

LAWS OF GUYANA

INTOXICATING LIQUOR LICENSING ACT

CHAPTER 82:21

Act

1 of 1929

Amended by

3	of	1930	15	of	1954	O.4/1974
24	of	1932	12	of	1964	
31	of	1937	4	of	1972	
22	of	1944	20	of	1973	
26	of	1944	4	of	1974	
15	of	1948	5	of	1982	
35	of	1950	3	of	1984	
47	of	1951	17	of	1985	
30	of	1952	19	of	1990	
31	of	1952	21	of	1992	
60	of	1952	24	of	1992	
66	of	1952	22	of	2010	

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This Act was extended to the Exclusive Economic Zone by the Exclusive Economic Zone (Extension of Enactments) Order (O. 8/1992)

**Note
on
Repeal**

This Act repealed the Wine, etc., Licences Ordinance (8 of 1868) and the coconut Rum Ordinance (9 of 1868).

CHAPTER 82:21

INTOXICATING LIQUOR LICENSING ACT

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CHAPTER 82:21
INTOXICATING LIQUOR LICENSING ACT

1 of 1929

An Act to make provision for the granting of licences for the sale of intoxicating liquor and for the regulation of such sale and the control of licensed premises.

[26TH JANUARY, 1929]

Short title.

1. This Act may be cited as the Intoxicating Liquor Licensing Act.

Interpretation.

[30 of 1932
66 of 1952
20 of 1973
24 of 1992
13 of 1996]

2. (1) In this Act—

“alcohol” means ethyl alcohol;

“board” means a district licensing board established in pursuance of this Act;

“business premises” includes any room or place used for storing goods whether or not adjoining or adjacent to a store or shop;

“by wholesale”, when used with reference to rum, means in quantities of two hundred and four litres and upwards if disposed of for consumption within Guyana, and of ninety litres and upwards if disposed of for exportation, and when used with reference to other spirituous liquor means in quantities of one hundred and eighty-one litres and upwards;

“Commissioner” means the Commissioner-General of the Revenue Authority appointed under the Revenue Authority Act and includes—

c. 79:04

(a) any officer of the Revenue

Authority acting in the performance of his duties;

c. 65:01

- (b) any mines officer within the meaning of the Mining Act, authorised in writing by the Commissioner to perform any of the functions conferred on the Commissioner by this Act; and
- (c) any district commissioner authorised in writing by the Commissioner to perform any of the functions conferred on the Commissioner by this Act;

“constable” means any member of the police force;

“district” means the district established under the District Government Act wherein are situate the premises sought to be licensed;

c. 82:01

“Government warehouse” has the meaning assigned to it in the Customs Act;

“intoxicating liquor” means any liquor the sale of which is regulated by this Act;

“litre” means the litre as defined by any written law;

“malt liquor” does not include any liquor containing more than eleven decimal four percent or less than one decimal four percent of alcohol;

“party” means anyone who has applied for a renewal or transfer of a licence or who has opposed an application therefor;

“permitted hours” and “permitted days” mean the hours and days specified in a licence as the period for selling intoxicating liquor under that licence;

“Registrar” means the Registrar of Deeds;

c. 82:23

“rum” includes any liquor whatsoever of which rum forms a component part, other than bitters, cordials, liqueurs, or similar compounds which the Commissioner is satisfied were manufactured by a compounder from rum distilled in Guyana under the Bitters and Cordials Act;

“sale” includes barter and any disposal for valuable consideration;

“spirit shop” means a retail spirit shop;

“spirituous liquor” includes all liquor other than wine containing more than eleven decimal four percent of alcohol, and includes rum but does not include coconut rum or coconut toddy;

“strength”, in relation to any liquor, means its alcohol strength computed in accordance with this section and the ratio referred to in subsection (2)(c) being expressed as a percentage;

“tavern” means premises licensed for the sale of intoxicating liquor under a railway station or stelling liquor licence;

“transferee” means a person to whom it is sought to transfer a licence;

“wine” does not include any liquor containing more than twenty-four percent or less than two decimal three percent of alcohol.

(2) For the purposes of this Act—

- (a) except where some other measure of quantity is specified, any computation of the quantity of any liquor shall be made in terms of the volume of the liquor or alcohol as the case may be;
- (b) any computation of the volume of any liquor or of the alcohol contained in any liquor shall be made in litres as at 20° Celsius; and
- (c) the alcoholic strength of any liquor shall be the ratio of the volume of the alcohol contained in the liquor to the volume of the liquor (inclusive of the alcohol contained therein).

CLASSIFICATION OF LICENCES FOR THE SALE OF INTOXICATING LIQUOR

Classification of
licences.
[22 of 1944
30 of 1952
60 of 1952
20 of 1973
24 of 1992]

3. Licences authorising the sale of intoxicating liquor under this Act shall be classified as follows:

Off-licence.

- (a) an off-licence, which shall be classified as follows—
 - (i) a first class licence which shall authorise the holder thereof in the City of Georgetown or the town of New Amsterdam or within one mile of the boundaries of such city or town to store in bulk, mix and blend spirituous liquor in the licensed premises and to sell therein

spirituous liquor, wine or malt liquor not to be consumed on the premises, and to import and sell spirits in bond;

- (ii) a second class licence which shall authorise the holder thereof within the limits specified in subparagraph (i), to keep and sell on the licensed premises spirituous liquor, wine or malt liquor, not to be consumed on the premises, but not to store in bulk, mix or blend such spirituous liquor; and
- (iii) a third class licence which shall authorise the holder thereof within the limits specified in subparagraph (i), to sell in the licensed premises malt liquor and wine, or the liquor known as Falernum if it has been manufactured locally, not to be consumed on the premises:

Provided that the Minister may, by order, extend the areas specified in this paragraph or define other areas in respect of which first class or second class off-licences may be issued under this Act;

Hotel licence.

- (b) an hotel licence, which shall authorise the sale of malt liquor, wine, and spirituous liquor, to be consumed on the licensed premises. Such licence may be a first class licence or a second

class licence:

Provided that no hotel licence shall be issued in respect of any premises in Georgetown unless such premises contain ten bedrooms for the accommodation of guests, and, if situate elsewhere, at least four;

Railway station
or stelling
liquor licence.

- (c) a railway station or stelling liquor licence, which shall authorise the sale at any station or stelling of the Transport and Harbours Department of wine, malt liquor, and spirituous liquor, to be consumed on the licensed premises;

Spirit shop
licence.

- (d) a spirit shop licence, which shall authorise the sale in the licensed shop in any quantities of wine, malt liquor, and spirituous liquor except rum, whether to be consumed on the premises or not, and shall authorise the sale of rum therein, whether to be consumed on the premises or not, in quantities not exceeding two litres at any one time to any one person, or on the order of any one person except as otherwise provided by this Act;

Restaurant
liquor licence.

- (e) a restaurant liquor licence, which shall authorise the sale of spirituous liquor, malt liquor and wine to be consumed with a meal on the licensed premises:

Provided that the consumption of intoxicating liquor on the licensed

premises shall cease at the hour of half past ten of the clock in the evening on Mondays to Fridays (inclusive) and on Sundays and at the hour of eleven of the clock in the evening on Saturdays;

Passenger steamer liquor and tobacco licence.

- (f) a passenger steamer liquor and tobacco licence which shall authorise the sale on board any passenger steamer while such steamer is on a voyage to or from any place, but not at other times of spirituous liquor, wine and malt liquor to be consumed thereon and tobacco;

Occasional liquor and tobacco licence.

- (g) an occasional liquor and tobacco licence which shall authorise the sale for consumption on any premises stated in the licence of wine, spirituous liquor, malt liquor and tobacco for such period as is stated in the licence not exceeding twelve consecutive hours. This licence shall not be issued to the holder of any other licence for the sale of intoxicating liquor;

Malt liquor and wine licence.

- (h) a malt liquor and wine licence, which shall authorise the sale in any licensed store, shop, floating shop, room, shed, stall or yard, of malt liquor and wine, or the liquor known by the name of Falernum, if it has been manufactured in Guyana and does not contain more than fourteen decimal three percent of alcohol, whether to be consumed on the

premises or not;

Restaurant or
parlour liquor
licence.

- (i) a restaurant or parlour malt liquor and wine licence which shall authorise the sale of malt liquor and wine (including the liquor known as Falernum) to be consumed with a meal on the licensed premises:

Provided that the consumption of such malt liquor or wine on the licensed premises shall cease at the hour of half past ten of the clock in the evening on Mondays to Fridays (inclusive) and on Sundays and at the hour of eleven of the clock in the evening on Saturdays;

Coconut rum
or toddy
licence.

- (j) a coconut rum or coconut toddy licence, which shall authorise the sale of coconut rum or coconut toddy;

Members' club
liquor licence.
[20 of 1973]

- (k) a members' club liquor licence which shall authorise the supply of spirituous liquor, malt liquor and wine to members, visitors and guests to be consumed on the licensed premises.

Certificate
required for
hotel,
restaurant
liquor,
members' club
liquor, railway
station or
stalling liquor,
or spirit shop
licence.
[30 of 1952]

4. Subject to the provisions of this Act, a licence for a hotel, restaurant, members' club, tavern or spirit shop, shall be issued to that person only who holds a certificate granted by a board under section 20.

