

No. 415.

Hong Kong.

ORDINANCE No. 36 of 1931. (LIQUORS).

In exercise of the powers conferred by the Liquors Ordinance, 1931, as amended by the Liquors Amendment Ordinance, 1932, the Governor in Council makes the under-mentioned rules, approvals and appointments, and regulations in substitution for the rules, approvals and appointments, and regulations made under the repealed Liquors Consolidation Ordinance, 1911, in respect of the same subject matter :—

RULES.

LICENSING BOARD.

*Rules for election of justices of the peace
to serve on the Licensing Board.*

[s. 10.]

1. Elections shall take place at such time and place as shall be previously notified by command of the Governor in the Gazette.

2. The First Magistrate, hereinafter termed the magistrate, shall in accordance with any such notification summon to an election the justices of the peace and shall preside at the election.

3. The name of every candidate shall be nominated in writing by one elector and seconded by another, and the nominations shall be delivered to the magistrate not less than four clear days before the day fixed for the election.

Any candidate may withdraw from his candidature by notice signed by him and delivered at the magistrate's office not less than three clear days before the day fixed for the election and thereupon his nomination shall be void.

4. Should the number of candidates duly nominated and seconded not exceed the number of members to be elected, the magistrate shall make a return to the Governor of the names of the candidates and the names of their nominators and seconders, and the Governor may thereupon declare such candidates duly elected.

Should the number of candidates duly nominated and seconded exceed the number of vacancies to be filled, the following further rules shall be observed.

5. The magistrate or such other person as the Governor may appoint shall preside at the election. The person presiding is hereinafter called the presiding officer.

6. No elector shall give more than one vote in respect of each vacancy.

7. The voting shall be by ballot.

8. The name of every elector voting shall be recorded by the presiding officer.

9. The ballot box shall be opened and the votes counted as soon as practicable after the close of the poll. The candidates or the duly authorised representative of each candidate may be present at the counting of the votes.

10. Candidates, as such, shall not be disqualified from voting.

11. Where an equality of votes is found to exist between any candidates at an election, and the addition of a vote would entitle any of such candidates to be declared elected, the Governor may give such additional vote.

12. As to any matters connected with the order of proceeding not hereby provided for, the presiding officer shall proceed as he thinks fit.

13. The presiding officer shall make a return of the election to the Governor as soon as conveniently may be after the election. The return shall be accompanied, for the Governor's information, by—

- (1) a list of the candidates with the names of their nominators and seconders;
- (2) a list of the voters who have recorded their votes;
- (3) a statement of the number of votes given for each candidate; and
- (4) a statement as to the objections, if any, that may have been taken to the vote of any elector.

14. If satisfied that the foregoing rules have been complied with, the Governor shall declare to be elected the candidates or candidate to whom the majority of votes have been given; but, if not so satisfied, it shall be lawful for him to declare the election invalid and to require a further election.

APPROVALS AND APPOINTMENTS.

GENERAL BONDED WAREHOUSES.

[s. 52.]

The Governor in Council hereby approves and appoints the following premises to be general bonded warehouses for the purpose of storing dutiable liquors, viz:—

The godowns at Kowloon Point, and at West Point and Kennedy Town Praya, the property of the Hong Kong and Kowloon Wharf and Godown Co., Ltd.

The godowns at Kowloon Point known as Holt's Wharf, the property of the Ocean Steamship Co., Ltd.

The godowns at West Point and Kennedy Town Praya, the property of the China Provident Loan & Mortgage Co., Ltd.

The godowns at Nos. 328 to 332 Des Voeux Road West, the property of the China Navigation Co., Ltd.

The Governor in Council hereby approves and appoints to be a warehouse for the storing of the dutiable liquors of Jehangir Hormusjee Ruttonjee (carrying on business under the style of "H. Ruttonjee and Son") with effect from the 1st day of July, 1932, the premises comprising three floors, with an aggregate floor area of 3,600 square feet or thereabouts, situate between No. 15 Queen's Road Central and Exchange Building and bounded upon the east side by and having an entrance upon a lane leading from Queen's Road Central to Des Voeux Road Central.

REGULATIONS.

GENERAL BONDED WAREHOUSES.

[s. 88 (3).]

1. In these regulations, "package" shall include any box, barrel, cask, case, jar, bottle, container, receptacle or other thing in which dutiable liquors are placed for the purpose of carriage, consignment, exportation or storage.

2. In these regulations, "person in charge" shall include the owners of any premises approved and appointed by the Governor in Council to be general bonded warehouses for the purpose of storing dutiable liquors.

3. Every person in charge on receiving a request from the master, owner, or agent of any ship lying within the limits of the harbour as defined by the Interpretation Ordinance, 1911, or by any Ordinance amending the same or substituted therefor, shall forthwith remove from such ship into his general bonded warehouse all such dutiable liquors as such master, owner, or agent may require to be so removed, and shall store such dutiable liquors in his general bonded warehouse to the order of such master, owner, or agent.

4. Any person in charge, on receiving a request from any person holding a permit for the removal of dutiable liquors, which permits the holder to store such dutiable liquors in a general bonded warehouse, shall forthwith store the same in his general bonded warehouse.

No such dutiable liquors shall be received for storage until a permit issued by the Superintendent shall have been produced.

5.—(1) Dutiable liquors may be divided into such classes as the person in charge, with the approval of the Superintendent, may determine, having regard to the rules of the Fire Insurance Association of Hong Kong in so far as such rules are compatible with the regulations for the storage of inflammable liquids made under the Dangerous Goods Ordinance, 1873, or any Ordinance amending the same or substituted therefor.

(2) All dutiable liquors placed on storage shall be stored class by class in a portion of the premises specially set apart

for that purpose by the person in charge, with the approval of the Superintendent.

(3) All dutiable liquors shall be stored in such a manner that easy access may be had to any portion thereof, and in such classes as the Superintendent may appoint subject to the provisions of paragraph (1) of this regulation.

