

## No. 21 OF 1950.

A LAW TO CONTROL AND REGULATE THE MANUFACTURE  
OF BEER IN THE COLONY.

O. R. ARTHUR,]

[26th September, 1950.

*Governor's Deputy.*

**B**E it enacted by His Excellency the Governor and  
Commander-in-Chief of the Colony of Cyprus as  
follows :—

1. This Law may be cited as the Breweries Law, 1950. Short title.

Interpretation.

2. In this Law, unless the context otherwise requires—

“ beer ” includes ale, porter, stout, black beer and any other description of beer, and any liquor which is made or sold as a description of beer, or as a substitute for beer, and which on analysis of a sample thereof at any time is found to contain more than two per cent of proof spirit ;

“ brewer ” means a person who manufactures beer ;

“ Comptroller ” means the Comptroller of Customs and Excise, and includes any Officer authorized by him to act on his behalf for all or any of the purposes of this Law ;

“ degree of gravity ” shall be taken as equal to the one-thousandth part of the gravity of distilled water at a temperature of 60° by Fahrenheit’s thermometer ;

“ entry ” means a declaration by a brewer of his intention to carry on the trade of a brewer and of the premises, vessels and utensils intended to be used by him in connection with his trade ; and “ entered ” shall be construed accordingly ;

“ gallon ” means an imperial gallon ;

“ licence ” means a licence issued by the Comptroller under this Law ;

“ Officer ” means an officer of Customs and Excise ;

“ original gravity ” in respect of worts means the gravity of such worts before yeast is added thereto ;

“ premises ” means any building or place used by a brewer for the manufacture, storage or sale of beer ;

“ proof spirit ” means ethyl alcohol of such a strength that the specific gravity at a temperature of 60° by Fahrenheit’s thermometer, is .91984.

Brewer’s  
licence  
and fee.

3.—(1) No person shall carry on the business of a brewer unless he holds a licence in the prescribed form issued by the Comptroller and has given security in such manner as may be prescribed for the due performance of his obligations in connection therewith.

(2) There shall be paid in respect of every licence a fee of twenty-five pounds.

(3) Every applicant for a brewer’s licence shall furnish the Comptroller with a certificate from the Commissioner of Labour or such other person or authority as may be

prescribed that the premises for which the licence is required conform with the Law and regulations in force for the time being for the regulation of trades and industries and such premises shall contain accommodation, to the satisfaction of the Comptroller, for such Officer or Officers as the Comptroller may direct.

(4) Any person who, without such licence—

(a) manufactures beer ; or

(b) has in his possession or keeps, or makes use of any vessels, utensils, apparatus or materials in such circumstances as to indicate that they are kept or used for the manufacture of beer,

is guilty of an offence and is liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

4.—(1) A licence shall be personal to the holder and shall be valid only in respect of the premises mentioned therein. Licence to be personal to holder.

(2) A licence shall not be transferable save with the approval of the Comptroller.

5. Every licence shall, unless previously suspended, expire on the thirty-first day of December in the year in which it was issued. Duration of licence.

6. No fee paid in respect of any licence shall be refunded on the ground that the licence has been suspended or revoked. No fee refunded.

7. The holder of a licence shall, at all times, exhibit the licence in a conspicuous place upon the premises and, if he fails so to do, he is guilty of an offence and is liable to a fine not exceeding twenty pounds. Exhibition of licence.

8. The premises shall be maintained at all times in proper repair and condition to the satisfaction of the Comptroller so as to enable the exercise of effective supervision in the interests of Revenue and, if they are not so maintained, the Comptroller may, by notice in writing under his hand, require the licensee to remedy the failure within such period, not being less than ten days, as may be specified in the notice and, if the licensee fails to comply with the requirement, the Comptroller may suspend the licence until the failure is remedied : Premises to be maintained in proper repair and condition.

