

## CHAPTER 199.

## LIQUOR LICENCES.

AN ORDINANCE RELATING TO THE SALE OF INTOXICATING LIQUOR, AND LICENCES IN RESPECT OF THE SAME.

*Ordinances*  
No. 177,  
" 11 of 1908,  
" 22 of 1909,  
" 16 of 1913,  
" 39 of 1922,  
" 29 of 1923,  
" 29 of 1925,  
s. 11.

## DIVISION OF ORDINANCE.

PRELIMINARY ... ..	Sections 1 and 2.
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[8th March, 1902.]

1. This Ordinance may be cited as the Liquor Licences Ordinance. Short title.

2. In this Ordinance the several terms in the first column of the following table shall have the respective significations placed opposite to them in the second column of such table:— Interpretation.

Cap. 180.

*u. 19/1900*

TERM.	SIGNIFICATION.
Beer ... ..	Liquor fermented from malted barley or other malted grain or any substitute for malted grain ; this term includes ale, stout, porter, spruce beer, black beer, and any description of beer ; and also any liquor which is made or sold as a description of beer or as a substitute for beer, containing more than two per centum of proof spirit or of an original gravity exceeding 1,012 degrees.
Company .. ..	A limited company registered in the Colony under the provisions of the Companies Ordinance, but does not include any company or association or persons calling themselves a company not so registered.
Compounds ... ..	Spirits which have been prepared in the Colony by adding any ingredient or flavouring to rum or any other spirit.
Constable .. ..	Any member of the Constabulary Force.
Deal and Dealer ... ..	The trade of selling intoxicating liquor for consumption off the licensed premises in not less than the quantity prescribed in each case, and the person carrying on such trade, respectively.
Excise inspection... ..	Inspection by Excise Officers ; and this term includes a right of taking samples of any intoxicating liquor on the premises, and of inspecting and taking copies of all books and all entries therein.
Excise licence ... ..	A licence granted <sup><i>under this Ordinance</i></sup> <del>by the Treasurer or Sub-Treasurer</del> <del>without the certificate of a Magistrate.</del>
Excise Officer .. ..	Includes the Treasurer, the Sub-Treasurers, <del>the Supervisors,</del> any officer of the Treasurer's Department, and any person authorized in writing by the Treasurer or a Sub-Treasurer.
Foreign liqueurs ... ..	Spirits flavoured or sweetened and imported into the Colony, by whatever name the same are sold.
Guest .. ..	A person using any licensed premises for lodging during the night or taking a meal therein.
House and Premises ... ..	Include every room and place under the same roof or within the same curtilage, occupied with or as appurtenant to any house, premises, room, or place.
Intoxicating liquor ... ..	Spirits, wine, or beer, or any mixture, beverage, or preparation containing the same.
Licence ... ..	Any licence granted under this Ordinance.
Licensed (as regards persons or premises).	The persons to whom a licence is issued and the premises in which a trade is licensed to be carried on under this Ordinance.
Licensing Authority ... ..	A Magistrate in respect of Magistrates' licences, and the Treasurer, Sub-Treasurer, or <del>Supervisor</del> of Excise in respect of Excise licences. <i>Inspector of Police</i>

TERM.	SIGNIFICATION.
Licensing Sessions ... ..	The Sessions holden under the provisions of section 48 of this Ordinance for the granting of licences, and any adjournment of such Sessions.
Magistrate ... ..	The Magistrate for the district within which the licensed premises are situated, or, as the case may be, within which any offence is charged to have been committed.
Magistrate's licence ... ..	The licence issued by the Treasurer, Sub-Treasurer, <del>Supervisor of Excise</del> , or Warden under the certificate of a Magistrate granted at Licensing Sessions.
Occupier ... ..	The person in actual occupation of a house or premises as master of the same or of the trade or business therein carried on.
Permit .. ..	A permit for the removal of spirits from a distillery or Excise warehouse or Customs warehouse under the provisions of the Spirits and Spirit Compounds Ordinance.
Police inspection... ..	Inspection by the Constabulary; and this term includes a right of inspecting and taking copies of all books and all entries therein.
Port-of-Spain .. ..	The City of Port-of-Spain as defined from time to time under the Port-of-Spain Corporation Ordinance.
Renewal .. ..	A renewal of a licence that shall have been in force in respect of the same premises and in favour of the same person up to the day on which such renewal commences.
Retail and Retailer ... ..	The trade of selling intoxicating liquor for consumption on or off the licensed premises without restriction as to quantity, and the person carrying on such trade, respectively.
San Fernando .. ..	The Borough of San Fernando as defined from time to time under the Municipal Corporations Ordinance.
Scarborough .. ..	The Town of Scarborough in Tobago as defined in the First Schedule to this Ordinance.
Spirits ... ..	Any liquid containing alcohol the product of distillation; including the spirits known or sold as rum, brandy, whiskey, gin, Hollands, and arrack, and all other distilled spirit, whether usually sold under any of the aforesaid names or any other name; and this term also includes for the purposes of this Ordinance all liqueurs, compounds, and other mixtures intended for drinking and prepared from or mixed with spirits, and all beverages whether purporting to be wine, beer, or other fermented liquors or not, containing a greater proportion than forty per centum of proof spirit either due to fermentation or added.

Handwritten mark: 14/1/90

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Cap. 224.

Cap. 230.

TERM.	SIGNIFICATION.
Supervisor.. .. .	A person appointed as Supervisor or Assistant Supervisor of Excise under the provisions of the Spirits and Spirit Compounds Ordinance.
Town .. .. .	The several places specified in the First Schedule to this Ordinance, and every other place declared to be a town for the purposes of this Ordinance by the Governor.
Trade .. .. .	As applied to any person carrying on any trade in intoxicating liquors, means such trade, and includes business, occupation, and calling.
Transfer .. .. .	A transfer by order of the Licensing Authority of an existing licence to fresh premises within the same district, or of a licence for the same premises from one person to another person.
Traveller .. .. .	In relation to persons who within prohibited hours may be lawfully served with intoxicating liquors by a retailer of spirits or wine, a person who when so served is not less than three miles distant by the nearest public thoroughfare from the place where he lodged the previous night.
Wine ... .. .	Fermented grape juice, and all liquor sold or offered for sale as wine or under any name by which any wine is known. And for the purposes of this Ordinance. "Wine" includes cider and perry and the fermented juice of any fruit.

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Cap. 198.

## PART I.

### LICENCES GENERALLY.

All trading in intoxicating liquor must be by licence.

3. Any person dealing in, retailing, selling, or offering for sale, or having in his possession or on his premises for the purpose of sale, any intoxicating liquor, shall commit an offence and be liable to the penalty hereby or by any other Ordinance prescribed, in respect of any such dealing, retailing, selling, offering, or possession not authorized by a licence under this or some other Ordinance.

Licences and duties payable thereon.

4. The several licences specified in the Second Schedule to this Ordinance shall be applied for and granted subject to the provisions of this Ordinance; and there shall be paid in respect of each of the same the duty specified in the said Schedule.

5. (1) A spirit retailer's licence shall be deemed to authorize the sale of intoxicating liquor for consumption on or off the premises, and in any quantity. What is included in each licence.

(2) A spirit grocer's licence shall be deemed to authorize the sale to customers for private consumption of spirits in bottle in any quantity not less than one imperial pint, and beer or wine in bottle not less than a reputed pint, and of compounds and foreign liqueurs in the bottles (whatever the size) in which the same are imported or delivered by the compounder, as the case may be, but not to authorize any sale for consumption on the licensed premises.