(4) In that portion of the premises specially set apart for the storage of dutiable liquors no other goods shall be stored unless special permission has first been obtained from the Superintendent.

(5) No package of dutiable liquors shall be opened except in the presence of a revenue officer. All deficiencies discovered on examination shall be reported by the person in charge to the Superintendent within twenty four hours.

(6) No empty packages shall be stored in the same place together with dutiable liquors.

(7) Where the contents of a number of packages of any one kind of dutiable liquors in the same consignment are found deficient, full packages shall be made up so far as possible from the deficient packages, and the packages thus becoming empty shall be removed without delay, and the necessary adjustments in the books of account shall be made.

6. Every person in charge shall on demand set apart sufficient space in that part of his premises assigned to the storage of dutiable liquors for the purpose of testing, sampling, breaking down, bottling, blending, mixing, repacking, grading and reconditioning any dutiable liquors in accordance with any regulations in respect thereto.

7. Rates for storing and moving dutiable liquors, or for the use of any space under regulation No. 6 of these regulations shall be approved by the Superintendent.

8. Any person in charge shall, immediately after receiving any dutiable liquors in storage or removing the same, make due entry of such receipt or removal in a special book of a form to be approved by the Superintendent. Such book shall be available for inspection by the Superintendent and any revenue officer, and shall always be kept on the approved premises.

9. Every person in charge shall furnish daily returns to the Superintendent, in a form to be approved by him, of all dutiable liquors received into or removed from the portion of the approved premises specially set apart for the storage of dutiable liquors, and of all operations mentioned in regulation No. 6 of these regulations.

10. Any loss or contraction of dutiable liquors due to natural causes or unavoidable accident, or to leakage, breakage, deterioration, or evaporation or contamination, not due to any negligence or default on the part of the person in charge or his servants, shall be deducted from the stock total of such liquors and no duty shall be charged thereon if such loss is reported to a European revenue officer as soon as it is discovered and is certified by him, after examination, to be a loss as aforesaid.

11. If so required by the Superintendent, the person in charge shall provide office, sanitary and lavatory accommodation, with heating, lighting, cleaning, and furniture, and shall maintain the same to the satisfaction of the Superintendent, free of expense to the Crown or Government of the Colony, for the use of the revenue officers in attendance at such warehouse.

12. The person in charge shall set apart a space clear of all encumbrances and adequately lighted as an examination floor, and shall provide suitable receptacles for holding broken bottles and other debris resulting from examination.

13. The person in charge shall provide, to the satisfaction of the Superintendent, free of charge, a sufficient supply of accurate measures, beams and scales, or weighing machines, and shall maintain the same in a proper state of repair and adjustment.

He shall also provide a suitable cask or vessel capable of holding the whole contents of the largest package of dutiable liquor which may be stored.

14. No alterations or repairs to the approved portion of the premises shall be begun without the sanction of the Superintendent. If the nature of such repairs or alterations necessitates the presence of additional revenue officers for the due protection of the revenue, the person in charge shall pay the usual fees for the attendance of such additional revenue officers as the Superintendent may deem necessary.

15. The portion of any premises set apart for the storage of dutiable liquors shall be legibly marked on the outside, in English and Chinese, in letters and characters at least 3 inches high with the words "Bonded Warehouse", and with the addition of the words "For Liquor".

16. Empty packages of all kinds which it is intended to refill shall be kept apart from those already filled, and all empty packages which are not intended to be refilled shall be removed at once from the warehouse. Casks left empty after an operation and intended to be refilled must be refilled at once or secured under revenue-lock in a place set apart for the purpose.

17. A bond, with one or more sufficient sureties, to secure payment of the duty shall be given by the owner of the approved and appointed premises to the Colonial Treasurer Incorporated in accordance with the following scales:—

When the portion of the premises used for storing dutiable liquors has an area—

(a) not exceeding 12,000 sq. ft.	\$ 30,000
(b) exceeding 12,000 sq. ft. but not exceeding 30,000 sq. ft.	\$ 50,000
(c) exceeding 30,000 sq. ft.	\$100,000

18. Except with the special permission of the Superintendent the portions of the approved premises specially set apart for the storage of dutiable liquors shall only be opened for eight hours per day, that is to say, between the hours of 8.30 a.m. and 4.30 p.m.

19. The entrances to the portions of the premises in use for the storage of dutiable liquors shall have strong doors so constructed that when shut they cannot be lifted off their hinges. The doors shall have proper fastenings for securing them with revenue-locks. All fastenings for locks and hinges shall be so constructed that they cannot easily be removed. The windows shall be of sufficient number and size to ensure reasonably good lighting and ventilation, and shall be suitably secured with stout wire mesh, shutters, and bars.

20. The person in charge shall not permit any samples of dutiable liquors to be drawn, or any packages to be opened for any purpose, except in the presence of a revenue officer.

21. No person not in the employ of the person in charge shall be allowed entrance to any portion of a general bonded warehouse specially set apart for the storage of dutiable liquors, unless accompanied by a revenue officer.

DEFINITIONS.

1. Brandy shall be defined as spirituous liquid distilled from the wine of grapes, and Cognac as brandy made in the Cognac regions from grapes grown therein. Brandy shall contain the proportions of volatile acidity, aldehydes, furfural, ethers, and higher alcohols, as are natural to brandy, and any brandy containing less than 60 grams of ethers calculated as ethyl acetate in 100 litres of the absolute alcohol contained in such brandy shall be deemed to be adulterated, unless satisfactory evidence is forthcoming by certificate from the place of origin of the brandy that such is genuine according to the definition given above. Any liquid sold as brandy shall possess the aroma and flavour natural to brandy.

