

CHAPTER 390

THE POTABLE SPIRITS (COMPOUNDING) ACT

[PRINCIPAL LEGISLATION]

ARRANGEMENT OF SECTIONS

Section	Title
1.	Short title.
2.	Interpretation.
3.	Appointment of licensing officers.
4.	Offence to compound spirits without a licence.
5.	Issue of licences.
6.	Regulations.

CHAPTER 390

THE POTABLE SPIRITS (COMPOUNDING) ACT

An Act to control the compounding of potable spirits.

[27th December, 1963]

Acts Nos.

57 of 1963

58 of 1964

[R.L. Cap. 539]

[PCh390s1]1. Short title

This Act may be cited as the Potable Spirits (Compounding) Act.

[PCh390s2]2. Interpretation

In this Act, unless the context requires otherwise—

"denatured spirits" means spirits mixed with any substance so as to render the mixture unfit, and incapable of being readily converted so as to be fit for human consumption as a beverage;

"licensing officer" means a person appointed under section 3 to be a licensing officer for the purposes of this Act;

"Minister" means the Minister responsible for finance;

"spirits" means spirits of any description and includes all mixtures, compounds or preparations made with spirits, but does not include any denatured spirits;

"to compound spirits" means to communicate any flavour to, or to mix any ingredient or material with, spirits, but not so as to denature the spirits.

[PCh390s3]3. Appointment of licensing officers

(1) The Minister may appoint any person to be a licensing officer and a collector of revenue for purposes of this Act either for the whole or any part of Tanzania.

(2) Every appointment made under subsection (1) shall be notified in the Gazette.

[PCh390s4]4. Offence to compound spirits without a licence

Any person who, for profit or sale, compounds spirits otherwise than under and in accordance with a licence issued under section 5, shall be guilty of an offence and liable on conviction to a fine not exceeding ten thousand shillings or to imprisonment for a period not exceeding twelve months or to both the fine and imprisonment:

Provided that nothing in this section shall apply to the bona fide compounding of spirits—

(a) upon any premises licensed under the Intoxicating Liquors Act *, by the licensee, for the lawful sale thereof for consumption on those premises;

(b) in any canteen, club, institute, mess or similar institution not conducted by a private individual for personal profit, for the lawful sale thereof to the members only of such canteen, club, institute, mess or similar institution, for consumption therein;

(c) in any vessel in territorial waters, or in any aircraft, for the lawful sale thereof to any passenger on or officer or member of the crew of such vessel or aircraft, for consumption therein;

(d) in the course of the lawful preparation or administration of medicine by a medical practitioner registered or licensed under the Medical Practitioners and Dentists Act *, a Veterinary Surgeon registered or licensed under the Veterinary Surgeons Act *, or a Pharmacist registered under the Pharmaceuticals and Poisons Act *;

(e) authorised under the Customs (Management and Tariff) Act *; or

(f) in any circumstances or in any particular case or for any purpose where an exemption from the provisions of this section has been granted in writing by a licensing officer.

[PCh390s5]5. Issue of licences

Upon application being made to him in that behalf, a licensing officer may in his discretion issue a licence to compound spirits on such terms and subject to such conditions, including the specification of formulae, as he may think fit.

[PCh390s6]6. Regulations

The Minister may make regulations—

(a) prescribing the form of licences issued under this Act and the fees to be paid therefor and providing for the duration and cancellation thereof; and

(b) generally for the better carrying out of the provisions of this Act.