(3) A spirit dealer's licence shall be deemed to include a wine merchant's licence.

(4) Any licence authorizing any selling of or dealing in or retailing of wine shall be deemed to extend to beer.

6. Save as in the last preceding section mentioned, the sale, dealing in, offering for sale, or keeping for sale by any licensed person of any intoxicating liquor otherwise than according to the terms of his licence, or at any place other than the licensed premises, shall be an offence, and, in addition to any other penalty, the person so offending may have his licence cancelled on conviction, or any application for the renewal thereof may be refused at the discretion of the Licensing Authority. Unauthorized sale by licensed person an offence.

7. Subject to the provisions of this Ordinance every licence— Duration and date of licences.

(1) shall be granted for the time specified therein in accordance with the provisions of this Ordinance, and upon payment of the duty chargeable thereon; and

(2) shall be dated on the day on which it is granted, and shall in no case continue in force beyond the thirty-first day of March after it is granted.

8. (1) Every licence shall be issued by the Treasurer, the Sub-Treasurer, or Warden <sup>(with duly authorized officer)</sup> (and as to Magistrates' licences, on production of a certificate authorizing such issue) in the prescribed form. Issue of licences. 19/1920

(2) The Treasurer may from time to time, by regulation, alter the forms of licences.

Disqualifica-  
tions for  
licence.

9. No licence shall be granted or transferred to—

- (1) any person who has been convicted in the Colony of the offence of selling intoxicating liquor without a licence in that behalf, or of keeping an illicit still, or who has been convicted in the Colony or elsewhere of any offence involving dishonesty; or
- (2) any person apparently under the age of twenty-one years, unless such person proves himself to have attained such age; or
- (3) any person whose licence has been cancelled under the provisions of this Ordinance, or, during his life, his wife or any member of the family of such person resident with him.

Personal  
Application  
to Licensing  
Authority.

10. No new licence shall be granted or current licence transferred except the person applying for such grant or to whom such transfer is to be made, personally appears before the Licensing Authority, or in the case of a company the manager or other servant of the company by whom the business is to be carried on on behalf of such company, so personally appears: Provided that it shall be lawful for the Licensing Authority, on special grounds, to dispense with such appearance in case of unavoidable absence.

Personation  
of applicant.

11. Any person falsely pretending before a Licensing Authority that he is the person applying for a licence or the person to whom any existing licence is to be transferred, shall be deemed so to have pretended with intent to deceive, and shall incur a penalty of fifty pounds; and if it is shown to the satisfaction of the Licensing Authority that he has so pretended with the connivance of the person entitled to apply, such licence or transfer shall not be granted.

Date of  
renewal  
licence.

12. Where any person intending to apply for a renewal of a licence pays the duty imposed on the new licence at the time and place prescribed for payment thereof, the new licence shall bear date on the day following the date of expiration of the previous licence.

Licence to  
apply to one  
set of  
premises  
only.

13. A licence shall only authorize the person to whom it is granted to carry on the licensed trade in one set of premises to be specified in the licence, and the whole of the premises must be adjoining and held together for the same trade.

14. Where two or more persons carry on in partnership any trade, they shall not be required to take out in any year more than one licence for each set of premises in which the trade is carried on. Partnership.

15. (1) Every Magistrate's licence shall render the licensed premises liable to both Police inspection and Excise inspection, and every Excise licence shall render the licensed premises liable to Excise inspection. Inspection.

(2) Nothing in this Ordinance contained shall be deemed to exempt any premises from any further or other search or inspection to which the same may be subject under the express provisions of this or any other Ordinance.

16. (1) Any person who—

- (a) has not taken out a spirit retailer's or spirit grocer's licence for a period of at least one year prior to his application; or Quarterly payments on commencement.
- (b) has had a spirit retailer's or spirit grocer's licence for the quarter immediately preceding the quarter for which he applies for a licence, Quarterly payments by continuous traders.

may be granted a licence on payment in advance of the duty for one complete quarter at the rate specified in the Second Schedule to this Ordinance, and such licence shall expire on the last day of the quarter which the licence duty covers

(2) Subject to the express provisions of the last preceding sub-section, a person who begins to carry on in any premises any trade mentioned in this Ordinance for which a licence is required, may take out a licence on payment of a proportion of the annual duty charged thereon, as follows:— Proportional payments on commencement.

- (a) If the licence is taken out within the second quarter of the current year, on payment of three-fourths of the duty; and
- (b) If the licence is taken out within the third quarter of the current year, on payment of one-half the duty; and
- (c) If the licence is taken out within the last quarter of the current year, on payment of one-fourth of the duty:

Provided that a person who has previously taken out a licence for a trade shall not be entitled to the benefit of this sub-section upon taking out a licence to carry on the same trade whether on the same or on different premises, unless one year at least has elapsed between the expiration of the previous licence and the taking out of the new licence. (*Substituted by 16 of 1913, s. 3.*)

Transfer  
on death of  
licensee.

17. (1) On the death of any licensed person, the licence may, save as otherwise provided by this Ordinance, be transferred by endorsement by the Licensing Authority in the prescribed form to the executor, administrator, or the widow or child of the deceased person, or the Administrator-General or any person appointed by him for the purpose.

Assignment.

(2) On the *bonâ fide* assignment for value of any licensed business, the licence may, save as aforesaid, at the discretion of the Licensing Authority, and with the consent of the parties, be transferred by endorsement by such Authority, stamped with the prescribed fee.

Transfer to  
other  
premises.

18. Any person having a Magistrate's licence may apply to the Magistrate for leave to transfer his licensed trade from his licensed premises to other premises within the same district. Seven days' notice shall be given of the hearing of such application by the Clerk of the Peace to the Excise Officer of the district and also to the officer of Constabulary in charge of the district; and the same may be opposed by the Constabulary or by any Excise Officer on the ground that the premises to which it is proposed to transfer the licence are not suitable for the carrying on of such trade, or on any other proper ground.

Idem.

19. Any holder of an Excise licence only may apply to the Treasurer for a transfer thereof to any premises in lieu of any licensed premises, and the Treasurer may in his discretion grant such transfer by writing under his hand carrying the prescribed stamp, and the licence shall thereupon be deemed to authorize the carrying on of the licensed trade on the premises substituted, and no longer to authorize the trade on the premises originally licensed.

Transfer  
notice and  
fee (Magis-  
trate's  
licence).

20. An application for transfer of a Magistrate's licence may be made at any time on ten days' notice in writing of the application, to be given to the Clerk of the

Peace, and shall be published in the *Royal Gazette*; and the endorsed certificate or other permission for the same shall in every case be stamped with the prescribed fee.

21. Where an application is made for the transfer of a licence, it shall be lawful for the Licensing Authority, in the event of the licence being lost or mislaid or wilfully withheld by the holder thereof, to receive a copy of such licence and deal therewith as hereinbefore provided, in case such Licensing Authority is satisfied that the licence is withheld by some person without any legal right to withhold the same.

Transfer of licence lost or withheld.

22. (1) Every licensed person shall paint or place and fix to the satisfaction of the Excise Officer for the district in letters publicly visible and legible and of the prescribed size and colour upon the outside of the front of his premises, his full name, or, where the trade is carried on by a company or firm, the name or style of the company or firm, and after the name the word "licensed," adding thereto the words necessary to express the trade for which the licence has been granted.

Sign boards.

(2) If any person does not paint or place and fix such letters as aforesaid, or does not keep the same so painted or placed and fixed, he shall incur a penalty of twenty pounds.