2. Whisky shall be defined as a spirit obtained by distillation from a mash of cereal grains saccharified by the diastase of malt. Whisky shall contain the proportions of volatile acidity, aldehydes, furfural, ethers, and higher alcohols, as are natural to whisky, and any whisky containing less than a total of 150 grams of such products in 100 litres of the absolute alcohol contained in such whisky shall be deemed to be adulterated, unless satisfactory evidence is forthcoming by certificate from the place of origin of the whisky that such is genuine according to the definition given above. Any liquid sold as whisky shall possess the aroma and flavour natural to whisky.

3. Rum shall be defined as a spirit distilled direct from sugar-cane products in sugar-cane growing countries. Jamaica rum is the liquor as above defined made in Jamaica from cane grown therein. Rum imported from countries not growing sugar-cane shall be described as Imitation Rum, unless evidence is afforded of the production of such rum in a cane-growing country. Rum shall contain the proportions of volatile acidity, aldehydes, furfural, ethers, and higher alcohols, as are natural to rum, and any rum containing less than 100 grams of ethers calculated as ethyl acetate in 100 litres of the absolute alcohol contained in such rum shall be deemed to be adulterated, unless satisfactory evidence is forthcoming by certificate from the place of origin of the rum that such is genuine according to the definition given above. Any liquid sold as rum shall possess the aroma and flavour natural to rum.

4. The method employed for the determination of the higher alcohols in spirits shall be that known as the Allen-Marquardt.

5.—(1) Port shall be defined as the fermented expressed juice of the grape, the produce of the Alto Douro District in the North East of Portugal and shipped from Oporto, and shall conform to the following specification :—

It shall possess the flavour and aroma natural to port. It shall be free from added colouring matter and preservatives other than alcohol and shall contain not less than twelve per cent. of alcohol by weight.

(2) Wine of a port character from other countries or districts may be sold as port provided that it complies with the above specification and the place or origin is clearly marked on the label. Such wine shall pay the same duty as port.

(3) All port from the Alto Douro District must be accompanied by a certificate of origin.

6.—(1) Sherry shall be defined as the fermented expressed juice of the grape, the produce of Jerez (or Xerez) de la Frontera, and shipped from Cadiz, and shall conform to the following specification :—

It shall possess the flavour and aroma natural to sherry. It shall be free from added colouring matter and preservatives other than alcohol and shall contain not less than twelve per cent. of alcohol by weight.

(2) Wine of a sherry character from other countries or districts may be sold as sherry provided that it complies with the above specification and the place of origin is clearly marked on the label.

(3) All sherry from Jerez (or Xerez) de la Frontera must be accompanied by a certificate of origin.

Certificates of Origin.

7. Certificates of origin for brandy, whisky, and rum must contain analytical particulars so that the liquor so certified may be duly recognised.

Chinese Spirit.

8.—(a) Rice spirit, classified according to alcoholic strength as Liu Pun (料半), Sheung Ching (雙蒸), or Sam Ching (三蒸) shall be defined as spirit obtained by the distillation of rice fermented in the Chinese manner and shall contain the proportions of volatile acidity, aldehydes, furfural, ethers, and higher alcohols as are natural to such rice spirit, and shall possess the aroma and flavour natural to rice spirit, and shall not be sold, class for class, at a strength weaker than that given in the schedule hereunder.

obtained by distillation from fermented molasses or raw sugar, strength as To Liu Pun (土料半), To Sheung Ching (土雙蒸), and To Sam Ching (土蒸三) shall be defined as spirit

(b) Molasses spirit, classified according to alcoholic

and shall contain the proportions of volatile acidity, aldehydes, furfural, ethers, and higher alcohols, as are natural to molasses spirit, and shall possess the aroma and flavour natural to molasses spirit, and shall not be sold, class for class, at a strength weaker than that given in the schedule hereunder.

SCHEDULE.

Minimum strength in alcohol measured by weight at which Rice and Molasses spirit shall be sold :—

Liu Pun, not weaker than 18 per cent.

Sheung Ching, not weaker than 22 per cent.

Sam Ching, not weaker than 30 per cent.

IMMATURE SPIRITS REGULATIONS.

1. The definitions of brandy and whisky set forth in the regulations for the time being and from time to time in force under the Liquors Ordinance, 1931, shall apply to these regulations.

2. In these regulations the terms “uncertificated brandy” and “uncertificated whisky” shall include respectively all brandy and whisky hereafter imported into the Colony except such brandy and whisky as shall have been matured in wood for not less than three years.

3. No uncertificated brandy or whisky shall be removed from any ship except into a general bonded warehouse, or to another ship for the purpose of exportation.

4. No uncertificated brandy or whisky shall be removed from any general bonded warehouse, except into another general bonded warehouse, or to a ship for the purpose of exportation.

5. Notwithstanding anything in these regulations it shall be lawful for the Superintendent in his discretion to allow removal for any purpose of such small quantities of uncertificated brandy or whisky as he may think fit, if he is satisfied that such brandy or whisky has been imported by a person for his private consumption.

SHIP'S STORES, EXEMPTED FROM DUTY. J

[s. 88 (8).]

1. Dutiable liquors required for use as ship's stores and removed from a general bonded or licensed warehouse to the ship for the use of which they are required under an export permit in Form No. 3 in the Third Schedule to the Liquors Ordinance, 1931, are hereby exempted from duty. The cases or vessels containing all such liquors shall be clearly and permanently marked on at least three sides in letters not less than three inches long with the words “Ship's Stores” and the name of the ship.

2. The exemption from duty of dutiable liquors required for use as ship's stores and removed from a general bonded or licensed warehouse to the ship for the use of which they are required under an export permit in the prescribed form, which exemption is set forth above, shall only extend and

apply to intoxicating liquors, in such quantities, in each case, as the Superintendent may deem sufficient, and no more, for consumption by the master, officers, crew, and passengers, during the intended voyage of a ship of war or merchant ship, exceeding 40 tons net register, about to leave the waters of the Colony.

SUBSTANCES TO BE USED AND THE QUANTITIES THEREOF FOR
DENATURING SPIRITS.