20 of 1973]

LICENSING DISTRICTS AND BOARDS

Licensing districts.
[30 of 1952
20 of 1973]

5. For the purpose of the consideration and disposal of applications for licences in respect of hotels, restaurants, members' clubs, taverns, or spirit shops, there shall be three licensing districts, consisting of the counties of Demerara, Berbice and Essequibo respectively:

Provided that—

- (a) the Minister may if he thinks it expedient increase or reduce the number of licensing districts and vary the limits accordingly; and
- (b) in each of the districts there shall be a board composed of three magistrates, one of whom if not disqualified shall be magistrate of a magisterial district which is in whole or in part within the licensing district.

Establishment of district licensing boards.
[30 of 1952
60 of 1952
20 of 1973]

6. (1) There shall be established in each licensing district a district licensing board, which shall have power to hear and determine in the manner hereinafter provided all applications for hotel, restaurant liquor, members club liquor, railway station or stelling liquor, or spirit shop, licences for premises situate within its district.

Demerara district licensing board.

(2) The board for the county of Demerara shall consist of three magistrates to be appointed by the Minister and shall sit in Georgetown or at any other places it appoints.

Berbice district licensing board.

(3) The board for the county of Berbice shall consist of three magistrates to be appointed by the Minister and shall sit in New Amsterdam or at any other places it appoints.

Essequibo
district
licensing
Board.

(4) The board for the county of Essequibo shall consist of three magistrates to be appointed by the Minister and shall sit at Vergenoegen, or Suddie, or any other place it appoints.

(5) In the event of a member of a board being disqualified or absent or unable to act the Minister may appoint another magistrate to be a member of the board for a specific occasion, a limited time, or generally.

(6) Appointments to boards made by the Minister under this section shall be for any period he thinks fit and may be revoked at any time.

(7) The Minister may appoint a member of a board to be chairman, and in the absence of an appointment the member who has been a magistrate for the longest period shall be chairman.

Majority of
members may
exercise power
of board.

7. Where under this Act any power may be exercised or any duty is to be performed by a board in the event of a difference of opinion among the members of the board, that power may be exercised and that duty may be performed by a majority of the members of the board.

Disqualifica-
tion of
magistrate in
certain cases.
[19 of 1990]

8. (1) A magistrate shall be disqualified from being a member of a board in any proceedings before the board where the magistrate is —

- (a) the spouse, or by blood or marriage the parent, son or daughter, or brother or sister of the applicant or transferee; or
- (b) the owner, or the spouse, parent, son or daughter, or brother or sister of the owner —

- (i) of any building which is the subject of an application for a licence or a transfer; or
- (ii) of any land on which there is any such building.

(2) No act done by any member of a board disqualified by this section shall be invalid by reason only of that disqualification.

(3) Any magistrate who knowingly acts as a member of a board in any proceeding in which he is declared by this Act to be disqualified, shall be liable in respect of each offence to a fine of seven hundred and fifty dollars, to be recovered by action in the High Court.

9. The Commissioner shall act as clerk to the board and perform the duties directed by the board.

Clerk of district licensing board.
[30 of 1952
66 of 1952]

GENERAL LICENSING MEETINGS

10. (1) Each board shall hold four sessions (to be called the general licensing meetings) in each year, at such times and at such places as the chairman of the board may determine, for the purpose of dealing with applications for the issue or transfer of licences for hotels, restaurants, members' clubs, taverns or spirit shops, and applications for the renewal of licences for hotels, restaurants, members' clubs, taverns or spirit shops shall be dealt with by the board at the last general licensing meeting in each year.

Number of meetings, dates and notice thereof.
[30 of 1952
66 of 1952
20 of 1973]

(2) The meetings of the board shall be held not later than the 31st March, the 30th June, the 30th September, and the 31st December in each year.

(3) At the last general licensing meeting each year the chairman of the board shall fix the dates and times of the meetings to be held the following year and the places where such meetings shall be held, and shall inform the Commissioner accordingly.

(4) The Commissioner shall at least sixty days before a meeting cause to be published simultaneously in the *Gazette* and in one daily newspaper circulating in Guyana on at least two consecutive Saturdays a notice stating the day, hour and place at which the meeting is to be held, and shall cause to be published in a like manner at least fourteen days before the meeting the names and addresses of all applicants for the grant of new licences and the situation of the premises in respect of which each application is made.

Powers of
board thereat.
[30 of 1952
15 of 1954]

11. (1) Subject to this Act a board may at its general licensing meeting grant certificates for the issue and the renewal of licences board to any persons whom, in the execution of its powers under this Act and in the exercise of its discretion, it deems fit and proper.

(2) Any member of the board on the direction of the chairman may adjourn the meeting from time to time for any day, hour and place within the licensing district it thinks fit.

(3) Every adjourned meeting shall be deemed to be a continuation of the general licensing meeting.

(4) Where an applicant for a licence has, in the opinion of the board through inadvertence or misadventure, failed to comply with any requirements of this Act preliminary to an application the board may, if it thinks fit, and upon the terms it thinks proper, postpone the consideration of the application to a meeting to be held on a later date, and if at that meeting the board is satisfied that

any terms imposed by it have been fulfilled may consider the application as if the preliminary requirements of this Act had been properly observed.

(5) A meeting held for the consideration of an application so postponed may be held if necessary after the date on which an adjourned general licensing meeting may be held and the powers of the board may be exercised at that meeting in the same manner as at an adjourned general licensing meeting.

Grounds on which licence may be refused.
[30 of 1952
20 of 1973
O. 4/1974]

12. (1) An application for a certificate for an hotel, restaurant liquor, members' club liquor, railway station or stelling liquor, or spirit shop licence under this Act may be refused on any one or other of the grounds following:

- (a) in case of premises not already licensed, that—
 - (i) they are unfit for the purpose of the licence for which application is made;
 - (ii) the applicant is a person of bad character;
 - (iii) the applicant, having been within the preceding five years the holder of an hotel, restaurant liquor, members' club liquor, railway station or stelling liquor, or spirit shop licence in any part of Guyana, has allowed his licensed premises to become a nuisance to the neighbourhood;
 - (iv) the premises for which the application is made are so situate that they cannot be kept under effective police control or

-
- are likely to be a nuisance to the neighbourhood;
- (v) the applicant has neglected to comply with this Act in making his application;
 - (vi) the applicant has not attained the age of eighteen years;
 - (vii) there is a sufficient number of premises already licensed to meet the needs of the neighbourhood;
- (b) in the case of premises already licensed that—
- (i) the applicant has neglected to comply with this Act in making his application;
 - (ii) the premises have within the preceding twelve months been so conducted as to be a nuisance in the neighbourhood;
- (c) in the event of the applicant not being then the holder of a licence that—
- (i) he is a person of bad character;
 - (ii) he has not attained the age of eighteen years;
 - (iii) having within the preceding five years been the holder of a licence in any part of Guyana, he has allowed his licensed premises to become a nuisance to the neighbourhood.

(2) In addition to the grounds mentioned in

subsection (l) an application for a certificate for a members' club may be refused on the following grounds—

- (a) that the club has ceased to exist, or that the number of members is less than twenty-five;
- (b) that it is not conducted in good faith as a members' club or that it is kept or habitually used for any unlawful purpose;
- (c) that there is frequent drunkenness on the club premises;
- (d) that illegal sales of intoxicating liquor have taken place on the club premises;
- (e) that persons who are not members are habitually admitted to the club merely for the purpose of obtaining intoxicating liquor;
- (f) that the club occupies premises in respect of which, within twelve months next preceding the formation of the club, a licence under this Act has been forfeited or the renewal of a licence has been refused;
- (g) that persons are habitually admitted as members contrary to the provisions in that behalf contained in the rules of the club; or
- (h) that the supply of intoxicating liquor to the club is not under the control of the members or the committee

appointed by the members.

(3) For the purpose of determining whether a club is conducted in good faith as a club, the board shall have regard to the nature of the premises occupied by the club.

(4) No premises shall be deemed to be fit for the purposes of a tavern or a spirit shop which contain any dwelling or living room having an internal communication with that part of the premises wherein intoxicating liquor is sold, and that part of the building shall be separated from the rest by a partition built up to the roof.

(5) In addition to the grounds above set forth any application for the grant of a certificate for the issue or the renewal of a licence may be refused by a board for any other reason, based on the character or history of the applicant or the condition, circumstances, or locality of the premises, which the board in its discretion considers sufficient in the interest of the good order of the community; provided notice has been given to the applicant in the manner directed by section 15.

PROCEDURE PRIOR TO AND AT MEETING

Procedure on
application for
licence.
[30 of 1952
66 of 1952
20 of 1973
21 of 1992]

13. (1) Anyone (in this Act styled the applicant) who wishes to apply to a board for the grant of a certificate for the issue or renewal of a licence for an hotel, restaurant, members' club, tavern or spirit shop shall—

- (a) serve on the Commissioner an application in duplicate signed by himself or his agent on his behalf in Form 1 in the Schedule, at least thirty days before the date fixed for the holding of the next general licensing meeting, and when he serves the application pay to the Commissioner

Form 1.

the sum of five thousand dollars in respect of an application for the grant of a certificate for the issue of a licence and the sum of five thousand dollars in respect of an application for the grant of a certificate for the renewal of a licence;

- (b) in the case of premises not already licensed deposit with his application with the Commissioner a plan of the house, shop, or premises, sought to be licensed and affix one copy of the application on the outside, and another on the inside, of the outer front door of the premises sought to be licensed and keep the copies so affixed until his application is determined.