(3) If any person shall put or have any such letters as aforesaid upon his premises falsely importing that he is licensed to carry on any such trade, or that he is licensed to carry on any trade other than he is in truth so licensed to carry on, he shall incur a penalty of fifty pounds.

23. Every person licensed in respect of spirits shall, in accordance with the prescribed regulations and in the prescribed form, make, with the Excise Officer for the district, entry in writing signed by him of every house, building, room, and of every fixed cask, vessel, or utensil intended to be used by him for the keeping or storing of or dealing in or retailing such spirits; and any person who commences or carries on business without making such entry shall incur a penalty of twenty pounds.

Persons licensed to sell spirits to make entry.

## PART II.

## OFFENCES GENERALLY.

Penalties;

24. Where a pecuniary penalty is imposed by this Ordinance, the amount of such penalty shall be deemed a maximum, and it shall be lawful for the Magistrate in his discretion in any case for a first offence to impose a penalty not less than one-fourth, and for a second offence (under whatever provision hereof) not less than one-half, the maximum, but for any subsequent offence, or for any offence committed by a person who has previously been licensed and whose licence has been cancelled, the maximum penalty shall be inflicted.

Contra-  
vention of terms  
of licence.

25. If any licensed person deals in, retails, or sells any intoxicating liquor in contravention of the terms of his licence, or otherwise than as he is authorized by the licence, he shall, if the offence is not one in respect of which a specific penalty is imposed by this or any other Ordinance, be liable to the penalty prescribed in respect of a person dealing in, retailing, or selling such intoxicating liquor without a licence.

Liability of  
occupier for  
unauthorized  
sale.

26. If any intoxicating liquor, for the sale of which a licence is required, is sold in any premises by any person who is unknown or is not licensed for that purpose, the occupier of the premises, if privy or consenting to the sale, shall be deemed to be the seller of the same, and if such sale is not authorized by a licence shall be liable to the penalties imposed by this Ordinance in respect of such sale.

Licences for  
soliciting or  
taking orders  
for goods.

27. If any person solicits, takes, or receives an order for, or exposes for sale, or barter or exchanges, any intoxicating liquor, without having in force a licence authorizing him in that behalf, he shall be liable to the penalty imposed by this Ordinance on a person dealing in, retailing, or selling such goods without a licence :

Provided that nothing in this Ordinance shall be deemed to impose any penalty on a person in the employment of a licensed dealer or merchant taking orders for goods which his employer is duly licensed to deal in or sell, or on any traveller for a merchant, wine dealer, or spirit dealer within or without the Colony soliciting orders on

behalf of his employer, or on any auctioneer offering for sale by auction any spirits or wine *bonâ fide* the property of some licensed person, or of some person not carrying on the business of a wine or spirit retailer or dealer or grocer :

Provided also, that nothing herein contained shall be held to render illegal any *bonâ fide* resale by any person not carrying on business as a retailer of or dealer in wine or spirits, of any wine, beer, or spirits that have been legally and *bonâ fide* purchased by him for his own domestic consumption.

**28.** Nothing herein contained shall be construed to make illegal— Exceptions.

(1) any sale or delivery of or dealing in any intoxicating liquors on his licensed premises by a licensed distiller or licensed compounder or licensed brewer in the manner authorized by any Ordinance regulating the trade of such person; or

(2) any dispensing by a licensed druggist of spirits in the preparation of medicine prescribed by a qualified medical practitioner, or any sale or delivery by a licensed druggist of a *bonâ fide* medicine containing spirits or wine, or of any *bonâ fide* medicinal preparation of wine, beer, or malt extract.

**29.** If any licensed person does not, within a reasonable time after demand, produce and deliver his licence to be read and examined by any Excise or Customs Officer or constable, he shall incur a penalty of twenty pounds. Penalty for not producing licence.

**30.** In the recovery of any penalty under this Ordinance for selling or supplying on sale intoxicating liquors without a licence or in a manner unauthorized by a licence, it shall be sufficient to allege that the defendant sold either beer, spirits, or wine without having in force a licence authorizing him so to do; and it shall not be necessary further or otherwise to describe the offence. Mode of describing offence of unlicensed sale.

**31.** In proving the sale or consumption of intoxicating liquors, it shall not be necessary to show that any money actually passed, or that any intoxicating liquor was actually consumed, if the Court hearing the case be satisfied that a transaction in the nature of a sale actually Evidence of sale or consumption of intoxicating liquors.

took place, or that any consumption of intoxicating liquor was about to take place; and proof of consumption or intended consumption of intoxicating liquor on licensed premises by some person other than the occupier or a member of his family or a servant in such premises, shall be evidence that such liquor was sold to the person consuming or carrying away, or being about to consume or carry away, the same.

Action  
to recover  
debts for  
intoxicating  
liquor.

**32.** No action or suit shall be maintainable to recover any debt or sum of money alleged to be due in respect of the sale of any intoxicating liquor which was delivered for consumption on the premises where sold or supplied, or in respect of any spirits or wine or beer sold in less quantity at any one time than a reputed quart.

Procedure.

**33.** Penalties incurred under this Ordinance shall be recovered before a Magistrate; and, subject to the express provisions of this Ordinance, the provisions of the Summary Conviction Offences (Procedure) Ordinance shall apply to all such prosecutions and the penalties thereunder.

Cap. 24.

### PART III.

#### PROVISIONS AS TO THE SEVERAL CLASSES OF LICENCES RESPECTIVELY.

Retailing  
spirits.

**34.** (1) Spirits shall be sold or supplied or kept for the purpose of sale for consumption on the premises where sold, only by a person having a spirit retailer's licence in force for such premises, or his servant or his wife or a member of his family resident with him; and any person selling, delivering, or keeping for the purpose of sale any spirits in contravention of this section shall incur a penalty of two hundred pounds.

(2) Any licensed person convicted under this section may, on the first conviction at the discretion of the Magistrate, and shall, on the second conviction, have his licence cancelled.

Retailing  
wine and  
beer.

**35.** (1) Wine or beer shall be sold or supplied on sale or kept for the purposes of sale for consumption on any premises, only by a person having a spirit or wine retailer's licence in force for such premises, or his servant or his

wife or some member of his family resident with him; and any person selling, supplying, or keeping wine or beer in contravention of this section shall incur a penalty of forty pounds.

(2) Any licensed person convicted under this section may, on a second or subsequent conviction for such offence, have his licence cancelled at the discretion of the Magistrate.

36. A wine retailer's licence shall authorize the holder thereof to sell or keep for the purposes of sale wine and beer in any quantity, whether for consumption on or off the premises.

Wine retailer may keep wine in any quantity.

37. No holder of a spirit or wine retailer's licence shall be compellable to supply spirits, wine, or beer for consumption on the licensed premises on the demand of any person, or to provide glasses or measures, or any accommodation for the purposes of such consumption.

Supply on premises optional.

38. (1) A spirit dealer's licence shall be granted in respect of premises in Port-of-Spain, San Fernando, and Scarborough only, and only by the Treasurer or a Sub-Treasurer, and shall authorize the licensed person to sell and deliver spirits in quantity not less than two gallons of one denomination at any one transaction: Provided that it shall be lawful to sell imported spirits sold in the original packages in quantities of not less than one-and-a-half gallons: Provided also, that it shall be lawful to sell compounds manufactured in the Colony in any quantity not less than one gallon to one person at the same time. (*As amended by 22 of 1909, s. 2.*)

Spirit dealers.

(2) Any spirit dealer dealing, retailing, selling, or delivering in quantity or manner not authorized by his licence, shall incur a penalty of two hundred pounds, and his licence may be cancelled at the discretion of the Licensing Authority.