[s. 88 (9).]

1.—(1) Alcohol and liquid containing alcohol shall be considered to be denatured spirit when coloured, to the satisfaction of the Superintendent, with methyl violet, and when to each 100 gallons has been added not less than one-half gallon of crude pyridine of a quality to be approved by the Superintendent.

(2) Alcohol and liquid containing alcohol shall be considered to be denatured spirit when it contains not less than the same quantity, bulk for bulk, of Chinese vinegar containing not less than two per cent. of acetic acid.

2. If it can be shown on application to the Superintendent that spirit of a special kind is required for any particular industry or purpose, any quantity of alcohol or liquid containing alcohol shall be considered to be denatured spirit when any substance which the Superintendent in his discretion may approve has been added to such quantity, with or without the addition of an aniline dye, as the Superintendent may direct: Provided that the Superintendent, as a condition of his approval, may require an undertaking, to his satisfaction, that the applicant for such approval shall account for the disposal by him of the quantity so to be denatured.

3. A certificate under the hand of a Government Analyst or of such other person as the Governor may from time to time appoint in that behalf, to the effect that alcohol or liquid containing alcohol has been denatured to his satisfaction in accordance with these regulations shall be sufficient proof that regulations Nos. 1 and 2 of these regulations have been complied with.

4. Except with the written permission of the Superintendent, no denaturing shall be done without the presence at the operation of a revenue officer or a Government Analyst or such person as the Governor may from time to time appoint in that behalf; and notice must be given to the Superintendent by the person desiring to denature alcohol or liquid containing alcohol, to facilitate such presence. Samples of the denatured spirit, for the purpose of examination or analysis, may be taken by and shall be supplied free of charge to the revenue officer, Government Analyst or other person as aforesaid present at the operation.

5. When alcohol or liquid containing alcohol is denatured in a general bonded warehouse, the person giving notice under regulations No. 4 of these regulations shall pay to the person in charge of such warehouse for the use of any space in such warehouse used for such operations a fee of \$2 for each 100 gallons or part of 100 gallons denatured

[ss. 36, 37 and 88.]

IMPORT, EXPORT AND LANDING REGULATIONS.

1. In these regulations and in the Schedules thereto, "package" shall include any box, basket, barrel, cask, case, jar, container, receptacle, sack, bag, wrapper or other thing in which dutiable liquor or denatured spirit is placed for the purpose of carriage, consignment, importation, exportation or storage.

Import of water-borne dutiable liquors or denatured spirits.

2. No dutiable liquor or denatured spirit shall be imported by any vessel under 300 tons register tonnage as ascertained in the manner prescribed by the Merchant Shipping Act, 1894. Provided that the Superintendent, in his sole discretion, shall have the power to grant a licence subject to the conditions set forth in Part I of the Schedule to these regulations for the import of such dutiable liquors by approved ships of over 60 tons register tonnage in the case of steam and motor vessels, and over 1,000 piculs capacity in the case of junks, when such ships are employed on a regular route, and after security to his satisfaction shall have been furnished by the intended licensee.

3. All licensed junks which have no special wharf at which to discharge their cargo, shall, if their cargo includes dutiable liquor or denatured spirit, on entering the waters of the Colony, proceed by the most direct course possible to the Victoria junk anchorage as defined in Table S in the Schedule to the Merchant Shipping Ordinance, 1899, and shall remain there until the cargo of dutiable liquor or denatured spirit shall have been completely discharged. As long as any such liquor remains on board no cargo shall be discharged elsewhere.

4. All dutiable liquor imported from the Kwong Tung province and known as Liu Pun (料半), Sheung Ching (雙蒸), Sam Ching (三蒸), To Liu Pun (土料半), To Sheung Ching (土雙蒸), and To Sam Ching (土三蒸), and all liquor of a like nature under whatever name imported, shall, except with the special permission of the Superintendent, be imported in jars containing four gallons, or a unit of four gallons exactly, or in bottles, packed in cases, containing in the aggregate two gallons or units of two gallons exactly.

5. Every package containing intoxicating liquor shall be marked on the outside thereof in plainly legible letters or Chinese characters with the nature of the contents. Furthermore, in the case of Chinese manufactured liquor, every package shall be clearly marked on at least two sides with the character 酒 (Tsau), meaning intoxicating liquor, at least four inches high.

6. No dutiable liquor shall be imported into the Colony on any ship unless such liquor has already been entered in the manifest or in a register of ship's stores, and duly appears therein.

7. No intoxicating liquor of Chinese manufacture shall be imported into the Colony for the purpose of sale, either

within or without the Colony, unless the importer is in possession of an importer's licence, which licence shall be subject to the conditions set forth in Part II of the Schedule to these regulations.

8. The fees set forth in Part III of the said Schedule shall be paid for importer's licences as aforesaid.

Import of dutiable liquors or denatured spirits.

9. The import of dutiable liquors or denatured spirits from China into the Northern District of the New Territories is hereby prohibited unless notice in writing has been given to the nearest Police Station and written authority obtained therefrom to import a named amount on a certain day. Such liquor shall be conveyed direct from the frontier to such Police Station accompanied by the aforesaid authority, and shall there remain until duly examined and passed by a revenue officer, who will collect the duty due thereon, and issue the prescribed removal permit.

This regulation shall not apply to dutiable liquors or denatured spirits carried through such district on and by the Kowloon-Canton Railway, provided that such liquors are not removed from or taken off any train anywhere except at Kowloon Station.

10. No dutiable liquor or denatured spirit shall be imported as above except in closed packages containing not less than four gallons.

11. No person shall remove from Kowloon Station any dutiable liquor without a permit in Form No. 1 in the Third Schedule to the Liquors Ordinance, 1931, in the case of liquor on which duty is to be paid before such removal, and except in accordance with the conditions of such permit, or a permit in Form No. 2 in the said Schedule in the case of liquor to be stored in a general bonded or licensed warehouse, and except in accordance with the conditions in such permit contained.