(2) In addition to the requirements mentioned in subsection (1), the secretary of a members' club shall, in support of his application, attach to it—

- (a) a copy of the existing rules of the club;
- (b) a list of the general committee and wine committee (if any);
- (c) except in the case of a new club, a certified copy of an audited balance sheet and revenue account for the preceding financial year of the club;
- (d) a statement signed by him that there is kept upon the club premises—
 - (i) a register of the names and

- addresses of the club members,
and a record of the latest
payment of their subscriptions;
and
- (ii) a register of the names and
addresses of visitors and
guests.

(3) The secretary shall give evidence, to the satisfaction of the board, in verification of the matters mentioned in subsection (2).

(4) The Commissioner on receipt of an application shall forthwith transmit a duplicate thereof to the chairman of the board.

Notice to
Commissioner
of Police of
application for
registration.
[20 of 1973]

13A. (1) The secretary of a members' club shall, before making application to a board for the grant of a certificate for the issue or renewal of a licence for a members' club, give twenty-one days notice to the Commissioner of Police of his intention to apply, and shall furnish to him a copy of the following particulars—

- (a) the name and objects of the club;
- (b) the address of the club;
- (c) brief details of the terms of occupancy of the club premises;
- (d) the name of the secretary; and
- (e) the number of members.

(2) A commissioned officer of police shall—

- (a) verify the particulars mentioned in sub-section (1);

- (b) make enquiries to enable him to inform the board to whom application is made upon matters to be considered by the board;
- (c) attend at the hearing of the application; and
- (d) be entitled to object to the granting of a certificate to the club either generally or on any of the grounds of complaint set out in section 12(1) and (2).

Opposition to
grant or
renewal of
licence.
[30 of 1952
66 of 1952]

14. (1) When notice has been duly given by anyone of his intention to apply for a certificate for the grant or renewal of a licence anyone may oppose the application on any of the grounds enumerated in section 12:

Provided that—

- (a) he shall give notice in writing to the applicant and to the Commissioner of the grounds whereon the opposition is based, and that at the hearing of the application no objection shall be entertained by the Board other than those set forth in the notice aforesaid; and
- (b) the notice shall be served on the applicant and on the Commissioner at least seven days before the meeting at which the application is to be heard.

(2) The applicant and anyone who has given notice of opposition shall be entitled to appear at the general

licensing meeting in person or by counsel or solicitor and to adduce evidence in support of his case.

Costs awarded
by board.

15. Where the board is of opinion that the grounds whereon anyone has opposed the grant of a licence are unreasonable or frivolous, the board may make an order that the opposer shall pay to the applicant a sum for costs (to be named in the order) which the board deems just, and the order shall and may be enforced in the same manner as an order of the like nature made by a magistrate's court in civil proceedings.

Summoning
witnesses.

16. (1) Anyone who opposes an application and an applicant may obtain from any member of a board summonses for witnesses to appear at the hearing of the application and give evidence, or give evidence and produce any books, deeds, papers, writings, or articles in their possession or control.

(2) There shall be paid on summonses the same fees as in the case of summonses in civil proceedings in a magistrate's court.

(3) Summonses issued under this section shall be served in the same manner as summonses issued in civil proceedings in a magistrate's court.

(4) Everyone on whom a summons as a witness has been duly served and to whom at the same time payment or a tender of payment of expenses, according to the scale prescribed in civil proceedings in a magistrate's court, has been made, who refuses or neglects, without sufficient cause, to appear and give evidence and produce any books, deeds, papers, writings, or articles in his possession or control, in obedience to the summons, and also everyone present at a meeting who is required to give evidence and refuses to be sworn or to give evidence accordingly, shall be liable to a fine of three hundred dollars.

Hearing
applications.
[24 of 1932]

17. (1) On the day appointed the board shall openly hear, consider and deal with all applications presented, and may examine witnesses on oath, and if one or other of the objections to the grant or renewal of a licence set forth in section 12 is, after due notice as required by section 14, established to the satisfaction of the board, the board may reject the application; otherwise the application may be granted if the board is satisfied that the application is duly made and can be granted. The chairman of the board shall take notes of the evidence.

(2) Where notice of opposition in the manner directed by section 14 has not been given to an applicant for a certificate for the renewal of a licence, the board shall grant the application if satisfied that it was duly made and ought to be granted, and it shall not be necessary for the applicant to attend the meeting, and the board may, if it think fit, grant the application prior to the day fixed for the holding of the meeting.

Special
provision in
cases of
applications
for premises
situate in the
same locality.
[30 of 1952
66 of 1952]

18. When more applications than one are made to the board for certificates for the issue of hotel, railway station or stelling liquor, or spirit shop licences for premises which, in the opinion of the board, are situate in the same locality, if the board considers that a certificate may be granted and that there is no objection to its being granted to any one of two or more applicants, the board may direct the Commissioner to put up for sale the right to the grant of a certificate, either at public auction or by tender by notice in the *Gazette* and one daily newspaper for two successive Saturdays, at the time and place and amongst the applicants the board thinks fit, and the purchaser thereof shall be deemed to be a person whose application has been granted by the board.

Grant of
certificate to
successful
applicant and

19. (1) Whenever an application is granted the board shall grant a certificate for the issue or renewal of the licence for which application is made, the certificate to be in

issue of licence. accordance with Form 2 in the Schedule.

Schedule:

Form 2.

[30 of 1952

66 of 1952]

(2) On delivering the aforesaid certificate and on paying to the Commissioner the licence duty imposed by the Tax Act for the time being in force the applicant shall be entitled to receive from the Commissioner a licence in Form 3 in the Schedule, but the Commissioner shall not issue a licence after sixty days from the date of the aforesaid certificate.

Alteration of premises and refund of fee. [12 of 1963]

20. (1) Where the Commissioner has issued a licence under section 19 in respect of premises which have been altered, damaged or destroyed subsequent to the grant of the licence so that such premises no longer comply with the provisions of this Act, the licence in respect of such premises shall be deemed to have been cancelled—

- (a) in the case of an alteration, from the date of the commencement of such alteration; and
- (b) in the case of damage or destruction, from the date of such damage or destruction.

(2) The licensee of such premises shall forthwith inform the Commissioner in writing of the fact of such alteration, damage or destruction and the Commissioner, may, as he thinks fit, refund the whole or any part of the licence duty paid by the licensee.

TRANSFERS AT GENERAL LICENSING MEETINGS

Principles to be applied in determining applications. [30 of 1952 66 of 1952

21. (1) At any general licensing meeting any holder of a licence for an hotel, restaurant, members' club, tavern, or spirit shop, may apply to the board to have his licence transferred to some other person or premises.

20 of 1973]

(2) In the case of a proposed transfer to some other person, both the applicant and the transferee shall, not later than fifteen days before the general licensing meeting at which the application is to be heard, serve on the Commissioner a joint application in duplicate in Form 4 in the Schedule.

Form 4

(3) In the case of a proposed transfer to some other premises, the applicant shall serve on the Commissioner not later than fifteen days before the date fixed for the next transfer sessions, an application in Form 5 in the Schedule.

Form 5

(4) In both cases the applicant shall as far as practicable conform to the same conditions relating to the posting of notices on the shop or premises, as are hereby directed in respect of application for a certificate for the issue of a licence.

(5) In the case of a transfer from one place or premises to another place or premises, notices thereof shall be posted on both premises and a plan of the premises to which the licence is to be transferred shall be deposited with the Commissioner .

(6) The Commissioner shall, as soon as practicable after the receipt of the application, publish notice thereof as provided in section 10(4).

(7) In either case the application may be opposed in manner similar to that provided by this Act for opposition to the granting of original or the renewal of existing licences, save that anyone opposing a transfer of a licence from one person to another shall give notice of his opposition to both parties within seven days after the second publication by the Commissioner of the notice of application for a transfer.

Holder of licence may apply to Board

22.(1) In the case of an hotel, restaurant, members' club, tavern or spirit shop, the holder of a licence for the sale

for approval of alterations.
[30 of 1952
66 of 1952
20 of 1973]

of intoxicating liquor may apply to the board for permission to alter or reconstruct the licensed premises, and the board may in their discretion grant or refuse such application.

(2) Where any such application is granted, the Commissioner shall make such alterations on the licence as may be necessary.

Principles to be applied in determining applications.
[30 of 1952
66 of 1952]

23. (1) The Board, if the conditions aforesaid have been observed, may grant the application subject to the same principles and considerations as apply to the case of an application for a certificate for the issue of a licence for premises not already licensed:

Provided that—

- (a) in the case of a proposed transfer of a licence from one licensing district to another, the board of the latter district shall deal with the application; and
- (b) where there has not been notice of opposition as provided by this Act, the board may, if it think fit, or the chairman may, without reference to a meeting of the board, grant the transfer prior to the day fixed for the meeting and shall cause the Commissioner to be so informed.