39. The holder of an hotel spirit licence or a restaurant licence shall not be deemed to have committed any offence under section 34 of this Ordinance by reason of his supplying spirits in accordance with such licence without being the holder of a spirit retailer's licence. (*As amended by 29 of 1923, s. 2.*)

Saving as to licensed hotel or restaurant.

Spirit grocer.

*Office duty authorized by law*

40. It shall be lawful for the Treasurer or any ~~Super-  
visor~~ in his discretion to grant a spirit grocer's licence to any person who shall be in his judgment *bonâ fide* carrying on the trade of a grocer or provision dealer in a shop or premises in Port-of-Spain, San Fernando, or Scarborough, (or with the permission of the Governor in Executive Council in any other town), which shop or premises is or are in the opinion of the Treasurer proper and suitable for the purpose.

For bottled spirits only, and not for consumption on premises.

41. (1) A spirit grocer's licence shall not be deemed to authorize—

- (a) any sale of spirits other than in bottle; or
- (b) the sale or supply to any person of any spirits, wine, or beer for consumption on the licensed premises.

(2) Any person offending against this section shall incur a penalty of one hundred pounds, and may have his spirit grocer's licence cancelled at the discretion of the Treasurer.

Wine merchant's licence.

42. A wine merchant's licence shall authorize the licensed person on and from the licensed premises to deal in and sell and deliver for consumption off the premises only, wine and beer only, and in quantities of not less than one gallon or six reputed quarts of wine, or two gallons of beer, at any one sale. Any wine merchant who, under cover of his licence, sells wine or beer for consumption on the licensed premises, or in less quantity than hereby authorized, shall incur a penalty of thirty pounds, and his wine merchant's licence may be cancelled at the discretion of the Treasurer.

Hotel spirit licence.

43. An hotel spirit licence shall be granted only in respect of premises in Port-of-Spain, San Fernando, or Scarborough, and shall authorize the keeper of an hotel to supply spirits, wine, and beer to guests at the hotel only. Any keeper of an hotel may supply wine and beer under a wine and beer retailer's licence.

Provided that the Governor in Executive Council may from time to time authorize the Magistrate for any district to entertain an application for such a licence in respect of any premises elsewhere situate, and to deal with such application at his discretion, subject as in the next succeeding section provided.

bankrupt, or whose affairs are liquidated by arrangement, before the expiration of his licence, in respect of the sale or exposure for sale of any intoxicating liquor, so that such sale or exposure for sale be made on the premises specified in such licence, and takes place for not longer than twenty-eight days after the death of the said licensed person, or the appointment of a trustee in the case of his bankruptcy or the liquidation of his affairs by arrangement.

59. (1) Nothing in this Ordinance contained shall prohibit any licensed spirit retailer or any one other person who shall have the written permission of two or more of the stewards of any races to be held in the Queen's Park or at any other place under the authority of the Governor, from selling any intoxicating liquor in booths, tents, or other places within the Queen's Park or any other place where such races shall be held, during the days of such races between the hours of twelve o'clock noon and seven o'clock in the afternoon. And any licensed wine retailer may in like manner sell and retail wine and beer in such place during the same hours.

Sale on race-course.

(2) Any person to whom such written permission has been granted who knowingly sells or allows any person to sell any description of intoxicating liquor to any person for consumption within any such booth, tent, or other place by any person under the age of fourteen years shall incur a penalty of ten pounds. (*As amended by 16 of 1913, s. 5.*)

60. A licensed retailer of spirits or wine and beer may apply to a Magistrate at any time for a special licence, on the occasion of any public entertainment, festivity, or meeting, to carry on his trade at the place of such entertainment, festivity, or meeting within the district in which his licensed premises are situate, and a Magistrate, by certificate under his hand, may at his discretion grant such special licence for the hours and to the extent that may be deemed necessary for the public convenience: Provided that—

Occasional licence.

- (1) sufficient notice of such application shall have been given to the principal officer of Constabulary of the district, who may oppose the same; and

44. Save as in the next succeeding section provided, no hotel spirit licence shall be granted by a Magistrate for any hotel containing a bar for the resort and accommodation of the public, nor in any case without the production to him of a certificate from the Treasurer that the premises sought to be licensed are *bonâ fide* an hotel, and are suitable to be licensed as an hotel for the retailing of spirits to be consumed therein. Certificate of fitness, etc.

45. It shall be lawful for the Governor, on the joint certificate of the Inspector-General and the Treasurer that any hotel in which there is a bar or other drinking accommodation open to the public is kept mainly for the *bonâ fide* entertainment of guests using such hotel for sleeping and taking meals therein, and that it is for the general public convenience that such authority should be given, to authorize the Magistrate at his discretion to issue a special hotel licence for such hotel at the prescribed duty. And such licence shall be deemed to authorize the retailing of intoxicating liquors for consumption on the licensed premises, without distinction of the persons to whom or the part of the premises in which liquors shall be supplied : Special hotel licence.

Provided always, that no liquor shall be sold under such special licence to persons not guests at such hotel at any time during which the keeping open of licensed premises for the sale of intoxicating liquor to the public generally is forbidden by this or any other Ordinance :

Provided also, that on the occasion of any dance, ball, or other entertainment being held after closing hours in an hotel so specially licensed, it shall be lawful for the Magistrate of the district on application, without any fee, to authorize in writing the licensed occupier of such hotel to supply intoxicating liquors to the persons attending such dance, ball, or entertainment during such hours as may be specified in such authority, and thereupon such occupier may lawfully supply the same accordingly.

46. It shall be lawful for the Governor, on the joint certificate of the Inspector-General and the Treasurer that any restaurant is kept for the *bonâ fide* entertainment of guests using such restaurant for taking meals therein, that the premises sought to be licensed are suitable, and that it is for the general public convenience that such authority Restaurant licences.

should be given, to authorize the Magistrate to issue a special licence for such restaurant on payment of the prescribed duty. Licences granted under this section shall authorize the sale of intoxicating liquor to persons taking meals in the restaurant for consumption at such meals, between the hours of ten o'clock in the morning and two o'clock in the afternoon, and between the hours of six-thirty o'clock in the afternoon and midnight, and not at any other time. (*Added by 29 of 1923, s. 3.*)

#### PART IV.

##### PROVISIONS APPLICABLE TO THE GRANTING OF LICENCES AND THE PAYMENT OF EXCISE DUTIES CHARGEABLE THEREON.

Issue of  
licences.

**47.** Subject to the provisions of this Ordinance, licences under it may be issued on the payment of the prescribed sum and, in the case of a Magistrate's licence, upon production of the Magistrate's certificate authorizing such issue, and, in the case of Excise licences, upon the prescribed conditions being fulfilled.

Licensing  
Sessions.

**48.** Sessions for the granting of Magistrate's certificates for the issue or renewal of any Magistrate's licence shall be held on convenient days in the months of March, June, September, and December, to be appointed by the Magistrate; and any such Session may, at the discretion of the Magistrate, be adjourned, either generally or as respects any particular applications, to such other days as the Magistrate shall think fit, and, subject to the provisions of this Ordinance, the Magistrate may, at such Session or at any adjournment thereof, grant such certificates to such persons and in respect of such premises as the Magistrate in the exercise of his discretion deems proper:

Special  
Sessions.

Provided that it shall be lawful for the Governor in the exercise of his discretion to direct any Magistrate to appoint and hold a special Session for the considering of any such applications at any other date:

Provided also, that a fee of five pounds shall be payable in respect of each application considered at any such special Session. (*As amended by 39 of 1922, s. 2.*)

Notice of  
Licensing  
Sessions.

