Commencement: 24 July 1922

CHAPTER 8

ALCOHOL IMPORTATION

JR 2 of 1922

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ALCOHOL IMPORTATION

To regulate the importation of alcohol and alcoholic liquors into Vanuatu.

1. Interpretation

In this Act –

"Minister" means the Minister responsible for finance;

"pure alcohol" and "crude spirit" mean alcohol of a strength of not less than 68° which has not been rendered unfit for human consumption and which can be used for making or distilling spirituous liquids.

2. Unauthorised importation of alcohol and alcoholic liquors prohibited

(1) Except with the Minister's permission in writing first had and received –

(a) no pure alcoholic or crude spirit from which can be extracted or distilled alcoholic liquor that can be used in the preparation of intoxicating liquids; and

(b) no spirituous or alcoholic liquids of any kinds not comprised in paragraph (a), shall be imported into Vanuatu:

Provided that no such permission shall be given unless it is proved that the spirit is required for industrial objects or for pharmaceutical purposes or for use by medical practitioners or hospitals.

(2) Permission for the sale of pure alcohol shall be given by the Minister under the same conditions as those prescribed above for permission for importation.

(3) Permits for the importation and sale as aforesaid shall be in the form of Schedules 1 and 2 and those for importation shall be delivered to the Director of Customs by the importer together with the invoices and other documents relating to such importation.

3. Transport of pure spirit prohibited; Responsibility of employers and vessels

The carriage by sea or land within the limits of Vanuatu of pure alcohol or crude spirit or of liquids of which this spirit forms the base is prohibited and for any breach of this Act in this respect employers shall be held responsible for the acts of their employees. In the case of such infraction by the master or any member of the crew of a vessel in Vanuatu such vessel shall be held responsible and in the absence of security in the sum of VT 18,000 deposited with the Treasury by or on behalf of such master or member of the crew, such vessel shall be detained until the case shall have been heard and decided by the competent court.

4. Issue of search warrants

(1) A magistrate may on the application of an officer of police or of the revenue or of any other official of the Government issue a search warrant in respect of ships, boats, stores, dwelling or other houses and any other building or place.

(2) Any pure alcohol or spirituous liquors found in the course of execution of warrants issued under the provisions of this Act shall be seized and confiscated and shall be sold or otherwise disposed of as the court may direct. If sold the proceeds shall be paid to the Treasury.

5. Trial of offences; Penalties

Offences against the provisions of this Act shall be punished on conviction by a fine not exceeding VT 30,000 and with imprisonment for a term not exceeding 30 days or by one or other of those penalties. In the case of a repetition of the offence the maximum penalty shall be inflicted:

Provided that should any person import spirituous liquors of the category specified in paragraph (b) of section 2(1) without having previously obtained the permission of the Minister and such liquors are plainly entered on the ship's manifest, the Minister may order that proceedings under this section of the Act shall be dispensed with and that the goods shall be re-exported.

6. Reports of offences

The Commissioner of Police and such officials as may be authorised by the Minister for the purpose shall report offences against the provisions of this Act.

SCHEDULE 1

(section 2)

Form of permit

Alcohol Importation Act, Cap. 8

No. ….....

Name .....

Address ……

Quantity for which permission is given …….

……

Description ……..

……

Vessel by which imported …….

……

Date ……..

Alcohol Importation Act, Cap. 8

No. ……. ..... 20.....

M …….. of ……
has permission to import*/sell pure alcohol in the quantities specified below (*into Vanuatu on vessel ……..*) in accordance with the provisions of section 2 of the above Act. (*words to be struck out in permits for sale.)

Quantity	Description	Remarks

…….
Minister

SCHEDULE 2

(section 2)

Form of permit

Alcohol Importation Act, Cap. 8

No. ….....

Name .....

Address ……

Quantity for which permission is given …….

……

Description ……..

……

Vessel by which imported …….

……

Date ……..

Alcohol Importation Act, Cap. 8

No. ……. ..... 20.....

M …….. of …… has permission to import spirituous liquors of the quantities specified below into Vanuatu on vessel …….. in accordance with the provisions of section 2 of the above Act.

Quantity	Description	Remarks

……
Minister