(2) Whenever an application is granted the subsequent procedure with respect to the issue of a certificate and of a licence shall be as nearly as practicable similar to that in the case of the grant of a licence under this Act; but in the case of a transfer of a licence from one person to another, the transfer shall be effected by endorsement thereon by the Commissioner of the fact of that transfer.

Transfer in
case of death,
insolvency, or
execution sale.
[30 of 1952
66 of 1952
20 of 1973]

24. (1) On the death or insolvency of a holder of an hotel, restaurant liquor, members' club liquor, railway station or stelling liquor, or spirit shop licence, his legal personal representative, the public trustee, the official receiver, or the trustee of a deed of arrangement, or the liquidator, shall, on proof of title, be entitled to have the licence transferred to him by the Commissioner who shall thereon endorse the fact of the transfer.

(2) The person to whom a licence has been transferred by the Commissioner shall be entitled to the same rights and privileges and be subject to the same liabilities as the original holder of the licence:

Provided that none of these persons, other than the public trustee or the official receiver, shall be entitled to carry on business under a licence so transferred to him beyond the third transfer sessions after the transfer or the next general licensing meeting, whichever last happens.

(3) When the business of the holder of an hotel, restaurant liquor, members' club liquor, railway station or stelling liquor, or spirit shop licence is sold at execution by the Registrar, the Registrar and the purchaser shall apply to the board for the transfer of the licence to the purchaser, and the joint application shall be made and dealt with in the same manner as hereinbefore provided for the transfer of a licence from a holder thereof to some other person.

Mode of
service of
notices.
[66 of 1952]

25. In the case of proceedings before a board—

- (a) where a notice is to be served on the applicant for the grant of a certificate for a licence or a renewal, or for a transfer, service shall be made either personally or by registered post;

- (b) where a notice is to be served on the Commissioner, service shall be made either by delivery at his office or by registered post:

Provided that where service is by registered post, proof of the registration shall be given if required.

APPEAL

Appeal from
decision of
board to Full
Court.
[30 of 1952
20 of 1973]

26. (1) An applicant for a certificate for the issue, renewal, or transfer of an hotel, restaurant liquor, members' club liquor, railway station or stelling liquor, or spirit shop licence and anyone who has duly opposed an application for the certificate may appeal against the decision of a board refusing or granting the certificate, and except in the case of a grant of a certificate for the issue of a new licence, the execution of the decision of the board shall not be suspended because of any such appeal.

(2) The appeal shall lie to the Full Court of the High Court (hereinafter referred to as "the Full Court") and, subject to any provisions inconsistent therewith hereinafter contained, shall, as to procedure, fees and the powers of the Full Court, be in accordance with the provisions, so far as they are applicable, of any Act for the time being in force regulating appeals from the decisions of magistrates:

Provided that the term "board" shall be read for the term "magistrate" and the expression "clerk of the board" for the expression "clerk of the court" in any such Act.

(3) The following and no other grounds of appeal may be relied on :

- (a) that the board had no jurisdiction to deal with the application,

provided the objection to the jurisdiction of the board has been formerly taken before the board at some stage of the proceedings before a certificate was granted or refused; or

- (b) that the board has exceeded its jurisdiction; or
- (c) that the board or a member thereof was personally interested in the application; but a disqualification under section 8 hereof shall not of itself be a ground of appeal; or
- (d) that the board or a member thereof has acted corruptly or maliciously, or has taken extraneous matter into consideration; or
- (e) that the grant or refusal of a certificate has been obtained by fraud; or
- (f) that the grant or refusal of a certificate is affected by some specific illegality other than hereinbefore mentioned.

Jurisdiction of Full Court on appeal.

27. (1) The Full Court shall hear and determine the matter of appeal and have power to decide all questions of fact or law raised in the appeal, and shall make any order therein with or without costs the Court thinks fit, and may if necessary grant the application for a certificate for the renewal or transfer of the licence in the same manner as the board might have granted it.

(2) Where the Full Court makes an order directing any costs to be paid they shall be recoverable in the same

manner as is provided for the recovery of costs awarded on an appeal from the decision of a magistrate.

(3) Save as hereinbefore provided no decision of a board shall be subject to appeal.

PROVISIONAL LICENCES FOR NEW PREMISES

Provisional
grant of
licences to new
premises.
[30 of 1952
66 of 1952
20 of 1973]
Schedule:
Form 6.

28. (1) A person by serving on the Commissioner notice in Form 6 in the Schedule may apply to the board for provisional grant of a certificate for the issue of a licence in respect of any premises about to be constructed or in course of construction for use as an hotel, restaurant, members' club, tavern, or spirit shop, or of an existing building which is being acquired with the intention of converting it into an hotel, restaurant, members' club, tavern or spirit shop; and the board, if satisfied with the plans submitted to it, and that if the premises had been actually constructed in accordance with those plans it would, on application have granted a certificate for the issue of a licence in respect thereof, may make a provisional grant accordingly.

(2) A provisional grant shall not be of any validity until declared to be final by an order of the board made after notice given as required by the board at a general licensing meeting or transfer sessions. The declaration shall be made if the board is satisfied that the premises have been completed in accordance with the plans aforesaid, and when a declaration has been made the procedure and forms prescribed in section 19, with the necessary variations, shall apply.

(3) An application for a provisional grant shall be subject to the same conditions as to giving of notice of opposition and generally as to procedure as those to which the grant would be subject if it were not provisional, with the exception that, where a notice is required to be put up on a

door of a building, the notice may be put up in a conspicuous position on any part of the premises.

(4) This section shall, with the necessary variations, extend to the provisional grant of an application for the transfer of a licence from one premises to another.

MINERAL AND FOREST LICENSING AREAS

Spirit shop
licences in
mineral and
forest licensing
areas.

[24 of 1932]

29. (1) The Minister may by order declare any part or parts of Guyana to be a Mineral and Forest Licensing area, and may vary or revoke any such order.

(2) The issue, renewal or transfer of a spirit shop licence within such area (hereinafter referred to as a licensing area) shall be regulated by the provisions of the next two succeeding sections of this Act.

Procedure
with respect to
issue, renewal
and transfer of
spirit shop
licences in
licensing areas.

[31 of 1952

66 of 1952

20 of 1973]

30. (1) Any person within a licensing area who desires the grant, renewal or transfer of an hotel, restaurant liquor, members' club liquor, tavern or spirit shop licence shall make application to the Commissioner in the appropriate form in the Schedule with the necessary variations.

(2) The Commissioner shall consider, and, if he thinks fit, may grant the application.

(3) If the Commissioner decides to grant an application he shall issue a certificate to the applicant in the appropriate form in the Schedule with the necessary variations.

(4) On presentation of the certificate for the issue, renewal or transfer of a licence and on payment of the duty or the proportionate part thereof, as the case may be, the Commissioner shall issue, renew or transfer the licence.

(5) A renewal shall be for not less than a financial year.

(6) When the Commissioner refuses to grant a certificate he shall inform the applicant in writing of the reason for the refusal.

Appeal.

31. An applicant for a certificate under the last preceding section may appeal against the decision of the Commissioner refusing a certificate as provided by section 26:

Provided that the proviso to subsection (2) of that section shall be modified by reading the words "the Commissioner " for the word "magistrate" and the words "the Commissioner " for the words "clerk of the court".

OFF-LICENCES AND HOTEL LICENCES

How granted.
[30 of 1952
66 of 1952
3 of 1984
21 of 1992]
Form 7

32. (1) Anyone who wishes to apply for the issue or renewal of an off-licence shall make application to the Commissioner in Form 7 in the Schedule, and when he serves the application on the Commissioner pay to the Commissioner the sum of two thousand dollars in respect of an application for the issue of a licence and the sum of five hundred dollars in respect of an application for the renewal of a licence.

(2) An off-licence may be granted at any time for the whole unexpired portion of any financial year provided the period for which it is taken out be not less than three months.

Grant or
refusal.
[30 of 1952
66 of 1952
3 of 1984]
Form 8

33. The Commissioner shall immediately consider every application and may grant or refuse it as he thinks fit, and he shall intimate his decision in writing to the applicant at the address given by the applicant; if he grants the application he shall, on payment of the duty

c. 80:01 payable for the issue or renewal of the licence under the Tax Act for the time being in force issue or renew the licence in Form 8 in the Schedule.

Off-licence or hotel licence not to be granted unless certificate of safety is produced.
[5 of 1982
17 of 1985]

33A. (1) No off-licence or hotel licence under this Act shall be granted in respect of any premises unless there is produced to the Commissioner a certificate from the Chief Fire Officer that in respect of such premises, he is satisfied that there is adequate provision as to means of escape in the event of fire, and to precautions against fire and in the interests of general safety.

(2) In this section and in section 33B—
“the Chief Fire Officer” includes any fit and proper person authorised by the Chief Fire Officer to examine premises and issue certificates for the purposes of these sections.

Revocation and suspension of off-licence or hotel licence.
[5 of 1982
17 of 1985]

33B. (1) The Chief Fire Officer may at any reasonable time enter and inspect any off-licence premises or hotel licence premises under this Act.

(2) Where upon any inspection as aforesaid, the Chief Fire Officer is of the opinion that the premises are unfit for use for any of the purposes specified in paragraph (a) or paragraph (b) of section 3, he shall forthwith report the matter to the Commissioner who shall forthwith revoke or suspend the licence upon such terms as he may think fit.