**49.** The Magistrate shall, twenty-one days at least before each Licensing Session, appoint the time and place at which such Session is to be held, and cause notice thereof

to be inserted in the *Royal Gazette*, and to be affixed in some conspicuous place or places. The provisions of this section shall not apply to any adjournment of a Session.

50. (1) Every person desiring to obtain a new licence in respect of any premises, shall, fifteen days at least before the day appointed for the Licensing Session, make an application in writing to the Magistrate, who shall cause notice of such application to be published in the *Royal Gazette*. Applications for licences.

(2) In every such application shall be stated the name, occupation, and residence of the applicant, and the situation of the premises, and the trade in respect of which a licence is applied for.

(3) Renewals may be granted at Licensing Sessions on personal application without notice; but it shall be lawful for any Excise or Constabulary Officer in Court to object to any renewal on sufficient ground to be stated in Court, and the Magistrate may at his discretion in any such case adjourn the hearing of the application to a convenient day to admit of evidence being adduced. Renewals.

51. The owner of the premises in respect of which a new licence is applied for, and any owner or occupier of property, or a minister in charge of a place of public worship, or the managers of any public Elementary School, situate within a quarter of a mile therefrom, and any ~~Supervisor~~ <sup>Officer of Customs or Excise</sup> or Warden and any member of the Constabulary Force in charge of the district, shall have the right of appearing before the Magistrate at Licensing Sessions to object to the granting of any new licence or the transfer of any licence to any new premises, and shall be heard by the Magistrate in support of any such objection. (*As amended by 16 of 1913, s. 4.*) Right of objection to licence.

52. (1) Any person aggrieved by any decision of the Magistrate granting or refusing any new licence or any renewal or transfer may appeal from such decision to the Full Court: Provided that, for the purposes of this section, "any person aggrieved" shall mean the applicant, or any person who is entitled under the provisions of this Ordinance to object to such new licence, renewal, or transfer and who shall have appeared before the Magistrate and objected to such new licence, renewal, or transfer. Appeal against Magistrate's decision.

Cap. 24. (2) The procedure in respect of any appeal under this section shall be such as is laid down in the Summary Conviction Offences (Procedure) Ordinance, except that the time for giving notice of appeal shall be seven days, and that it shall not be obligatory to give any notice of reasons for appeal. (*Added by 29 of 1923, s. 4.*)

Excise certificates. **53.** Where any certificate, permission, or approval of the Treasurer or any Officer is a condition of the granting of a Magistrate's licence, the same shall be obtained by the applicant and lodged with the Clerk of the Peace before the day appointed for the Licensing Session: Provided that the Magistrate may in his discretion extend the time for the lodging of such certificate, permission, or approval, and adjourn the hearing of the application accordingly.

Transfer. **54.** Excise licences may be granted, renewed, and transferred by the Treasurer or a Sub-Treasurer or any ~~Supervisor~~ *Officer of Customs and Excise*

Publication of returns. **55.** A return of all certificates granted for the issue, renewal, or transfer of licences under this Ordinance, specifying the names and places of abode of the licensees, the licensed premises, and the terms for which the licences are granted, shall be transmitted by the Magistrate to the Treasurer within seven days next after the same are granted, renewed, or transferred.

Publication of licences granted. **56.** (1) The Treasurer shall cause to be published in the *Royal Gazette*, as soon as may be after the expiration of each licensing quarter, a return of all licences granted, issued, and transferred during such quarter.

(2) Production of a copy of the *Royal Gazette* containing any such return as in this section mentioned shall be sufficient evidence of any fact therein stated as to any licence therein returned.

Offences at Licensing Sessions. Cap. 24. **57.** Sections 24 to 32 inclusive of the Summary Conviction Offences (Procedure) Ordinance shall be applicable to the Court of a Magistrate sitting at any Licensing Sessions or any adjournment thereof under this Ordinance.

Temporary trading in case of death or bankruptcy. **58.** No penalty under this Ordinance shall be incurred by the executors or administrators or the widow or child of any licensed person who dies before the expiration of his licence, or by the trustee of any person who is adjudged

- (2) no such licence shall be granted in any case to extend beyond the occasion in respect of which the same is granted; and
- (3) such licence shall not, unless specially permitted therein, be deemed to permit any sale of intoxicating liquors except between the hours during which the same may be by law allowed to be sold on the premises of the applicant; and
- (4) on the issue of every such certificate there shall be paid the prescribed fee.

Government  
Railway and  
Steamers,  
etc.

61. (1) It shall be lawful for the Governor in Executive Council to authorize the Treasurer, without any Magistrate's certificate, to issue a spirit retailer's or wine retailer's licence free of charge to—

- (a) the General Manager of Railways or any person nominated by him in respect of the sale of intoxicating liquor at any station or on any train or steamer of the Government Railway;
- (b) the Harbour Master or any person nominated by him in respect of the supply to passengers of intoxicating liquor during the actual passage on board any Government steamer plying between ports or places in the Colony;
- (c) any owner or officer of a passengers' steamship regularly plying between ports or places in the Colony in respect of the sale of intoxicating liquor on board such ship during the actual passage.

(2) Any licence issued under this section shall be subject to such restrictions as to hours and manner of sale as the Governor in Executive Council may in each case prescribe, and shall not be deemed to authorize any sale or delivery in violation of such restrictions.

To whom  
payments of  
duty shall be  
made.

62. Payments of Excise duty for licences shall be made to the following persons:—

- (1) Where the licensed premises are situate within the City of Port-of-Spain, to the Treasurer;
- (2) Where the licensed premises are situate within the County of Victoria or in the Ward of Tobago, to

the Sub-Treasurer for San Fernando or Tobago respectively;

- (3) Where the licensed premises are situated elsewhere, to the Warden.

## PART V.

### OFFENCES AGAINST REVENUE AND ORDER, ETC.

63. It shall be lawful for the Governor in his discretion, on the joint recommendation of the Treasurer and the Inspector-General, to authorize the Treasurer to extend for one hour the time during which any licensed premises mentioned in such authority may be kept open for the sale of intoxicating liquors. Such permission shall be granted when the Governor is satisfied that the same will be for the general public convenience and will not injuriously affect public order; and in such case the Treasurer shall endorse the licence with the permission so authorized, and it shall be lawful for the licensed person during the currency of his licence to supply intoxicating liquors on the licensed premises during such extended time.

Extension of opening hours on special grounds.

64. (1) If at any time outside the opening hours fixed by a Shop Hours Order made under the Shop Hours Ordinance, any person is found on licensed premises or in any out-house or building in the same curtilage and occupied therewith, then unless the Magistrate is satisfied that such person was an inmate, servant, *bonâ fide* friend entertained at the expense of the licensed occupier, or a lodger on such premises, or a *bonâ fide* traveller, or that otherwise his presence was not in contravention of the provisions aforesaid, the holder of the licence shall incur a penalty of twenty pounds, and the person so found shall incur a penalty of five pounds. (*Substituted by 29 of 1923, s. 5, and amended by 29 of 1925, s. 11.*)

Penalty where person is found on licensed premises during closing hours. Cap. 191.

(2) Any constable may demand the name and address of any person found on any licensed premises during the period during which they are required to be closed, and, if he has reasonable ground to suppose that the name or address given is false, may require evidence of the correctness of such name and address, and may, if such person fail upon such demand to give his name or address, or

evidence of the correctness of the name or address so given, apprehend him without warrant, and carry him as soon as practicable before a Magistrate.

(3) Any person required by a constable under this section to give his name and address, who fails to give the same, or gives a false name or address, or gives false evidence with respect to such name and address, shall incur a penalty of five pounds.

