has in his possession or custody or control wash or wort intended for distillation by an illicit still,

is guilty of an offence.

Penalty: A fine not exceeding K3 000.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**46. Unlawful use of stills.**

A distiller who uses his still contrary to the tenor of his licence or this Act is guilty of an offence.

Penalty: A fine not exceeding K600.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**47. Distiller selling spirits near distillery.**

A distiller who keeps or makes use of a store for the sale or storage of methylated spirits or power alcohol on which the duty (if any) has been paid, at a place within 91.44m<sup>1</sup> from his distillery, is guilty of an offence.

Penalty: A fine not exceeding K600.00.

*(Amended by No. 18 of 1982, Sched. 5.)*

**PART IX.—MISCELLANEOUS.**

**48. Ascertainment of strength of spirits.**

(1) The strength of spirits may be ascertained for the purposes of this Act by means of a hydrometer approved by the Comptroller of Customs.

(2) Where, in the opinion of a Collector, the strength of any spirits cannot immediately be ascertained by a hydrometer, the strength may be ascertained after distillation or in any prescribed manner.

**49. Payment for board and lodging.**

A person providing board and lodging for an officer at the request of a Collector is entitled to fair remuneration for the board and lodging at such rates as are agreed or prescribed.

<sup>1</sup>Metricated editorially. The original measurement was 100 yards.

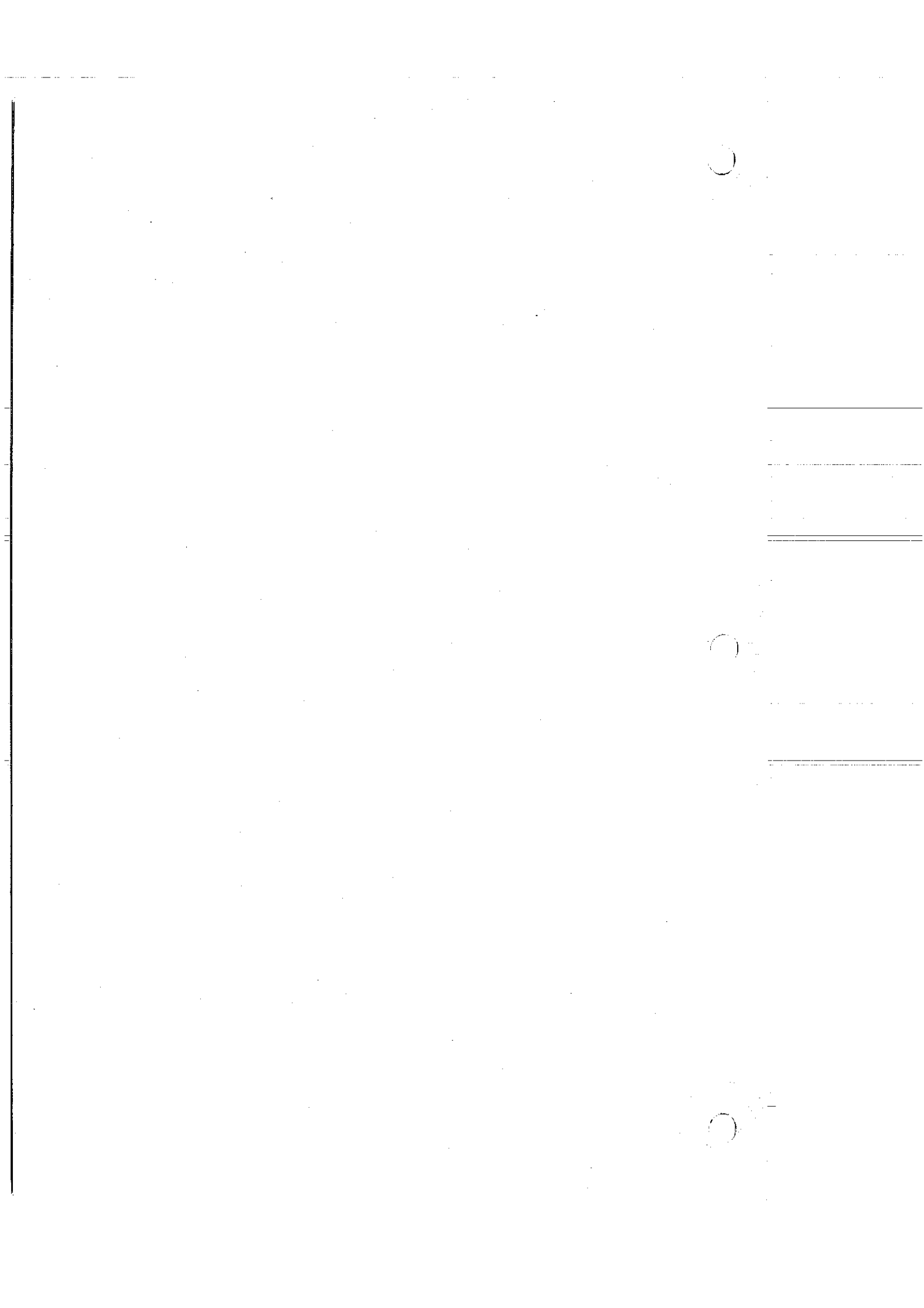
**50. Regulations.**

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular for—

- (a) limiting or restricting the work or duties that a person shall be allowed or permitted by a distiller to perform in or about a distillery; and
- (b) prohibiting a native<sup>1</sup> or class of natives<sup>1</sup> from being engaged for work in, or entering or remaining in, a distillery.

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<sup>1</sup> See the pre-Independence *Ordinances Interpretation Act 1949-1973*, Section 6(1) and *Interpretation Act*, Section 98(1).



INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER No. 305.

*Distillation.*

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APPENDIX.

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SOURCE OF THE DISTILLATION ACT.

Previous Legislation.

*Distillation Act*  
as amended by—  
*Customs (Penalties) Act 1982 (No. 18 of 1982)*