Provided that the licensee may, within three days from the day of the notification to him of the suspension, appeal to the Governor whose decision thereon shall be final and conclusive :

Provided further that the suspension shall not take effect until after the expiration of three days from the day of its notification as aforesaid and that, where a valid appeal has been made, the suspension shall not have effect unless and until the appeal has been determined and the Governor confirms the suspension.

Securing of doors of premises.

9. The Comptroller may require any of the doors of the premises to be secured by two locks and thereupon such doors shall be so secured ; the key of one lock shall be held by the brewer and the key of the other by an Officer.

Entry and marking of premises and vessels.

10.—(1) Every brewer shall make entry in the prescribed manner of the premises, vessels and utensils intended to be used in his business as a brewer and shall cause them to be marked in such manner, and shall provide such staples and fastenings thereon as may be required and approved by the Comptroller and no alteration of any such premises, vessels or utensils shall be made without the prior approval of the Comptroller.

(2) Any brewer who fails to observe, or acts in contravention of, the provisions of sub-section (1) is guilty of an offence and is liable to a fine not exceeding twenty pounds.

No access to premises save with permission.

11.—(1) Subject to any other Law enabling entry to any premises, no person other than the brewer and his employees shall enter, or have access to, the premises of a brewer, save with the permission of an Officer.

(2) Any person who acts in contravention of sub-section (1), is guilty of an offence and is liable to a fine not exceeding twenty-five pounds.

Imposition of excise duty.

12. Upon and after the enactment of this Law, there shall be levied and paid upon beer manufactured and issued for consumption in the Colony an excise duty at the rate of one shilling on each gallon :

Provided that the Governor may, by Order in Council, increase the said rate of excise duty to an amount not exceeding two shillings in the aggregate, on each gallon.

Time when duty payable.

13. The excise duty as prescribed under this Law shall become payable at the time of manufacture and shall be charged and paid before the beer is removed from the premises, unless removed therefrom for exportation as in this Law provided.

Restriction of quantity in deliveries of beer.

14.—(1) No beer shall be delivered from the premises of a brewer in any less quantity than one dozen pint bottles or, if in containers other than bottles, in any less quantity than three gallons, at any one time.

(2) Any person who acts in contravention of sub-section (1) is guilty of an offence and is liable to a fine not exceeding twenty-five pounds and the Court trying the case may order that any beer in respect of which the offence has been committed shall be forfeited.

15.—(1) If any beer on which excise duty has been charged or paid is destroyed by accidental fire or other unavoidable cause, or has become unfit for consumption while on the entered premises, the Comptroller shall, on proof to his satisfaction of such loss or unfitness, remit or repay the duties charged or paid:

Remission of duty in certain cases.

Provided that if unfit for consumption the beer shall be destroyed in the presence of an Officer.

(2) Where beer which has been removed from the entered premises, whether for consumption or otherwise or which, after delivery to another person, has been returned to the brewer as spoilt or otherwise unfit for consumption, the Comptroller, upon proof to his satisfaction that the beer is so spoilt or unfit for consumption and on the destruction thereof in the presence of an Officer, shall remit or repay the duty:

Provided that no claim for such remission or repayment shall be entertained unless made within three months from the date of the payment of duty or the return of the beer, whichever is the later:

Provided further that no claim shall be admissible for repayment of any less sum than ten shillings in respect of any one consignment of beer returned as spoilt or unfit for consumption.

(3) Any person who, for the purpose of obtaining any remission or repayment of duty under this section, knowingly makes any false statement or false representation is guilty of an offence and is liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine and shall in addition pay any amount remitted or refund any amount paid to him, under the provisions of sub-section (1) or (2).

16.—(1) Any person who desires to export any beer from the Colony shall, before such beer is removed from the premises, give notice thereof to the Comptroller specifying the destination of the consignment and containing such other particulars as may be prescribed and the Comptroller may, whenever he deems it necessary, require the exporter, before any beer is removed from the premises, to give security either by a cash deposit of an amount equivalent to the amount of the excise duty which would be chargeable on such beer or by a bond for

Exportation of beer.