(4) Every person who by falsely representing himself to be a traveller or lodger, buys or obtains, or attempts to buy or obtain, at any licensed premises any intoxicating liquor during the period during which such premises are or should be closed, shall incur a penalty of five pounds.

Excise  
inspection.

**65.** (1) Any Excise Officer may at any time enter into any house, premises, building, room, or other place, entered, licensed, or used for the keeping or storing of or selling intoxicating liquors, and examine any intoxicating liquor found therein, and may search for and take samples of any such intoxicating liquors, paying for any sample the usual price, and may inspect all books, invoices, permits, and certificates relating to the trade, and may also search for and seize any intoxicating liquor for the sale of which a licence is not held; and if any person in the occupation of any house, premises, building, room, or other place, or any servant or other person in his employment, or any person by his direction, refuses or fails to admit any Excise Officer into or upon such house, premises, building, room, or other place, or wilfully impedes, resists, or obstructs such Officer in such inspection, he shall incur a penalty of twenty pounds.

(2) Any constable shall, in respect of any premises licensed under a Magistrate's licence, have the same powers of entry, inspection, search, and taking samples as an Excise Officer.

Beer and  
wine retailer  
keeping  
spirits.

**66.** Any licensed wine retailer or wine merchant who shall have in his possession in any part of the licensed premises any spirits, unless he shall account for the same to the satisfaction of the Magistrate, shall forfeit such spirits and the vessels containing the same, and shall incur a penalty of one hundred pounds.

67. (1) If upon information given on oath it appears to any Justice that there is reasonable cause for suspecting that any intoxicating liquor is kept for the purpose of sale by retail by any person not duly licensed in that behalf, or by any licensed person in any premises not specified in his licence, such Justice may, by warrant under his hand directed to any Excise Officer or any constable, authorize such Officer or constable to enter and search such premises, and, by the said warrant, may, if he thinks fit, specially authorize such Officer or constable to enter and search such premises at any time of the day or night, and moreover, if he thinks fit, may specially authorize such Officer or constable, with or without assistants, after having made known his authority, to break open or otherwise use force in order to effect an entry to such premises. (*As amended by 11 of 1908, s. 2.*)

Excise officer or constable may enter suspected premises.

(2) If, upon search under this section, any such intoxicating liquor or any vessel used for holding or measuring the same is found, it shall be lawful for the Excise Officer or the constable executing the warrant to take possession of and secure such liquor or vessel; and they may apprehend and bring before a Magistrate not only the person in whose premises the same are found, but also every other person found in such premises, who appears to have been employed or assisting in the retailing of intoxicating liquor, and unless it be made to appear to such Magistrate that such intoxicating liquor was not deposited for the purpose of being sold by retail in such premises, the person in whose premises such intoxicating liquor is found, and every person so appearing to have been employed or assisting in the retailing thereof in such premises, shall incur a penalty of one hundred pounds.

(3) All intoxicating liquor found on any search under this section, together with all vessels used for holding or measuring the same, or in any way in and about the retailing thereof, shall, upon any conviction in respect thereof, be forfeited to His Majesty.

(4) Every warrant under this section shall remain in force for one month from the day of the date thereof, and it shall be no defence to any charge under sub-section (1) that the liquor found on the premises was deposited or brought thereon after the issue of the warrant.

- 68.** When a Volunteer canteen is authorized by the Commandant of the Local Forces, and is managed by a committee who have no interest in the profits, a licence is not necessary for the sale therein of intoxicating liquors to any person entitled to purchase articles at such canteen.
- 69.** If any persons are at any time found gambling in any premises licensed under this Ordinance for the sale of intoxicating liquors by retail, the holder of the licence shall incur a penalty of twenty pounds, unless he proves to the satisfaction of the Magistrate that such gambling was not by his permission or encouragement, and was unknown to him.
- 70.** Every holder of a licence who knowingly sells or allows any person to sell any description of intoxicating liquors to any person for consumption on the premises by any person under the age of fourteen years, shall incur a penalty of ten pounds.
- 71.** If a licensed person, or any person assisting in the business under the licence, permits drunkenness or any violent, quarrelsome, or riotous conduct to take place on the licensed premises, or sells intoxicating liquor to any drunken person, he shall incur a penalty of twenty pounds.
- 72.** (1) Any licensed person may refuse to admit to, and may turn out of, the premises in respect of which his licence is granted, any person who is drunken, violent, quarrelsome, or disorderly, or whom he finds gambling on the premises, and any other person whose presence on his premises would subject him to a penalty.
- (2) Any such person who, upon being requested in pursuance of this section by such licensed person or his servant or a member of his family or any constable to quit such premises, refuses or fails so to do, shall incur a penalty of five pounds; and all constables are required, on the demand of such licensed person, agent, or servant, to expel or assist in expelling every such person from such premises, and may use such force as may be required for that purpose.
- 73.** (1) Any Magistrate or any two Justices acting for any district or place where any riot or tumult happens or is expected to happen, may order every licensed person in

Canteens.

Gambling.

Sale to children.

Licensed person permitting disorder on premises.

Removal of disorderly person.

Closing premises in case of riot.

or near the place where such riot or tumult happens or is expected to happen, to close his premises during any time which may seem fit.

(2) Any person who keeps open his premises for the sale of intoxicating liquors during any time at which he has been ordered under this section to close them, shall incur a penalty of fifty pounds, and shall forfeit any licence held by him, whether in respect of the premises which he fails to close, or in respect of any other premises, and shall for two years be disqualified from holding a licence; and it shall be lawful for any person acting by order of any Magistrate or Justice to use such force as may be necessary for the purpose of closing such premises.

## PART VI.

### GENERAL.

74. (1) Whenever it shall appear to the satisfaction of the Governor that any substance, liquor, or ingredient is used or is capable of use in the preparation of, or is mixed with, any intoxicating liquor, and that such substance, liquor, or ingredient is of a noxious or detrimental nature, or that the use thereof will lead to His Majesty's revenue of Excise being prejudiced, it shall be lawful for the Governor, by notice published in the *Royal Gazette*, to prohibit the use by any person of any such substance, liquor, or ingredient, either entirely or in any greater quantity or proportion than in such notice shall be prescribed, in the preparation of or mixture with any intoxicating liquor for sale and by like notice to withdraw or modify such prohibition at any time.

Power to prohibit the use or possession of certain substances.

(2) If, after the publication of any such notice of prohibition in the *Royal Gazette*, any person shall use or have on his premises any such prohibited substance, liquor, or ingredient, whether mixed with intoxicating liquor or not, or, as the case may be, shall have such substance, liquor, or ingredient mixed with liquor for sale in more than the prescribed quantity or proportion, he shall incur a penalty of fifty pounds; and any such substance, liquor, or ingredient, and also the intoxicating liquor in the preparation whereof any such substance, liquor, or ingredient may have been mixed or used, shall be forfeited.

(3) The provisions of this section shall apply to any licensed person, and also to any distiller, compounder, or brewer licensed under any Ordinance.

Samples  
under  
Food and  
Drugs  
Ordinance.

**75.** Any Excise Officer shall at all times in relation to intoxicating liquors, and to any substance, liquor, or ingredient which may be mixed with intoxicating liquors, and the use or possession of which shall have been prohibited by the Governor, have the same powers as if he had been one of the functionaries mentioned in section 20 of the Food and Drugs Ordinance.

Cap. 107.

Certificate  
book.

**76.** (1) Every person licensed to deal in or retail spirits shall, by written request, obtain from an Excise Officer a certificate book containing the prescribed forms of certificates and counterfoils, for which he must give a receipt.