Fee.
[5 of 1982]

33C. (1) For every certificate issued by the Chief Fire Officer under section 33A the licensee shall pay a fee of one hundred dollars.

(2) The Minister may by order vary the fee mentioned in subsection (1).

Transfer.
[30 of 1952
66 of 1952]

34. Every holder of an off-licence wishing to transfer it from one premises to another or to any other person shall apply to the Commissioner in writing, who may grant

or refuse the application as he thinks fit, and if the application is granted, the transfer shall be effected by the Commissioner endorsing on the licence the fact of the transfer and the date of the endorsement shall for all purposes be deemed to be the date of the transfer.

Right of appeal
from decision
of the
Commissioner.
[47 of 1951
66 of 1952
3 of 1984]

35. Where the Commissioner refuses to grant an application for the issue or renewal of a licence under section 33 or the transfer of a licence under section 34 the applicant may, within fourteen days after receiving the decision of the Commissioner, appeal by petition to the Minister who may affirm or reverse that decision. The decision of the Minister shall be final.

**PASSENGER STEAMER LIQUOR AND TOBACCO,
OCCASIONAL LIQUOR AND TOBACCO AND MALT
LIQUOR AND WINE LICENCES**

Grant.
[26 of 1944
30 of 1952
66 of 1952]

36. (1) The Commissioner may grant a licence of any of the classes defined in section 3(f), (g), (h) and (i).

(2) The licence shall specify the place where the person obtaining it is to be entitled to sell wine, or malt liquor, or spirituous liquor, and, in the case of an occasional licence, the permitted days and permitted hours:

Provided that a passenger steamer liquor and tobacco licence issued under this section may be transferred from one passenger steamer to another passenger steamer plying on the same route, by the Commissioner's endorsement to that effect on the back of the licence, and the date and hour of the endorsement shall for all purposes be deemed to be the date and hour of the transfer.

- (3) (i) Subject to this section an application for an occasional liquor and tobacco licence in respect of premises occupied by

c. 82:26

a club registered under the Registration of Clubs Act shall only be made by and on behalf of the club.

- (ii) The application shall be supported by a statutory declaration made by the president, chairman, or secretary of the club. In the declaration it shall be stated that the occasional liquor and tobacco licence is required for the purpose of a ball, dance, concert or other entertainment to be held on the club premises by and on behalf of the club, and that paragraph (iv) will not be contravened if the occasional liquor and tobacco licence is granted.

c. 80:01

- (iii) On the production to the Commissioner of the statutory declaration and on payment of the licence duty prescribed by the Tax Act for the time being in force, the Commissioner shall grant an occasional liquor and tobacco licence to and in favour of the club.

- (iv) The Commissioner shall not grant more than twelve occasional licences in any year to any one club.

(4) Subsection (3) shall not apply—

- (a) to any club which on the 1st July, 1944, was the holder of a valid annual

c. 23:03

licence granted under section 4 of the Music and Dancing Licences Act; or

- (b) to any sports ground leased for the purpose of any match or athletic contest of a special nature in any case where the lessees thereof have been granted a certificate by the Minister stating that the match or contest is one which, in his opinion, entitles the said ground to exemption under this paragraph.

PROVISIONS RELATING TO COCONUT RUM OR COCONUT TODDY AND TO LICENCES FOR THE SALE THEREOF

Licence for sale
of coconut
rum.
[66 of 1952
21 of 1992]

37. (1) A licence to sell coconut rum or coconut toddy may be granted by the Commissioner.

Penalty for
selling coconut
rum without a
licence.

(2) Everyone who sells, or offers for sale, or exchanges, barter, or otherwise disposes of for money or reward, coconut rum or coconut toddy without having a licence to sell it shall be liable to a fine of two thousand dollars.

REGISTER OF LICENCES

Register of
licences to be
kept.
[30 of 1952
66 of 1952]

38. (1) The Commissioner shall keep a register, to be called the register of intoxicating liquor licences, in the form prescribed by the Minister, containing the particulars of all licences granted under this Act in each district, the premises in respect whereof they were granted, the names of the owners of those premises, and the names of the holders for the time being of the licences.

Register of convictions to be kept.

(2) The Commissioner shall keep a register of the convictions of the holders of licences under this Act for offences against any law relating to intoxicating liquor, and where any person is so convicted, the clerk of the court shall forthwith send notice of such conviction to the Commissioner.

Entry of names of owners of premises on register of licences.

39. Everyone whose application for a certificate for the issue of a licence or the renewal of a licence has been granted shall at the time of payment of the licence duty state the name of the person for the time being entitled to receive on his own account the rackrent of the premises in respect whereof the licence is granted or renewed, and that name shall be endorsed on the licence and entered on the register as the name of an owner of the premises.

Regard to be had to entries in register of licences.

40. On any application for the grant, renewal, or transfer of a licence the board shall have regard to any entries in the register of licences relating either to the person by whom or to the premises in respect whereof the licence is to be held.

Inspection of register of licences.
[66 of 1952
21 of 1992]

41. (1) Any officer of police, or of the Guyana Revenue Authority, without payment, and any other person on payment of a fee of one hundred dollars shall be entitled at all reasonable times to inspect and take extracts from the register.

(2) A copy of an entry made in the register of licences in pursuance of this Act, purporting to be signed by the Commissioner and to be certified to be a true copy, shall be evidence of the matters stated in that entry, without proof of the signature or authority of the person signing it.

List of names of licensees to be exhibited in Commissioner's office.

42. The Commissioner shall cause a list of the names in alphabetical order of all persons to whom licences have been issued to be put up in a conspicuous part of his office after every sitting of a board at which licences have been

[66 of 1952] granted. The Minister may at any time direct the publication of the list.

GENERAL REGULATIONS AS TO SALE OF LIQUOR AND CONDUCT OF LICENSED PREMISES

Penalty for
selling malt
liquor or wine
without a
licence.
[21 of 1992
24 of 1992]

43. Subject to this Act, everyone who sells or offers for sale any malt liquor or wine, except by wholesale in quantities exceeding one hundred and thirty-six litres at one time to one person, or in some place or premises for which he or someone by whom he is employed has a licence authorising the sale thereof within that place or premises and in accordance with the authority conferred by the licence, shall be liable to a fine of not less than three thousand dollars and not more than fifteen thousand dollars.

Penalty for
selling
spirituous
liquor without
a licence.
[21/1992]

44. (1) Everyone who sells or offers for sale any rum, except by wholesale or in some place or premises for which he or someone by whom he is employed has a licence authorising the sale thereof within that place or premises and in accordance with the authority conferred by the licence, shall be liable to a fine of not less than five thousand dollars and not more than fifty thousand dollars.

(2) Everyone who sells or offers for sale any spirituous liquor other than rum, except by wholesale or in some place or premises for which he or someone by whom he is employed has a licence authorising the sale thereof and in accordance with the authority conferred by the licence, shall be liable to a fine of not less than five thousand dollars and not more than fifty thousand dollars.

(3) There shall not be more than one conviction against anyone in respect of offences against this section committed on any one day.

Penalties on
holders of
licences for

45. (1) Every holder of an hotel, or restaurant liquor or members' club liquor, or railway station or stelling liquor, or

selling and disposing of spirituous liquor, in contravention of licence.
[30 of 1952
20 of 1973
21 of 1992]

passenger steamer liquor and tobacco, or occasional liquor and tobacco, licence who sells or offers for sale any spirituous liquor not to be drunk on the premises shall be liable to a fine of not less than five thousand dollars and not more than fifty thousand dollars.

(2) There shall not be more than one conviction against anyone in respect of offences against the provisions of this section committed on any one day.

REGULATION OF LICENCE-HOLDERS

Affixing of signboards.
[30 of 1952
20 of 1973
21 of 1992]

46. (1) Every holder of an off-licence or of a licence for an hotel, restaurant, members’ club, tavern, or spirit shop, shall affix on the outside of and over some conspicuous door in the front of the store, hotel, restaurant, club, tavern, or shop, a board whereon there shall be legibly and clearly painted in white letters, each not less in length than three inches, on a black ground, the name of the holder of the licence at length, and underneath the words “Licensed Off-licence Store,” “Licensed Hotel,” “Licensed Restaurant,” “Licensed Club,” “Licensed Tavern,” or “Licensed Spirit Shop,” as the case may be, on pain in default thereof, of liability to a fine of one thousand dollars for the first, three thousand dollars for the second, and six thousand dollars for the third and every subsequent breach of this section.

(2) Every omission to affix the board continued for a period of ten days after the last previous conviction shall be considered a breach of this section.

Books to be kept by holder of licence.
[30 of 1952
20 of 1973
21 of 1992]
Form 9:
Form 10.

47. (1) Every holder of a licence for an hotel, restaurant, members’ club, tavern, spirit shop, and passenger steamer, shall keep in the premises for which the licence has been granted a book, in Form 9 in the Schedule wherein shall be entered all the rum received or brought into those premises, and a book in Form 10 wherein shall be entered all the other spirituous liquor brought into the

premises.

