

Serial Number 1942/251



**THE MANUFACTURE OF LIQUOR EMERGENCY
REGULATIONS 1942**

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 12th day of
August, 1942.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Manufacture of Liquor Emergency Regulations 1942, and shall come into force on the 15th day of August, 1942.

2. (1) In these regulations, unless the context otherwise requires,—
The terms “beer”, “brewer”, and “brewery” have the meanings assigned to those terms respectively in Part III of the Finance Act, 1915 (relating to beer duty) :

“Minister” means the Minister of Customs :

“Original specific gravity”, in relation to any beer, shall be deemed to be the specific gravity of the worts used in the production of that beer :

“Spirits of wine” means any spirit (other than whisky, brandy, gin, or rum) which, if imported into New Zealand, would be classified under Item No. 84 (3) of the Customs Tariff.*

(2) For the purposes of these regulations the specific gravity of worts used in the production of beer shall be ascertained in accordance with the provisions of section 55 of the Finance Act, 1915, and if any dispute arises with respect to the original specific gravity of any beer it shall be determined in the manner in which disputes as to the true original specific gravity of worts used in the manufacture of beer are determinable in accordance with section 56 of the said Act.

3. Except with the consent of the Minister and under such conditions as he may prescribe, no beer of which the original specific gravity exceeds 1,036 shall be brewed by a brewer or delivered, in accordance with section 46 of the Finance Act, 1917, from a brewery.

* Customs Acts Amendment Acts, 1934, First Schedule.

4. Except with the consent of the Minister and under such conditions as he may prescribe, no person shall use spirits of wine in the manufacture for sale of any intoxicating liquor within the meaning of the Licensing Act, 1908 :

Provided that nothing in this clause shall be deemed to prohibit the use of spirits made and used in accordance with the provisions of section 12 of the Distillation Act, 1908.

5. If any officer of Customs has reasonable cause to believe or suspect that any offence against these regulations has been or is about to be committed, he may, in respect thereof, exercise all or any of the powers conferred on him by section 176 of the Customs Act, 1913, in respect of the several matters to which that section relates, and in any such case all the provisions of the said section shall, with any necessary modification, apply as if an offence had been committed in respect of uncustomed goods.

6. (1) Every person who commits an offence against these regulations shall be liable on summary conviction before a Magistrate to a fine of one hundred pounds in the case of an individual, or to a fine of five hundred pounds in the case of a company or other corporation.

(2) In addition to any penalty imposed under the last preceding subclause, the Magistrate before whom any person is convicted of an offence against these regulations may make an order for the forfeiture of all or any of the goods in respect of which the offence has been committed (including the containers of any such goods), and all goods forfeited in accordance with this clause may be seized and shall be disposed of as if they had been forfeited under the Customs Act, 1913.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 13th day of August, 1942.
These regulations are administered in the Customs Department.