12. No person shall remove from Kowloon Station any denatured spirit without a permit in Form No. 4 in the Third Schedule to the Liquors Ordinance, 1931, and except in accordance with the conditions in such permit contained.

Export of dutiable liquor or denatured spirit.

13. No person shall remove, for the purpose of export, any dutiable liquor or denatured spirit from any general bonded warehouse except in closed packages containing the same quantity of the same kind of liquor in every package. Every such package shall contain not less than two gallons of the same kind of liquor, and each package in the same consignment shall contain the same amount of liquor. Where two or more packages of liquor are fastened together to form one combined package, the declaration for export shall state clearly how many packages are formed into each combined package, and the ship's export statement shall record the same details.

14. The export of dutiable liquor in vessels of less than 100 tons net register tonnage, or 2,000 piculs capacity in the case of junks, is hereby prohibited, except with the special permission of the Superintendent.

15. No dutiable liquor intended to be exported shall be removed except by such harbour vessels as shall have been specially licensed by the Superintendent for the purpose: Provided that vessels owned by or under the control of the licensee of a general bonded warehouse shall be deemed to be so licensed.

16. Every application for a removal permit for export shall state the number of the licensed harbour vessel or the name of the licensee of the general bonded warehouse by which or by whom the dutiable liquor is to be removed. A removal permit shall be valid only for the licensed vessel mentioned, for the liquor described in such permit, and while such liquor is being removed by the Applicant or his employees.

17. Before any removal permit is granted for the export of any dutiable liquor on which the duty would exceed \$100 the applicant shall either deposit with the Superintendent the amount assessed by him or give other security or enter into a bond, to the satisfaction of the Superintendent, for the production to the Superintendent, within a reasonable time, of a certificate issued by the Authorities at the port of destination certifying that the liquor has been duly landed. A bond or security as aforesaid may be either general or in respect of a particular consignment.

18. Dutiable liquor shall be landed as set out hereunder, and not elsewhere:—

- (a) When the liquor is being landed by the licensee of a General Bonded Warehouse, at the portion of the sea front opposite or nearest to the licensed premises.
- (b) When the liquor is being landed for the purpose of paying duty, at
 - (1) the shed for the examination of liquor on the Praya Wall opposite the Harbour Office; or
 - (2) the Praya opposite the Imports and Exports Office; or
 - (3) the sea-front at Tsin Sha Tsui between the Star Ferry Wharf and the gate of the Kowloon Godowns; or
 - (4) any other convenient place specially appointed by the Superintendent.

Ship's stores.

19. No liquors exempted from duty as ship's stores shall be removed from any ship while in the waters of the Colony.

20. No liquors exempted as aforesaid shall be sold or supplied to any person unless such person is either on the ship's articles or a passenger in the ship.

21. Intoxicating liquor and other spirituous liquors imported on board any ship for the purpose of being consumed or used by the crew or passengers of the ship, and any liquor taken on board as ship's stores, shall, while the ship remains in the waters of the Colony, be kept in a locked place of safety under the custody and control of the master, except only a quantity sufficient for the consumption and use of the officers,

crew and passengers for a period of 24 hours. Such liquors shall be entered in a separate register or stock book, and a copy of the balance in such stock book shall be forwarded to the Superintendent together with the prescribed import statement. The register of ship's stores shall be kept up-to-date and shall be produced to any revenue officer for inspection, on demand.

22. Any revenue officer shall be permitted to inspect and examine any such liquors and to place seals on any package, or place in which they are stored.

No such seal so affixed shall without the permission of a revenue officer be broken or removed whilst the ship is in the waters of the Colony.

23. Before any permit is issued for removal of any dutiable liquor to a ship about to put to sea, for use as ship's stores, the exporter shall enter into a personal bond, in a sum assessed by the Superintendent for the due delivery of the receipt mentioned in section 46 (2) of the Liquors Ordinance, 1931.

24. The receipt of dutiable liquor as ship's stores shall be duly entered in the ship's export statement furnished to the Superintendent under section 48 of the said Ordinance.

25. Every application for the export of dutiable liquor as ship's stores shall be accompanied by a declaration by the master or purser of the ship in the form given hereunder.

Form.

Application for issue of dutiable liquor as ships stores.

I $\frac{\text{Purser}}{\text{Master}}$ of S.S.

hereby declare that

1. This ship is sailing for on
at m.

2. The duration of the voyage is days.

3. The surplus liquor in store is,

<i>Spirit</i>	gals.	<i>Table Wine</i>	gals.
<i>Other Wines</i>	gals.	<i>Beer</i>	gals.
<i>Stout</i>	gals.	<i>Chinese Spirit</i>	gals.

4. The ship's complement is,

officers	{	European
		Asiatic
crew	{	European
		Asiatic

5. The passengers number { European Saloon.....
Asiatic Deck

and apply for the issue of the undermentioned dutiable liquor as ships stores.

Schedule.

Spirit.....gallons. Table Winegallons.
 Beergallons. Stoutgallons.
 Other Wines and Liqueurs.....gallons.
 Chinese Spiritgallons.

Signed.....
Master/Purser.

Dated.....

NOTE:—The maximum scale allowed is—spirit $\frac{1}{4}$ pint, or table wine 1 pint, or beer or stout 1 quart, per person for each day of the voyage, and in addition port, sherry, liqueur $\frac{1}{4}$ pint in all, in respect of officers and saloon passengers.

Ships on regular routes between the Colony and river or coast ports will only be allowed stores once a month.

SCHEDULE.**PART I.**

[Reg. 2.]