(2) In addition to the book mentioned in subsection (1) a members' club shall keep on the club premises –

- (a) a minute book recording the business transacted at all meetings of the committee and at general meetings of the members;
- (b) a register of ordinary or full members showing their addresses, and a record of the latest payment of their subscription;
- (c) a separate register of temporary, honorary and members other than ordinary or full members, showing the date of election and period of such membership; and
- (d) a copy of the rules of the club with any subsequent alterations authenticated by the signature of the secretary.

(3) Every holder of the licence who neglects to make the necessary entries in the books aforesaid on the same day whereon he receives any rum or other spirituous liquor or knowingly makes an entry which is false in any material particular, shall be liable to a fine of two thousand dollars.

48. Every holder of a licence for a place or premises licensed under this Act who –

- (a) refuses to produce to the Commissioner

Refusal to
produce books,
molestation or
obstruction of
Commissioner.
[66 of 1952

21 of 1992]

when required to do so any book required to be kept by him in the premises for which the licence is granted; or

- (b) prevents the Commissioner from inspecting any book aforesaid; or
- (c) molests or obstructs the Commissioner when inspecting those books; or
- (d) prevents or attempts to prevent, by any device or otherwise, the Commissioner from ascertaining the true quantity and strength of any liquor in those premises; or
- (e) molests or hinders the Commissioner when ascertaining the quantity or strength,

shall be liable to a fine of not less than five thousand dollars and not more than ten thousand dollars.

Regulation of strength of spirit kept by licence holders.
[66 of 1952
21 of 1992
24 of 1992]

49. (1) All rum, brandy, whisky, gin or other spirituous liquor, in any place or premises licensed under this Act or in any part of the premises or out-buildings of, or connected with, them, shall be of good wholesome quality and (except brandy) shall be of a strength not below forty percent of alcohol.

Forfeiture of liquor below strength.
[66 of 1952]

(2) Any of the rum, brandy, whisky, gin, or other spirituous liquor, not of good wholesome quality or (except brandy) of a strength below forty percent of alcohol and the package containing it may be seized by the Commissioner and shall be forfeited, and the holder of the licence for the place or premises in or near which it is found, shall be liable

to a fine of five thousand dollars.

(3) If any rum, whisky, gin or other spirituous liquor (except brandy) of a strength below forty percent of alcohol is sold from any place or premises licensed under this Act, the holder of the licence for the place or premises shall be liable to a fine of five thousand dollars.

(4) The provisions of this section as to the strength of rum, whisky, gin, and other spirituous liquor sold shall not apply to any bitters, cordials, liqueurs, or similar compounds of rum, manufactured by a compounder under the Bitters and Cordials Act, or to any spirituous liquor that has been on importation passed by the Commissioner as bitters, cordials, or liqueurs, provided the strength of the bitters, cordials, liqueurs or similar compounds, compounded or imported has not been artificially altered since they were removed from the compounder's premises or imported, as the case may be.

c. 82:23

Penalty for allowing person under 16 years to be on licensed premises.
[3 of 1960
21 of 1992]

50. (1) The holder of a licence under this Act shall not allow nor shall any servant of his allow any person under the age of sixteen years to be in any bar on the licensed premises.

(2) If a person under the age of sixteen years is found in any bar of any licensed premises the holder of the licence or his servant shall be deemed to have committed an offence under this section unless he shows that he has used due diligence to prevent the person being admitted to the bar or that the person was apparently over the age of sixteen years or that the person was in the bar solely for the purpose of passing through in order to obtain access to, or egress from some other part of the premises, not being a bar, where there was no other convenient means of access to, or egress from, that part of the premises.

(3) In this section the bar of a licensed premises means any open drinking bar or any part of the premises

exclusively or mainly used for the sale and consumption of intoxicating liquor.

(4) If any person acts in contravention of this section, he shall be liable in respect of each offence to a fine, in the case of the first offence, of five hundred thousand dollars and, in the case of any subsequent offence, of one million dollars and in the case of a third offence, to a fine of one million dollars and to revocation of the licence.

Penalty for sale or supply of intoxicating liquor to young persons.

51. (1) The holder of a licence under this Act shall not knowingly sell nor allow anyone to sell, nor shall any servant of his knowingly sell, to be consumed on the premises, any intoxicating liquor to anyone under the age of eighteen years; and no one under the age of eighteen years shall purchase or attempt to purchase in any licensed premises any intoxicating liquor for his own consumption therein:

Provided that nothing in this subsection shall prevent the sale, supply, or purchase, of wine or malt liquor to or by a person over the age of sixteen years where it is sold, supplied, or purchased only for consumption at a meal to be consumed at the same time in the portion of the premises (not being a bar) usually set apart for the service of meals.

(2) The holder of a licence shall not knowingly allow, nor shall any servant of his knowingly allow, any intoxicating liquor to be consumed by anyone under the age of eighteen years in any bar on his licensed premises; and no one shall purchase, or attempt to purchase, any intoxicating liquor for consumption by a person under the age of eighteen years in that bar.

(3) In this section the bar of licensed premises means any open drinking bar, or any part of the premises exclusively or mainly used for the sale and consumption of intoxicating liquor.

(4) Anyone who acts in contravention of this section shall be liable in respect of each offence to a fine, in the case of the first offence, of five hundred thousand dollars and, in the case of any subsequent offence, of one million dollars and in the case of a third offence, to a fine of one million dollars and to revocation of the licence.

Penalty for employment of young people to supply or to sell intoxicating liquor.
[20 of 1973
21 of 1992]

52. (1) The holder of a licence shall not knowingly employ nor allow any person to employ, nor shall any servant of his knowingly employ anyone under the age of eighteen years to supply or to sell or assist in the sale of intoxicating liquor on any licensed premises where the licence authorises the supply or the sale of spirituous liquor.

(2) Anyone who acts in contravention of this section shall be liable in respect of each offence to a fine, in the case of the first offence, of one thousand dollars and, in the case of any subsequent offence, of three thousand dollars.

Offences in relation to constables.
[21 of 1992]

53. (1) The holder of a licence shall not—

- (a) knowingly harbour or knowingly suffer to remain on his premises any constable being on duty, unless for the purpose of keeping or restoring order in execution of the constable's duty; or
- (b) supply any intoxicating liquor or refreshment, whether by way of a gift or sale, to any constable on duty unless by authority of some superior officer of the constable; or
- (c) bribe or attempt to bribe any constable.

(2) Any holder of a licence who acts in contravention of this section shall be liable in respect of each

offence to a fine, in the case of a first offence, of five thousand dollars and, in the case of any subsequent offence, of ten thousand dollars.

Penalty for
permitting
drunkenness.
[21 of 1992]

54.(1) The holder of a licence shall not permit drunkenness or any violent, quarrelsome, or riotous conduct to take place on his premises, nor sell any intoxicating liquor to a drunken person.

(2) The holder of a licence who acts in contravention of this section shall be liable in respect of each offence to a fine, in the case of a first offence, of two thousand dollars, and, in the case of any subsequent offence, of five thousand dollars.

(3) If the holder of a licence is charged with permitting drunkenness on his premises in contravention of this section and it is proved that anyone was drunk on his premises, it shall lie on him to prove that he and the persons employed by him took all reasonable steps to prevent drunkenness on the premises.

Penalty for
permitting
premises to be
a brothel.
[21 of 1992]

55. (1) The holder of a licence shall not permit his premises to be a brothel.

(2) The holder of a licence who acts in contravention of this section shall be liable in respect of each offence to a fine of ten thousand dollars.

Power to
exclude
drunkards from
licensed
premises.
[21 of 1992]

56. (1) The holder of a licence may refuse to admit to, and may turn out of, the premises in respect of which his licence is granted anyone who is drunken, violent, quarrelsome, or disorderly, and anyone whose presence on his premises would subject him to a penalty under this Act.

(2) Anyone upon being requested in pursuance of this section by the holder of the licence, or his agent or servant, or any constable, to quit the premises who refuses

or fails to do so shall be liable in respect of each offence to a fine of three thousand dollars, and all constables are required, on the demand of the holder of the licence, or the agent, or servant, to expel or assist in expelling the offender from the premises and may use the force required for that purpose.

Prohibition of other shop in same building as a spirit shop. [3 of 1960 21 of 1992]

57. (1) No person may keep any shop, other than a spirit shop, in the same building as a spirit shop unless the spirit shop and such other shop have distinct and separate entrances from the outside and are so partitioned off the one from the other (including any gallery space pertaining to either of them) that no customer can pass from the one to the other without leaving the building in which such shops are kept.

(2) No goods, wares or merchandise whatever, except ice, liquors of every description used for drink, empty packages which have contained such liquors and tobacco, whether manufactured or not, cigars and cigarettes and smokers' requisites such as books of cigarette papers, matches, cigar and cigarette holders, pipes and pipe cleaners shall be dealt in or sold either directly or indirectly, in or from any licensed spirit shop.

(3) Any person contravening any of the foregoing provisions of this section and the holder of the licence of a spirit shop in respect of which any such contravention occurs shall be liable to a fine of not less than three thousand dollars and not exceeding fifteen thousand dollars.

Barter of liquor. [21 of 1992]

58. All liquors disposed of in any licensed tavern or spirit shop shall be sold for money and shall not be bartered or exchanged for any other thing, on pain of the holder of the licence being liable to a fine of three thousand dollars for every breach of this section.