(2) Before sending out or delivering any spirits required to be accompanied by a certificate, he shall enter in one of these certificates, and in its counterfoil, the prescribed particulars.

(3) He shall deliver the certificate with the spirits to the person to whom the spirits are entered in the certificate.

(4) He shall use the certificates in the order in which they are numbered in the certificate book.

(5) He shall keep the certificate book in his premises open to inspection by any constable or Excise Officer, and shall allow any such constable or Officer to make entry therein or take any extract therefrom.

(6) He shall return the certificate book when it is exhausted, or on request, to the proper Officer, who shall give a receipt for it.

Penalties for  
removal  
without  
certificate.

**77.** (1) If a dealer, grocer, or retailer sends out, delivers, or receives any spirits required to be accompanied by a certificate without a certificate, or accompanied by an inaccurate certificate, he shall for each offence incur a penalty of one hundred pounds, and all spirits sent out, delivered, or received in contravention of this section shall be forfeited.

(2) A penalty shall not be incurred under this section by reason only of the spirits being in strength not more than one per centum above or two per centum below the strength expressed in the certificate.

78. (1) If any person uses or suffers to be used any certificate taken from his certificate book, except for the removal of spirits from his own stock, or delivers or parts with any form of certificate without filling it up as required by this Ordinance, he shall incur a penalty of two hundred pounds.

Fraudulent use of certificate.

(2) If any person uses a certificate or form of certificate whether filled up or not, so that the account of spirits kept or checked by an Officer, or any examination of spirits by an Officer, is or may be frustrated or evaded, he shall incur a penalty of two hundred pounds.

(3) If any person is convicted of an offence under this section, he shall forfeit his licence.

79. (1) Every licensed person shall, on receiving spirits accompanied by a permit or certificate, immediately cancel the permit or certificate, and shall deliver the cancelled permit or certificate to the Officer who first inspects his premises after the receipt thereof.

Cancelling and delivering permits and certificates.

(2) If any person contravenes this section he shall incur a penalty of fifty pounds.

80. (1) Every person licensed to deal in spirits shall provide himself with and keep a stock book according to a pattern to be obtained on application to an Excise Officer, and shall, on receiving any spirits, and also on sending out and delivering any spirits required to be accompanied by a permit or certificate, enter in his stock book the prescribed particulars.

Stock books to be kept.

(2) He shall make the entries at such times as an Excise Officer directs, or, in the absence of any such directions, before the expiration of the day on which the spirits are received, sent out, or delivered.

(3) He shall keep the stock book in his premises open to inspection by any Excise Officer, and shall allow any such Officer to make any entry therein or take any extract therefrom.

(4) He shall keep such stock book open to such inspection for not less than twelve months after it is filled up.

81. If a licensed person—

(1) fails to obtain, provide, keep, produce, or return a certificate book or a stock book as by this Ordinance required, or to make therein respectively the entries by this Ordinance required; or

Offences in respect of stock and certificate books.

- (2) hinders or obstructs any officer in examining a certificate book or a stock book, or in making any entry therein or extract therefrom; or
- (3) cancels, alters, obliterates, or destroys any part of a certificate book or a stock book or any entry therein; or
- (4) makes a false entry in a certificate book or a stock book; or
- (5) separates any certificate, or form of certificate, from its counterfoil without properly filling up the certificate and counterfoil, or except on the occasion of sending out or delivering spirits therewith,

he shall for each offence incur a penalty of two hundred pounds.

Quantity of spirits dealer or retailer may take credit in stock for.

**82.** No licensed person shall have credit in stock for any greater quantity of spirits received or found in his stock than for the quantity, computed at proof, brought in by and expressed in the permits or certificates accompanying such spirits and delivered to the proper Officer.

Spirits exceeding in quantity one gallon must be accompanied by a certificate.

**83.** (1) No spirits in quantity exceeding one gallon of the same denomination at a time for the same person may be removed from any premises or place to any other premises or place, whether by a licensed person or his servant, or by any other person, unless accompanied by a permit or a certificate of the quantity sold, the date of removal, the description and strength of spirit, and the purchaser's name and address, signed, if a permit, by the proper authority and, if a certificate, by the licensed person supplying such spirits.

(2) Nothing herein contained shall be deemed to authorize the removal of any spirits from the premises of a licensed distiller or compounder otherwise than as provided in and by section 62 of the Spirits and Spirit Compounds Ordinance.

Cap. 198.

(3) If any person receives, without such certificate as in this section mentioned, any spirits required to be accompanied by such certificate, or receives any spirits differing in quantity, description, or strength from that expressed in the permit or certificate accompanying the same, he shall, in addition to any other penalty or forfeiture, incur a penalty of one hundred pounds.

(4) All spirits found to have been sent out, delivered, or removed, or in course of being sent out, delivered, or removed, in contravention of this section, together with all horses, cattle, carriages, and boats made use of in conveying the same, shall be forfeited, and every person in whose possession the same are found shall incur a penalty of fifty pounds.

84. Any Excise Officer may prosecute and conduct any information, complaint, or other proceeding before a Magistrate in respect of any offence or penalty. Excise Officers may conduct proceedings.

85. The Treasurer may, with the approval of the Governor, reward any person who informs him of any offence against this or any other Ordinance relating to the Excise revenue, or assists in the recovery of any fine or penalty, and, with the like approval, such reward may be paid by the Treasurer out of the fine imposed in respect of such offence. Rewards.

86. Every act or default in respect of which, according to this Ordinance, a penalty is imposed shall be an offence punishable on summary conviction before a Magistrate. Procedure.

87. In any proceeding under this Ordinance, a conviction may be proved by the production of a certificate stating the substance and effect of such conviction, and omitting the formal parts thereof, purporting to be signed by the Clerk of the Peace or other officer having the custody of the records of the convicting Court, and by proof of the identity of the person named in such certificate; and no proof need be given of the signature or official character of the person appearing to have signed such certificate. Proof of conviction.

88. At the hearing of any information or complaint of an offence against this Ordinance, the production of a certificate signed by the Government Analyst shall be sufficient evidence of all the facts therein stated, unless the defendant require that the Analyst be summoned as a witness, in which case the Magistrate shall cause the Analyst to be summoned to appear on a day and at a time to be specified. Analyst's certificate evidence.

89. If a person charged with any offence be convicted he shall, in addition to the penalty imposed upon him, be ordered to pay the following sums, that is to say:— Costs.

- (1) The sum of one guinea for every day or part of a day on or during which the Analyst in obedience to such summons shall have attended in Court;

- (2) The travelling expenses of the Analyst;
- (3) All other expenses whatsoever incurred in procuring, delivering, and analysing any intoxicating liquor under this Ordinance;
- (4) The fee of any barrister or solicitor prosecuting;
- (5) All other lawful expenses of the prosecution.

The sums so payable shall be deemed costs of conviction recoverable in manner provided in and by the Summary Conviction Offences (Procedure) Ordinance.

Cap. 24.

Schedule I.

**90.** The First Schedule to this Ordinance may at any time be added to, altered, or varied by proclamation by the Governor.

Regulations and forms.

**91.** The Treasurer may, with the approval of the Governor in Executive Council, make regulations for the conduct of business in his department under the provisions of this Ordinance, and prescribe forms to be used in respect of any application, certificate, notice, licence, or other document relating to any matter or thing to be done under the provisions hereof, including the forms to be used in respect of any application to the Magistrate at Licensing Sessions. Every regulation made under this section shall be published in the *Royal Gazette*.

Duties may be altered by resolution.