**CONDITIONS OF LICENCE TO IMPORT DUTIABLE LIQUOR
 BY SHIPS UNDER 300 TONS.**

1. All intoxicating liquor shall be stowed in a separate portion of the hold or deck, in such a way as to be readily accessible for examination.
2. All relevant regulations prescribed under the Liquors Ordinance, 1931, shall be observed.
3. No intoxicating liquor shall be removed from the ship until the prescribed removal permit, duly issued by the Superintendent, is produced.
4. A complete record shall be kept on board showing the importer's name and address in respect of all liquor imported, together with the quantities. Such record shall be produced, on demand, to any revenue officer.
5. In no case shall more than four gallons of 25 per cent. spirit or its equivalent in higher strength spirit be carried as ship's stores for the use of the crew, while in the Colony.
6. No package containing any dutiable liquor or denatured spirit shall be opened on board the ship except in the presence of a revenue officer, and the master of the ship as well as the person opening such package shall be responsible for any breach of this regulation.
7. The master and crew of the ship shall afford all the assistance that any revenue officer may require in carrying out his duties while on board the ship.

8. The master of the ship shall furnish a complete, true, and accurate statement in writing of all dutiable liquor imported by his ship within four hours of arrival at the ship's place of discharge. The statement to be furnished as aforesaid shall be delivered at the office of the Superintendent except when such office is closed, in which case such master shall deliver the statement or cause it to be delivered to the senior Chinese revenue officer on duty at the office of the Senior Chinese Revenue Officer.

PART II.

[Reg. 7.]

CONDITIONS OF IMPORTER'S LICENCE.

1. Every importer of spirit of Chinese manufacture shall give security in the sum of \$1,000 or furnish two sufficient sureties of \$500 each for the due observance of the provisions of the Liquors Ordinance, 1931, and all regulations made thereunder, and for the due payment of all duty payable on all liquor imported by him.

2. He shall keep a stock-book in a form to be approved by the Superintendent and shall with the utmost promptitude record therein full details of all liquor imported and how it was disposed of, together with the names and addresses of all purchasers of more than ten gallons. The entry in respect of liquor sent out in quantities of more than ten gallons shall be made as soon as the spirit leaves the premises.

3. He shall keep a record of all spirit blended or broken down in a form to be approved by the Superintendent.

4. He shall, on or before the third day of every month, forward to the Superintendent a return giving to within four gallons the amount of stock of each kind in hand at the close of business on the last day of the preceding month, the amounts delivered out, and the balance of stock remaining.

5. He shall not sell as Sheung Ching (雙蒸) any spirit below 22 per cent. of alcohol by weight, nor as Sam Ching (三蒸) any spirit below 30 per cent. of alcohol by weight.

6. He shall produce all his receipts, invoices, copies of original orders for liquor and other documents relating thereto to the Superintendent or any European revenue officer, on demand.

7. He shall, for the purpose of convenience of reference, keep his receipts for duty and duty paid removal permits filed together with the original invoice for the liquor in question.

PART III.

[Reg. 8.]

IMPORTER'S LICENCE FEES.

If held in conjunction with a Chinese Wine and Spirit shop licence	\$100.
If not so held	\$600.

BREAKING DOWN, BLENDING, MIXING AND BOTTLING.

[s. 88 (10)]

1. No barrels, casks, cases, boxes, tins, bottles or other vessels containing dutiable liquors shall be opened and no dutiable liquor shall be diminished, increased, mixed or altered in any way in quantity or quality except in a general bonded warehouse.

2.—(1) Whenever any person desires to open any barrel, cask, box, tin, bottle or other vessel containing dutiable liquors or to diminish, increase, mix, or alter any dutiable liquor in quantity or quality, he shall give notice of such desire during office hours on the working day previous to the day on which he wishes to commence operations, and shall not commence operations, except in the presence of a revenue officer, unless special permission has been previously granted by the Superintendent.

(2) Such notice shall state:—

- (a) the nature of the proposed operation, and the quality of the liquors to be affected.
- (b) the place where such liquors are stored; and
- (c) the time at which operations will commence.

3. All barrels, casks, cases, boxes, tins, bottles, or other vessels intended to be dealt with shall be placed in such a manner as to allow convenient access to the Superintendent or any revenue officer to examine and gauge the same and to examine and watch the operations.

4. The work shall not without the consent of the Superintendent and Warehouse keeper in writing commence before 8.30 a.m. or continue after 4.30 p.m. Provided that when bottling of the contents of any casks has commenced it may be continued until the whole is bottled.

5. The person in charge of a general bonded warehouse shall keep an accurate account of all operations carried out under these regulations.

6. The person giving a notice under regulation No. 2 of these regulations shall pay to the person in charge of a general bonded warehouse a reasonable fee (to be fixed by the Superintendent) for the use of any space in such warehouse used for such operations.

DISTILLERIES.

1. Every applicant for a licence shall give the names of two reputable merchants or land owners, resident in the Colony, as references to his character. This regulation shall not apply to applicants who at the time of application already hold a licence which is about to expire.

2. The grant or renewal of any such licence shall be at the discretion of the Superintendent.

3. Every licensed premises shall be enclosed by walls or fences to the satisfaction of the Superintendent. No licensed premises shall have any entrance or exit except on to a public thoroughfare.

4. Except with the special permission of the Superintendent no other business shall be carried on within the licensed premises.

5. Every distillery shall be provided, within the licensed premises, with one or more buildings or enclosures, designed and constructed to the satisfaction of the Superintendent, in which all material used for distillation shall be fermented and distilled and in which all intoxicating liquor produced shall be stored until the proper duties have been paid or security therefor, to the satisfaction of the Superintendent, has been given.

6. Every distillery and every part thereof shall be lighted in an efficient way so as to facilitate inspection.

7. Every receptacle on the licensed premises which is capable of being used for the conveyance of liquor shall have the Chinese word for spirit and the name of the distillery, in Chinese characters, legibly painted thereon.

8. Every receptacle used for fermenting mash shall be of a standard size, approved by the Superintendent, and shall have the normal charge plainly marked thereon in Arabic or Chinese numbers. Each receptacle shall be plainly marked to the satisfaction of the Superintendent with serial numbers in Arabic or Chinese numerals. The same weight of fermentable material shall always be filled into each and such weight shall be the normal charge.