Non-dispersal of riotous

59. (1) If at any time there is a riotous, or disorderly,

meeting in or near spirit shop.
[21 of 1992]

or noisy, meeting at, or assemblage of persons in, at, or near any licensed tavern or spirit shop the person in charge of the tavern or shop shall immediately call or send for the assistance of the nearest constable or rural constable to disperse the meeting or assemblage.

(2) If anyone so in charge fails without reasonable excuse to call or send for that assistance, the holder of the licence for the tavern or shop shall be liable to a fine of three thousand dollars; and any constable or rural constable who, when so called or sent for, refuses or neglects to give the assistance shall be liable to a fine of three thousand dollars.

Playing at cards, or dice, or gaming, in licensed spirit shop.
[21 of 1992]

60. No playing at cards or dice, whether for money or mere amusement, and no gaming of any kind whatever, shall be carried on in any licensed tavern or spirit shop, or in any part of the premises thereto appertaining or adjoining, on pain of the holder of the licence for the tavern or shop being liable to a fine of five thousand dollars, and of everyone engaged in the playing at cards or dice, or in the gaming, being liable to a fine of three thousand dollars.

Power to constable to enter licensed spirit shop.
[21 of 1992]

61. (1) Any constable may, when and as often as he thinks fit, enter any licensed tavern or spirit shop, and into and upon the premises belonging thereto or used therewith.

(2) Everyone who refuses to admit a constable into the tavern, shop, or premises, or molests any constable when therein, shall be liable to a fine of three thousand dollars.

Sale of more than two litres of rum at one time.
[66 of 1952
21 of 1992
24 of 1992]

62. (1) Except as hereinafter provided no holder of a spirit shop licence may sell, deliver, or dispose of more than two litres of rum to any one person or on the order of any one person at any one time.

(2) Every holder of a spirit shop licence who by himself, his servant, or agent, sells, delivers, or disposes of more than two litres of rum to any person or on the order

of any person at any one time, and every holder of a spirit shop licence in whose shop more than two litres of rum is sold, delivered, or disposed of, to any one person or on the order of any person at any one time, shall on a first conviction be liable to a fine of not less than three thousand dollars and not more than fifteen thousand dollars, and on a second conviction to a like penalty and in addition to have his licence suspended for any period not exceeding one month, and on a third or any subsequent conviction to a like penalty and in addition to have his licence forfeited:

Provided that—

- (a) the holder of a spirit shop licence may sell, deliver, or dispose of more than two litres of rum to any one person if the holder has previously to the sale or delivery obtained a special authority in Form 11 in the Schedule from the Commissioner signed by the Commissioner authorising the holder to sell the larger quantity to the particular person named therein; and
- (b) the Commissioner may, in any cases and upon any conditions he thinks fit, authorise the holder of a spirit shop licence to sell, deliver, or dispose of rum in quantities exceeding two litres and issue permits for its removal in Form 12 in the Schedule; but nothing contained in this paragraph shall be construed as authorising the removal of rum from one spirit shop to another.

Form 11.
Schedule

Form 12.

(3) Anyone who, being authorised by virtue of paragraph (b) of the proviso to the last preceding subsection, sells, delivers, disposes of, or in whose shop there is sold, delivered, or disposed of, under any authority a larger or smaller quantity of rum than that named in the permit shall be liable to a fine of not less than three thousand dollars and not more than fifteen thousand dollars.

(4) Anyone who, being authorised by virtue of paragraph (b) of the proviso to subsection (2) to issue permits, shall, on the sale, delivery, or disposal, of any rum, by himself or his agent issue a permit which is false in any material particular shall be liable to a fine of not less than three thousand dollars and not more than fifteen thousand dollars.

Production of
licences.
[30 of 1952
66 of 1952
21 of 1992]

63. Everyone holding a passenger steamer liquor and tobacco or occasional liquor and tobacco licence for the sale of intoxicating liquor who does not produce the licence, whenever required to do so by the Commissioner or constable on the steamer or at the licensed premises shall be liable to a fine of three thousand dollars.

Power of police
to enter
licensed
premises and
demand
licence;
procedure in
case of non-
production.
[66 of 1952
20 of 1973]

64. The Commissioner of Police, the Commissioner, any officer of the police force and any non-commissioned officer above the grade of corporal, and any member of the police force of or below the grade of corporal who has a general authority in writing from the Commissioner of Police or a superintendent of police, may enter any premises whatever wherein any wine or malt liquor to be drunk on the premises, or any spirituous liquor whatever, is supplied or is sold, or is offered, exposed, or kept, for sale, and any room or place thereto attached and belonging, and may demand from the person in charge of the premises, room, or place, his licence for supplying or selling the wine, malt liquor, or spirituous liquor, and, if the person does not immediately produce the licence, shall place someone in charge of the premises, room, or place, and of all wine, malt liquor and spirituous liquor found therein, and shall make a report of his

proceedings and of the evidence he may have as to the supplying, or as to the selling, or offering, or exposing or keeping for sale aforesaid, to the nearest magistrate, and any such magistrate shall, if he thinks fit, order all wine, malt liquor and spirituous liquor in the premises, room, or place to be seized, and all the wine, malt liquor and spirituous liquor so seized shall be dealt with in accordance with this Act.

Disposal of
liquor, casks
or packages.
[66 of 1952
24 of 1992]

65. (1) All liquor, and every cask or other package, so seized shall be at once removed to, and, until forfeiture or restoration thereof, shall be kept at a Government warehouse, or some convenient place of custody elsewhere, and the owner, or person claiming it, shall be at liberty before the removal thereof to cause the liquor to be examined and, if in casks, to be gauged, and, if rum, to be tested for strength by an approved alcohol hydrometer, and the examination, gauging and testing may be made by the Commissioner or any sworn gauger, or by any manager or overseer of a plantation, called in for the purpose.

(2) The owner or person claiming it and the person seizing it shall each take down or cause to be taken down in writing the particulars of the examination, gauging, and testing; and during the examination, gauging, and testing, the liquor seized, and the casks or other packages containing it, shall remain on the premises of the owner or person claiming them, but in the possession of the person seizing, or some person authorised by him to retain possession of them; but not more than six hours shall be allowed for any examination, gauging, and testing.

Mode of
disputing
seizure of
liquor.
[66 of 1952
21 of 1992]

66. (1) Everyone owning any liquor so seized and wishing to dispute the seizure, shall, within fourteen days thereafter, by himself or by some agent authorised by him, make his claim in writing to the magistrate of the magisterial district within which the seizure has been made, for the liquor and the casks or other packages containing it, and shall within the same time serve a copy of the claim on the

Commissioner, and, if the seizure has been made by anyone other than the Commissioner, shall also within the same time serve a copy of the claim on that person.

(2) If the claim is to be resisted the Commissioner shall appear in person or by counsel or solicitor in opposition thereto and in support of the seizure.

(3) When the seizure has been made by any person other than the Commissioner that person shall be a co-defendant with the Commissioner and may also appear in opposition to the claim and in support of the seizure, if he thinks fit.

(4) Every claim shall contain the name of the claimant and his occupation and residence and, if the claim is made through an agent, the name, occupation, and residence of his agent and the grounds of the claimant for disputing the seizure, and shall also state that the liquor seized is the property of the claimant.

(5) Every claim shall be supported by the oath of the claimant or, if the claim is made through an agent, by that of his agent swearing to the best of his knowledge, information and belief.

(6) When a claim is made through an agent, sufficient evidence of his authority to satisfy the magistrate shall be given with the claim.

(7) No claim shall be received by the magistrate unless with it the claimant deposits the sum of five hundred dollars by way of security for any costs awarded against him.

Onus of proof
as to legality of
seizure.
[66 of 1952]

67. In every case under the last preceding section the proof of the illegality of the seizure shall be on the claimant; and the Commissioner or other person making the seizure may adduce evidence in answer to that given by the claimant.

Proof of capacity and authority of officer making seizure.

68. On the hearing of a claim, if the seizure has been made by a member of the police force of or below the grade of corporal, in addition to his statement upon oath that he is a constable he shall produce his authority from the Commissioner of Police or a superintendent of police but if the seizure has been made by any other officer entitled to make it, it shall be sufficient for him to state upon oath that he acts as that officer.

Hearing and adjudication of claim.

69. Every claim shall be heard before the magistrate of the magisterial district within which the seizure has been made, and if the magistrate rejects the claim with respect to all or any of the articles seized, he shall condemn those articles and make an order of condemnation in Form 13 in the Schedule.

Form 13, Schedule.

Costs; restoration of articles seized. [66 of 1952]

70. If on the hearing of a claim any of the articles seized are condemned, the claimant shall be adjudged to pay all costs of the Commissioner and also of the co-defendant, if there is any co-defendant, and any articles not condemned shall be restored to the claimant at his own expense; but if none of the articles seized is condemned, the magistrate shall order their restoration on the payment of all costs of the claimant by the seizing officer and at his expense.

Forfeiture of articles seized.

71. If any articles seized as aforesaid are not claimed, or if a copy of a claim relating to any of the articles is not served, as hereinbefore provided and in the manner and within the time hereinbefore limited, with respect to making the claim and the service of copies thereof, or if after a claim has been made any articles so seized are condemned, all those articles shall *ipso facto* become and be forfeited.

