

31/1/86

No. 33 of 1995.

**Distillation (Amendment) Act 1995.**

Certified on : 15.1.96

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1995.

*Distillation (Amendment) Act 1995.*

ARRANGEMENT OF SECTIONS.

1. Interpretation (Amendment of Section 1).  
    "ethanol"  
    "potable alcohol".  
    "power alcohol".
2. Incorporation of provisions of the *Excise Act* (Amendment of Section 2).
3. Licences (Amendment of Section 7).
4. Repeal and replacement of Section 10.
5. Purpose of Distillation (Amendment of Section 20).
6. Power Alcohol, etc., (Amendment of Section 21).
7. Methylation (Amendment of Section 24).
8. Methylated Spirits and Power Alcohol to be kept separate (Amendment of Section 25).
9. Customs Control (Amendment of Section 28).
10. Hours of removal (Amendment of Section 30).
11. Purpose for which spirits may be removed (Amendment of Section 31).
12. Payment of duty before Removal of Spirits (Amendment of Section 33).
13. Access to Distillery and Distillery Books (Amendment of Section 34).
14. Distiller selling spirits near Distillery (Amendment of Section 47).

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1995.

AN ACT

entitled

*Distillation (Amendment) Act 1995.*

Being an Act to amend the *Distillation Act* (Chapter 305).

MADE by the National Parliament.

**i. INTERPRETATION (AMENDMENT OF SECTION 1).**

Section 1 of the Principal Act is amended -

- (a) by inserting after the definition of "distillery" the following new definition:-

"'ethanol' means industrial ethyl alcohol of a strength not less than 95% alcohol by volume and includes denatured ethanol"; and

- (b) in the definition of "methylated spirits", by repealing the words "65% overproof" and replacing them with the following:-

"95% alcohol by volume"; and

- (c) by inserting the definition of "plant" the following new definition:-

"'potable alcohol' means industrial ethyl alcohol of a strength not more than 50% alcohol by volume"; and

- (d) by repealing the definition of "power alcohol" and replacing it with the following:-

"'power alcohol' includes methylated spirits to which is added 2% to 20% benzine and denatured alcohol"; and

*Distillation (Amendment)*

(e) in the definition of "spirits", by adding the following new paragraph:-

"(c) ethanol and potable alcohol;"

**2. INCORPORATION OF PROVISIONS OF THE *EXCISE ACT* (AMENDMENT OF SECTION 2).**

Section 2 of the Principal Act is amended by inserting after Paragraph (f) the following new paragraph:-

"(fa) Part IV (producers and dealers); and".

**3. LICENCES (AMENDMENT OF SECTION 7).**

Section 7(1) of the Principal Act is amended by repealing the words "standard strength of methylated spirits" and replacing them with the following:-

"prescribed standard of strength by percentage alcohol by volume or such other measure".

**4. REPEAL AND REPLACEMENT OF SECTION 10.**

Section 10 of the Principal Act is repealed and is replaced with the following:-

**"10. GRANT OF LICENCES.**

(1) Subject to regulations (if any), where the Commissioner General is satisfied that an application under Section 9 ought to be granted the Commissioner General may grant to the applicant a licence.

(2) Without limiting the matters that may be prescribed in the regulations referred to in Subsection (1), those regulations -

- (a) may prescribe circumstances in which the grant of a licence may be given; and
- (b) may prescribe matters to be taken into account by the Commissioner General when deciding whether to grant a licence; and
- (c) may prescribe conditions to which a permission under that subsection is to be subject."

*Distillation (Amendment)*

5. **PURPOSE OF DISTILLATION (AMENDMENT OF SECTION 20).**

Section 20 of the Principal Act is amended by inserting after the words "power alcohol" the following:-

"or potable alcohol".

6. **POWER ALCOHOL, ETC., (AMENDMENT OF SECTION 21).**

Section 21 of the Principal Act is amended by inserting after the words "power alcohol" the following:-

"or potable alcohol".

7. **METHYLATION (AMENDMENT OF SECTION 24).**

Section 24(1) of the Principal Act is repealed and is replaced with the following:-

"(1) A person who, in any manner or by any method, methylates or denatures in a distillery spirits of a standard less than 95% alcohol by volume, is guilty of an offence.

Penalty: A fine not exceeding K1000.00."

8. **METHYLATED SPIRITS AND POWER ALCOHOL TO BE KEPT SEPARATE (AMENDMENT OF SECTION 25).**

Section 25 of the Principal Act is amended -

(a) by repealing the heading and replacing it with the following:-

**"DIFFERENT SPIRITS TO BE KEPT SEPARATE";** and

(b) by repealing the words "methylated spirits and power alcohol" and replacing them with the following:-

"methylated spirits, power alcohol and potable alcohol".

9. **CUSTOMS CONTROL (AMENDMENT OF SECTION 28).**

Section 28 of the Principal Act is amended by inserting after the words "power alcohol" the following:-

"or potable alcohol".

*Distillation (Amendment)*

10. **HOURS OF REMOVAL (AMENDMENT OF SECTION 30).**

Section 30 of the Principal Act is amended by inserting after the words "power alcohol" the following:-

"or potable alcohol".

11. **PURPOSE FOR WHICH SPIRITS MAY BE REMOVED (AMENDMENT OF SECTION 31).**

Section 31 of the Principal Act is amended by inserting after the words "power alcohol" the following:-

"or potable alcohol".

12. **PAYMENT OF DUTY BEFORE REMOVAL OF SPIRITS (AMENDMENT OF SECTION 33).**

Section 33 of the Principal Act is amended ~~by~~

- (a) by repealing the word "A" at the commencement of the section and replacing it with the following:-

"Unless otherwise authorised under this Act, a"; and

- (b) by inserting after the words "power alcohol" the following:-

"or potable alcohol".

13. **ACCESS TO DISTILLERY AND DISTILLERY BOOKS (AMENDMENT OF SECTION 34)**

Section 34 of the Principal Act is amended by inserting after the words "power alcohol" the following:-

"or potable alcohol".

14. **DISTILLER SELLING SPIRITS NEAR DISTILLERY (AMENDMENT OF SECTION 47).**

Section 47 of the Principal Act is amended by inserting after the words "power alcohol" the following:-

"or potable alcohol".

*Distillation (Amendment)*

I hereby certify that the above is a fair print of the *Distillation (Amendment) Act 1995* which has been made by the National Parliament.

Acting Clerk of the National Parliament.

I hereby certify that the *Distillation (Amendment) Act 1995* was made by the National Parliament on 6 December 1995.

Acting Speaker of the National Parliament.