9.—(1) Except with the special permission of the Superintendent on valid reason being shown to his satisfaction on each occasion, all material put on to ferment on the licensed premises shall be distilled as soon as fermentation is complete, but in any event within the period of time set out in the following schedule,—

Schedule.

Period of the year.	Material to be fermented.		
	Molasses.	Rice.	
		Using Square Cake, Yeast, or Baker's Yeast.	Using Ball Yeast.
From April 15th to October 31st.	72 hours.	18 days.	7 days.
November 1st to April 14th.	96 hours.	21 days.	10 days.

Such periods shall commence to run,—

- (a) in the case of molasses from the time the first portion of molasses is mixed with rice tailings or other ferment; and
- (b) in the case of rice from noon on the day on which the steamed rice is mixed with yeast.

(2) No methods of accelerating the fermentation shall be employed without first obtaining the consent of the Superintendent.

(3) In the case of rice the licensee shall declare to the Superintendent the type of yeast he proposes to employ, and make an entry to the like effect in his register of mash prescribed under regulation 21.

(4) Any change from one type of yeast to another shall be reported to the Superintendent by the licensee at once.

10. The licensed premises and all receptacles and utensils used or intended for use therein shall be maintained at all times in a clean and sanitary condition. No person shall be allowed within the distillery who is suffering from infectious or skin disease.

11. Precautions against fire within the licensed premises shall be taken to the satisfaction of the Superintendent or of an officer duly authorised by him in that behalf.

12. Every licensee shall furnish the Superintendent with a clear and accurate copy of the licensee's photograph, and shall sign the register of licensees. If the person in charge of the distillery is other than the licensee, the photograph of the person appointed to have charge of the distillery shall be kept exhibited in the office of the distillery.

13. Every licensee who leaves the Colony for more than one day shall appoint a responsible person, approved by the Superintendent, to act for the licensee; and such person shall attend at the office of the Superintendent and sign an agreement undertaking all the responsibilities of the licensee during the period of such appointment to act. No undertaking as aforesaid shall relieve the licensee from liability in respect of his licence.

14. No person other than a person employed in the distillery and whose name is duly entered in the licensee's books as required by regulation 21 shall be permitted entrance to the licensed premises other than the office.

15. Every still in use shall be of a type approved by the Superintendent, and so constructed and arranged, to his satisfaction, that all the spirit produced must pass direct from the still into a locked spirit receiver or spirit store through sealed pipes.

The key of such receiver or store shall be kept in the custody of the Inspecting Revenue Officer, and no access shall be had thereto except in his presence.

16. Every receptacle used for storing spirit shall be of a standard size, approved by the Superintendent, and shall be provided with an accurate gauge, clearly visible, so that the quantity of spirit in the receptacle can be ascertained at a glance. All receptacles shall have the maximum capacity in gallons, as ascertained by a revenue officer, painted thereon in English and Chinese. The spirit store shall be adequately ventilated and all receptacles containing spirit shall be kept securely covered to prevent the evaporation of the spirit contained therein.

17. The spirit store shall be provided with a table and chair for the accommodation of revenue officers visiting the premises for the purpose of inspection and shall be provided with a complete set of weights and measures to the satisfaction of the Superintendent; no other weights or measures shall be used in connexion with the store, and when not being so used such weights and measures shall be kept securely locked up within the spirit store.

18. No spirit shall be received into the stock of spirit of a licensee other than spirit distilled in his licensed premises; and the spirit so distilled shall be conveyed direct from the still or spirit receiver to the spirit store. No spirit once removed from the store shall be brought back again. No fermented material shall be removed from the premises before the removal of all alcohol by distillation.

19. No spirit shall be removed from the spirit store or from the spirit receiver unless it shall have been inspected and tested by the Inspecting Revenue Officer.

Duty shall be payable on all spirit removed from the spirit store or spirit receiver, unless in the case of removal from the spirit receiver the spirit is removed at once to the spirit store, and payment shall be made forthwith unless security therefor shall have been furnished to the satisfaction of the Superintendent.

20. Before disposing of any dutiable liquor for any purpose other than sale as intoxicating liquor for export or for local consumption the licensee shall inform the Superintendent thereof.

21. Every licensee shall keep books and shall correctly and with the utmost promptitude enter or cause to be entered therein,—

- (a) the manner in which such liquor is disposed of, together with the serial numbers of the duty paid labels affixed to the receptacles sent out to each customer;
- (b) the amount of all grain, molasses or other fermentable material received on the premises, and the weight of all such material of each kind issued for making mash, and the serial numbers of the receptacles into which such fermentable material has been placed, with the appropriate date;
- (c) the serial numbers of the duty paid labels in stock and the manner of disposal; and
- (d) the names of all persons employed by him whose duties necessitate their presence in the distillery, with particulars of termination of, absence from and return to employment.

22. Every licensee shall not later than noon on each Monday furnish to the Superintendent a return, in a form to be obtained from and supplied by the Superintendent, showing the amount of spirit at the distillery, other than spirit in the locked spirit store or spirit receiver, the amount passed out during the previous week and how it has been disposed of, the amount of fermentable material received on the premises during such

week and the amount of material set on to ferment during the same period, as recorded in the books kept in accordance with regulation 21 (b).

23. No spirit shall be broken down blended or denatured except at such times and under such conditions as the Superintendent shall direct.

24. Every licensee shall permit the Superintendent or any officer duly authorised by him, at all times, both day and night, to enter and inspect the licensed premises, and any other premises used or reasonably suspected of being put to use for or in connexion with the business of the licensee, and further shall permit him and them to draw samples, free of charge, for analysis, of any spirit or any material used or capable of being used in the preparation thereof and found therein.