**92.** The duties and fees chargeable under this Ordinance and specified in the Second Schedule to this Ordinance may at any time be varied by resolution of the Legislative Council with the consent of the Governor.

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#### FIRST SCHEDULE.

(Section 2.)

#### TOWNS.

St. Joseph.

ST. JOSEPH bounded as follows :—

NORTH AND EAST by the St. Joseph River ;

SOUTH by the Eastern High Road ;

WEST by a straight line running from the culvert on the Eastern High Road near the entrance to the Railway Station in a northerly direction to the ford of the St. Joseph River on the road to Maracas nearest to the Town of St. Joseph.

Arima.

ARIMA bounded as follows :—

NORTH by the northern side of Longden Street from the " Muertos " Ravine to the south-eastern corner of Fecundo Subero's land on the road to " Mount Pleasant ; "

SOUTH by the southern fence of the Arima Savannah ;

EAST by a line running straight in a south-easterly direction from the south-eastern corner of Fecundo Subero's land to the centre of the bridge on the Eastern High Road over the Lava Pies Ravine, thence straight in a southerly direction to the north-eastern corner of Maria Estrada's land at the junction of Devenish Street with the Cocorite Road, thence straight in a south-westerly direction to the south-eastern corner of the Arima Savannah ;

WEST by the " Muertos " Ravine from its intersection with the north side of Longden Street to its intersection with the western side of Gordon Street, thence in a straight line in a southerly direction to the western corner of the Savannah at the junction of the Omeara Road with the Eastern High Road, thence along the eastern side of the Omeara Road as far as the southern fence of the Savannah.

TUNAPUNA bounded as follows :—

Tunapuna.

NORTH.—Northern boundary of Chinab's land and a line running due east and west from that line ;

SOUTH.—Railway line ;

EAST.—Back Street (East) and a line running due north and south from that street ;

WEST.—The boundary of the area formerly known as St. Joseph's Ward.

PRINCES TOWN bounded as follows :—

Princes Town.

NORTH.—By the southern boundary of the Malgretoute Estate from the point where it leaves the eastern boundary of the Cedar Hill Estate to the old Ciperó Tram line, thence along the old Ciperó Tram line to the Glenroy Estate boundary on the Naparima-Mayaro Road, thence along the southern boundary of the Glenroy Estate to the north-western corner of the Birken Hill Estate which now forms part of the Buen Intento Estate ;

EAST.—By the western boundary of the said Birken Hill Estate to the north-western corner of the Knollys Recreation Ground, thence along the northern and eastern boundaries of the said Knollys Recreation Ground, and the southern boundary of the said Birken Hill Estate to the western boundary of the Craignish Estate and along the western boundary of the said Craignish Estate to the Naparima-Mayaro Road and along that road in a south-westerly direction to the western boundary of the Broomage Estate and along that boundary to where it meets the eastern boundary of the Lothians Estate, thence in a straight line running in a more or less south-westerly direction to the south-eastern corner of the Navette public burial ground ;

SOUTH.—By the northern boundary of the Lothians Estate from the south-eastern corner of the Navette public burial ground to the south-eastern corner of the Cedar Hill Estate ;

WEST.—By the eastern boundary of the Cedar Hill Estate from its south-eastern corner to the point where it meets the southern boundary of the Malgretoute Estate. (*As amended by 29 of 1923, s. 6.*)

COUVA bounded as follows :—

Couva.

NORTH.—Lands of Exchange and Perseverance Estates ;

SOUTH.—Lands of Brechin Castle and Exchange Estates ;

EAST.—Lands of Camden Estate ;

WEST.—Lands of Perseverance Estate.

PERU VILLAGE bounded as follows :—

Peru.

NORTH.—Maraval Ward ;

SOUTH.—The sea ;

EAST.—The Maraval River ;

WEST.—The Extravaganza Estate and the Fort George Road.

- Scarborough. SCARBOROUGH bounded as follows :—
- NORTH.—The Calder Hall Road ;
- SOUTH.—The sea ;
- EAST.—The Ordnance Lands ;
- WEST.—That portion of the Plymouth Road known as the Wilson Road, the bye-way leading from the Wilson Road by Darrell's Spring to the Northside Road, the Northside Road and the bye-way leading from the Northside Road to the Calder Hall Road.
- Sangre Grande. SANGRE GRANDE bounded as follows :—
- NORTH.—A line drawn from the north-eastern boundary of block of 15a. 1r. 8p. of land, the property of the heirs of C. F. Sellier, crossing the Warner or Cuare Road and running in a westerly direction along the northern boundary of the said block and the northern boundary of lands of Rampersad, Jeeboth, and Sookaie to the Picton Trace ;
- SOUTH.—The Cunapo River ;
- EAST.—A line drawn from the Cunapo River along the eastern boundary of a 10 acre block of land formerly the property of A. Brooks, now of the heirs of C. F. Sellier, crossing the Sangre Grande-Oropuche Road and along the eastern boundary of a 6 acre block of land formerly the property of P. Ojoe, now of the heirs of C. F. Sellier, and thence in a northerly direction to the northern boundary of the lands of J. Ojoe now F. Cumberbatch, thence in a westerly direction to the south-eastern corner of a 3a. Or. 37p. block of land the property of the heirs of C. F. Sellier, thence running north along the eastern boundary of the said 3a. Or. 37p. block of land and lands of M. Warner now of Philip Acham and lands of heirs of C. F. Sellier (15a. 1r. 8p.) to the north-eastern boundary of the said block of land ;
- WEST.—A line drawn along the Picton Trace to the Eastern Main Road, and thence in a straight line running south to the Cunapo River. (*Added by 29 of 1923, s. 7.*)

## SECOND SCHEDULE. (a)

(Sections  
4 and 16.)

## DUTIES.

## MAGISTRATE'S LICENCES.

Spirit Retailer's Licence	—For Port-of-Spain	—£225 per annum, or, if permitted under section 16 (1), £62 per quarter.
Do.	—For San Fernando and within half a mile thereof	£120 per annum, or, if permitted under section 16 (1), £35 per quarter.
Do.	—For any Town and within half a mile thereof	£75 per annum, or, if permitted under section 16 (1), £22 per quarter.
Do.	—Elsewhere	—£40 per annum, or, if permitted under section 16 (1), £12 10s. per quarter.
Wine and Beer Retailer's Licence	—For Port-of-Spain	—£15 per annum.
Do.	—Elsewhere	—£10 do.
Hotel Spirit Licence	—For Port-of-Spain	—£50 do.
Do.	—Elsewhere	—£30 do.
Special Hotel Licence	—For Port-of-Spain	—£125 do.
Do.	—For San Fernando	—£75 do.
Do.	—Elsewhere	—£50 do.
Restaurant Licence	—For Port-of-Spain	—£75 do.
Do.	—For San Fernando	—£45 do.
Do.	—Elsewhere	—£25 do.

## OCCASIONAL FEES.

Transfer fee under sections 17, 18, 19	—20/-	
Occasional Licence under section 60	—30/-	for each consecutive 24 hours or part of 24 hours for which the licence is required.

## EXCISE LICENCES.

Spirit Grocer's Licence	—Port-of-Spain	—£100 per annum, or, if permitted under section 16 (1), £27 10s. per quarter.
Do.	—San Fernando	—£50 per annum, or, if permitted under section 16 (1), £15 per quarter.
Do.	—Scarborough or any other Town	—£25 per annum, or, if permitted under section 16 (1), £7 10s. per quarter.
Spirit Dealer's Licence	—	—£20 per annum.
Wine Merchants' Licence	—	—£5 do.