

DISTILLATION.

No. 34 of 1918.

An Act to amend the *Distillation Act* 1901.

[Assented to 12th December, 1918.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

- 1.—(1.) This Act may be cited as the *Distillation Act* 1918. Short title and citation.
- (2.) The *Distillation Act* 1901 is in this Act referred to as the Principal Act.
- (3.) The Principal Act as amended by this Act may be cited as the *Distillation Act* 1901–1918.
2. Section six of the Principal Act is amended by omitting the definition of “Collector” and inserting in its stead the following definition:—
“Collector” includes the Comptroller and any Collector of Customs for the State and any principal officer of Customs doing duty at the time and place and any officer doing duty in the matter in relation to which the expression is used. Interpretation.
3. After section eleven of the Principal Act the following section is inserted in Part II:—
“11A. The provisions of the last two preceding sections shall not apply to any still of a capacity not exceeding one gallon except as to registration.” Stills of a capacity not exceeding one gallon.
4. Section thirteen of the Principal Act is amended by omitting paragraph (c) thereof. Description of licences.
5. Section fourteen of the Principal Act is repealed. Repeal of s. 14.
6. Section sixteen of the Principal Act is repealed and the following section inserted in its stead:—
“16.—(1.) The annual fees for licences shall be as prescribed. Licence-fees.
“(2.) Until otherwise prescribed the amount of the fees for licences shall be in accordance with the scale in Schedule I. to this Act.”.
7. Section eighteen of the Principal Act is repealed and the following section inserted in its stead:—
“18.—(1.) The applicant for a licence shall pay to the Collector the prescribed licence-fee and shall give security to the Collector for compliance with this Act in accordance with the scale prescribed. Applicant to pay licence-fee and give security.

"(2.) Until otherwise prescribed the amount of security shall be in accordance with the scale in Schedule II. to this Act."

8. Section nineteen of the Principal Act is repealed and the following section inserted in its stead :—

How security
given.

"19. Where any security is required to be given it may, at the discretion of the Collector, be by bond or guarantee or cash deposit or all or any of those methods."

Renewal of
licences.

9. Section twenty-two of the Principal Act is amended by adding at the end thereof the following proviso and sub-section :—

"Provided that the Collector may in exceptional circumstances extend for a period not exceeding seven days the time within which application for renewal of the licence and payment of the licence fee shall be made.

"(2.) The liability of the subscribers to the security given in respect of the original licence shall, in the absence of any notice of termination on the part of the subscribers, remain in full force for the period for which the licence is renewed."

No alteration to
be made in
premises without
permission.

10. Section thirty-six of the Principal Act is amended by inserting in paragraph (iv.) before the word "Place" the words "Without the written permission of the Comptroller first obtained".

Purposes for
which spirit
may be
removed.

11. Section forty-two of the Principal Act is amended by omitting from paragraph (b) the words "a warehouse" and inserting in their stead the words "an approved place".

Security on
removal.

12. Section forty-three of the Principal Act is amended by omitting the words "a warehouse" and inserting in their stead the words "an approved place".

Deficiency in
quantity on
removal to
warehouse.

13. Section forty-four of the Principal Act is amended by omitting the words "at a warehouse" and inserting in their stead the words "at the destination shown on the entry".

14. Section fifty-five of the Principal Act is repealed and the following section inserted in its stead :—

Supervision of
officer.

"55. All operations under this Act and fortifying of wine shall, unless exempted in writing by the Collector, be carried on in the presence of an officer".

Sale of wine or
spirits
unlawfully
dealt with.

15. Section seventy-six of the Principal Act is amended by omitting paragraph (i.) thereof.

Repeal of s. 82.

16. Section eighty-two of the Principal Act is repealed.

Repeal of s. 84.

17. Section eighty-four of the Principal Act is repealed.

18. Schedules I. and II. to the Principal Act are repealed and the following Schedules inserted in their stead :—

Repeal of
Schedules I.
and II.

“SCHEDULE I.

Schedule.

TABLE OF FEES FOR LICENCES TO DISTIL.

For every spirit maker's general licence	...	...	£50
For every spirit maker's wine distilling licence	...	...	25
For every vigneron's licence	...	...	5

computing as from the first day of January to the thirty-first day of December and when by reason of the time of the granting of the licence it will not continue for a full year the amount of fee shall be reduced proportionately.

SCHEDULE II.

Schedule II.

SCALE OF AMOUNTS IN WHICH LICENSEES ARE TO GIVE SECURITY.

Spirit Makers and Vignerons—

Where the amount of duty payable in any one year on spirits manufactured—

Does not exceed £5,000—security required	...	...	£250
Exceeds £5,000 but does not exceed £10,000—security required	£500		
Exceeds £10,000 but does not exceed £25,000—security required	£1,000		
Exceeds £25,000 but does not exceed £50,000—security required	£2,500		
Exceeds £50,000—security required	...	...	£5,000.”

19. Schedule III. to the Principal Act is repealed.

Repeal of
Schedule III