25. The Superintendent and every officer lawfully visiting or entering any premises for the purpose of inspection shall have access to all parts thereof at all times, both day and night, and the Superintendent and every such officer shall be at liberty to make such examination as he or they may see fit. Every employee of a licensee shall afford the Superintendent and every such officer all the assistance he or they may require and shall obey any instructions given by him of them with a view to facilitate his or their work and to protect the revenue and to insure the due observance of these regulations. The Superintendent and every such officer shall have access to all books of account in current use in the licensed premises, and shall be at liberty to take or demand extracts therefrom. Furthermore the licensee shall comply with any written instructions issued to him by the Superintendent, for the protection of the revenue and the due carrying out of these regulations, and of the Liquors Consolidation Ordinance, 1931.

26. Before any receptacle containing spirit leaves the premises the licensee shall affix or cause to be affixed thereon a green duty paid label, to the satisfaction of the Superintendent or some officer duly authorised by him in that behalf. The stock of duty paid labels shall be used in numerical order.

27. Every licensee shall keep a special book of foils and counterfoils, numbered consecutively, in a form approved by the Superintendent, and upon the issue of any intoxicating liquor from the distillery shall fill in upon a foil and counterfoil a description of the liquor issued, giving its quality, quantity and price, and the name of the person or firm to whom such liquor is delivered and shall sign the foil and deliver it to the person receiving the liquor. No liquor shall be issued from any licensed premises between the hours of 6 p.m. and 5 a.m.

DRAWBACK.

On every gallon of the following spiritous liquors, namely, perfumed spirits, medicated spirits and toilet preparations containing spirit made or prepared by any manufacturer approved by the Superintendent, there shall be paid after export a drawback in proportion to the amount of duty paid spirit which shall be found on analysis by the Monopoly Analyst to be contained therein, subject to the following conditions:—

1. No drawback shall be allowed except to a manufacturer approved by the Superintendent.

No drawback shall be allowed on quantities less than one gallon.

3. Every package containing such spirit shall be plainly labelled "exported on drawback".

4. No drawback shall be allowed unless the manufacturer:—

- (a) gives 24 hours notice in writing of the date and time at which he proposes to commence packing; and all such packing shall take place in the presence of a Revenue Officer, to whom the manufacturer shall deliver an Export on Drawback permit, in triplicate, containing full particulars of the shipment, and the gross weight of each package or case.
- (b) provides proper scales weights and measures to enable the Revenue Officer to check the weight of packages samples etc.
- (c) closes and secures all packages with tape or wire and seals the same to the satisfaction of the Superintendent. The packages when so sealed closed and secured as aforesaid shall have complete shipping marks on them for the purpose of future identification including a serial mark. They shall also have permanently marked on them by stencil or otherwise, on at least three sides, the words EXPORTED ON DRAWBACK in letters not less than three inches high.

5. The aforementioned export permit after being checked and signed by the Revenue Officer shall be returned to the manufacturer, who shall be responsible for its return to the Superintendent, duly signed by a responsible officer of the exporting ship certifying that the spirits have been received on board.

6.—(a) No drawback shall be payable on any such spirits which shall not have been manufactured or prepared with spirit on which the full duty shall have been paid.

(b) No drawback shall be payable unless the claim is made within three working days of the date mentioned in the export permit as the day of shipment or when the ship left the port.

(c) No drawback shall be payable on any such spirits where the amount of each separate and distinct preparation is less than one gallon.

(d) No drawback shall be payable on any such spirits where the amount of alcohol contained therein shall be found to be less than five per cent. by weight.

7. No drawback shall be allowed, on any such spirits, which shall **not have been** wholly prepared or compounded on the approved premises of the manufacturer submitting the claim.

8. No drawback shall be allowed, unless with the special permission of the Superintendent, on any such spirits except in accordance with a certificate of the Monopoly Analyst, which certificate shall be final and conclusive evidence of the facts stated therein to have been obtained from the examination of such spirits or samples thereof.

The inspecting Revenue Officer shall be entitled to draw such samples free of charge for submission to the Analyst.

9. Drawbacks under these regulations shall be paid at the rate for conventional dollars fixed by the Colonial Treasurer and applicable to the month in which the duty was paid on the spirit used in compounding.

R. A. C. NORTH,
Clerk of Councils.

COUNCIL CHAMBER,
8th June, 1933.

NOTES.

(1). Duties—The duties assessed by the Legislative Council or otherwise lawfully fixed and imposed in respect of intoxicating or spirituous liquors are not affected by the above rules, approvals and appointments, and regulations.

(2). Appointments—The appointments of officers to exercise duties **in connexion** with the issue of Chinese liquor shop licences in portions of the New Territories, set forth in G.N. 164 of 1932 published in the Gazette of the 18th March, 1932, remain effective.

(3). Regulations—The regulations now in force in addition to the regulations set forth above and now published are,—

(a) The regulations relating to the receipt of alcohol, without payment of duty, by educational, scientific or charitable institutions, set forth in G.N. 403 of 1932 published in the Gazette of the 24th June, 1932.

(b) Bonded Warehouses (Liquors) regulations, set forth in G.N. 474 of 1932 published in the Gazette of the 22nd July, 1932.

(c) The Brewery Regulations, set forth in G.N. 509 of 1932 published in the Gazette of 5th August, 1932.

(4). All the matter on pages 438-464 of the Regulations of Hong Kong 1844-1925, is deleted.

(5). Alteration to the First Schedule to the Ordinance—Form No. 9A, Chinese Restaurant Licence in the Northern and Southern Districts of New Territories, other than New Kowloon, and conditions of such licence, set forth in G.N. 569 of 1932 published in the Gazette of the 9th September, 1932, remain in force.

(6). Alterations to the Second Schedule of the Ordinance—The alteration relating to Chinese restaurant licences when the premises occupied are situated in the New Territories, other than New Kowloon, set forth in G.N. 163 of 1932 published in the Gazette of the 18th March, 1932, remains in force.