Proceedings on claim.

72. All proceedings before a magistrate and every order made by him in relation to a claim shall be according to the provisions of, and shall be subject to the appeal provided by, any Acts for the time being in force regulating procedure

before magistrates in the exercise of their summary jurisdiction and appeals from the decisions of magistrates.

REMOVAL OF RUM

Prohibition of removal of rum exceeding in quantity two litres without permit.

[30 of 1952
66 of 1952
21 of 1992
24 of 1992]

73. (1) No rum exceeding in quantity two litres shall be removed from any premises to any other premises to another without a permit accompanying it, given and signed by the Commissioner or other person authorised under any law to grant permits for the removal of rum.

(2) Everyone concerned in the removal of any rum exceeding in quantity two litres without the permit accompanying it shall be liable to a fine of three thousand dollars; and the rum so removed, together with the packages containing it, and every cart, vessel, or other conveyance, and every animal, employed in removing it, shall be forfeited:

Provided that such cart, vessel, conveyance or animal shall not be forfeited if the court is satisfied that the owner or person in charge did not know that it was to be employed in the unlawful removal of rum.

Power of stoppage, search and arrest in regard to rum being removed.

[30 of 1952
66 of 1952
24 of 1992]

74. The Commissioner and every constable who has cause to suspect that anyone is carrying or removing any rum exceeding in quantity two litres may stop, detain, and examine him, and may examine every package, cart, vessel, or conveyance, under his control, and may examine every cart, vessel, or conveyance on or in which he may be; and if the Commissioner or constable ascertains that anyone is carrying or removing, or is concerned in the carriage or removal of, any rum exceeding in quantity two litres, without having obtained a lawful permit for the removal, the Commissioner or constable, may seize the rum with the package containing it, and may seize the cart, vessel, conveyance and all animals employed in its removal and arrest the person carrying or removing it, or

concerned in its carriage or removal, and may detain the person until he can be brought before a magistrate and dealt with according to law:

Provided that the Commissioner or constable, as the case may be, shall not seize such cart, vessel, conveyance or animal where he is satisfied that the owner or person in charge had no knowledge that it was to be used in the unlawful removal of rum.

SPECIAL PERMIT TO KEEP SPIRITUOUS LIQUOR FOR SCIENTIFIC PURPOSES

Special permit for use of spirituous liquor in scientific pursuits, or art, manufacture, trade or business. Schedule; Form 14. [31 of 1937 30 of 1952 66 of 1952 24 of 1992]

75. (1) Notwithstanding anything in this Act or in any Act for the time being in force relating to spirits, the Commissioner may at any time issue a special permit, in Form 14 in the Schedule, or as near thereto as circumstances permit, to any person engaged in a scientific pursuit, or in the practice of any art, or in any manufacture, trade, or business, authorising him to remove to and keep on the premises where he is engaged in that pursuit, practice, manufacture, trade, or business (in this Act referred to as "factory premises") any spirituous liquor in the quantity, not exceeding two hundred and twenty-seven litres, in each case fixed by the Commissioner, for the purpose of being there used exclusively in that pursuit, art, manufacture, trade, or business.

(2) The permit shall not authorise the person to have or keep spirituous liquor in any place other than his factory premises.

Accounting for spirits obtained under special permit.

(3) Everyone to whom the permit is issued shall account to the satisfaction of the Commissioner for the due disposal of all spirituous liquor obtained by him under the permit before any new special permit shall be issued to him.

Penalty for
contravention
of provisions
relating to
special permits.
[21 of 1992]

76. Everyone to whom any permit aforesaid has been heretofore or is hereafter issued who—

- (a) has or keeps any spirituous liquor aforesaid in any place other than his factory premises; or
- (b) uses or applies, or suffers to be used or applied, any spirituous liquor aforesaid for any purpose or in any way whatever other than for the *bona fide* preparation of or dealing with anything in the course of the pursuit, art, manufacture, trade, or business aforesaid,

shall be liable to a fine of not less than three thousand dollars and not more than fifteen thousand dollars.

Application of
certain
provisions.

77. Sections 84 and 90 shall extend and apply to the holder of any special permit issued under section 75 and to his factory premises.

POWERS OF THE COMMISSIONER AND POLICE WITH RESPECT TO UNLICENSED PREMISES

Exemption of
certain messes,
etc. from
licensing.
[26 if 1944]

78. It shall not be necessary for any mess or canteen established by and for the use of the Guyana Defence Force or the Guyana Police Force to be licensed under this Act.

Arrest of
person found
selling
spirituous
liquor with-
out licence.
[66 of 1952]

79. Everyone found selling, or offering or exposing for sale, any spirituous liquor or any wine or malt liquor at any place other than in a place or premises duly licensed under this Act who does not produce a licence authorising the sale or the offering or exposing for sale, of wine, malt liquor, or spirituous liquor at the time when and at the place where he is so found selling it, or offering or exposing it for

sale, may be arrested by the Commissioner or any constable or rural constable and detained until he can be brought before a magistrate and dealt with according to law, and the wine, malt liquor, or spirituous liquor, so sold, or offered or exposed for sale, with the packages containing it, shall be seized and forfeited.

Power of
search.
[66 of 1952]

80. The Commissioner, and anyone authorised by him in writing for each particular case, may enter any store, shop, or business premises, whatever and search for wine and malt liquor.

Penalty on
occupier of
certain
premises if
wine or malt
liquor is found
thereon.
[66 of 1952
21 of 1992]

81. (1) The occupier of any store, shop, or business premises, whatever (other than a place or premises licensed under this Act for the sale of wine or malt liquor) wherein is found any wine or malt liquor shall be liable to a fine of not less than three thousand dollars and not exceeding fifteen thousand dollars, and all the wine and malt liquor whatsoever so found, and the packages containing it shall be seized by the Commissioner, or other authorised person making the search, and removed to a safe place of custody elsewhere, and shall there be detained until adjudication of the charge against the occupier for the offence.

(2) If the charge is decided against the defendant, the wine and malt liquor so detained and the packages shall *ipso facto* and without any condemnation whatever be forfeited; and if the charge is decided in favour of the defendant, the wine and malt liquor and packages shall be restored to him by the Commissioner :

Provided that if the person charged satisfies the magistrate before whom the charge is investigated that the whole of the wine or malt liquor found on the premises was there kept for the exclusive use of the occupier, or his servant or agents working or residing on the premises, and not for the purpose of being disposed of for money or reward, the

magistrate shall dismiss the charge and order the restoration of the wine and malt liquor so seized.

(3) For the purposes of this section any member of a firm occupying a shop, store, or other business premises, may be prosecuted as occupier.

Limitation of time for proceedings under s. 81.
[66 of 1952]

82. (1) Every charge under the last preceding section shall be brought within one month from the seizure of the wine or malt liquor to which the charge relates.

(2) In default of the charge being so brought, the occupier of the premises wherein the wine or malt liquor has been seized shall be entitled, on application to a magistrate, to an order from him on the Commissioner to re-deliver the wine or malt liquor and the packages containing it to the occupier.

Privilege of wholesale dealer to keep samples of wine or malt liquor.
[24 of 1992]

83. Anyone dealing in wine or malt liquor by wholesale may keep in any store, shop, or business premises, occupied by him a sample, not exceeding one litre, of each quality of wine or malt liquor in which he deals without being guilty of an offence under section 81.

Persons authorised to enter and search for liquor.
[66 of 1952]

84. The Commissioner, and anyone specially authorised by him in writing for each particular case, may enter any store, shop, or business premises whatever and search for spirituous liquor.

Penalty for having rum or other spirituous liquor in premises not duly licensed.
[66 of 1952
21 of 1992]

85. (1) The occupier of any store, shop, or business premises whatever (other than a place or premises licensed under this Act for the sale of spirituous liquor), wherein is found any spirituous liquor whatever, shall be liable to a fine of not less than five thousand dollars and not more than fifty thousand dollars.

(2) All spirituous liquor whatever so found and the packages containing it shall be seized by the person

making the search and removed by the Commissioner to a Government warehouse, or to some convenient and safe place of custody elsewhere, and shall there be detained until adjudication on the complaint for the penalty to be brought against the occupier.

(3) If the complaint is decided against the defendant, the spirituous liquor and packages so detained shall *ipso facto* and without any condemnation whatever be forfeited; and if the complaint is decided in favour of the defendant, the spirituous liquor and packages shall be restored to him by the Commissioner :

Provided that if anyone charged satisfies the magistrate before whom the charge is investigated that the whole of the spirituous liquor found on the premises was kept there for the exclusive use of the occupier, or his servants or agents working or residing on the premises, and not for the purpose of being disposed of for money or reward, the magistrate shall dismiss the charge and order the restoration of the spirituous liquor so seized.

(4) For the purposes of this section any member of a firm occupying a shop, a store, or other business premises, may be prosecuted as the occupier.

Penalty for breach of section 12 (2).
[30 of 1952
21 of 1992]

86. The occupier of licensed premises who contravenes section 12 shall be liable on summary conviction to a fine of not less than three thousand dollars and not more than fifteen thousand dollars.

Limitation of time for making complaint.
[66 of 1952]

87. Every complaint under section 85 shall be brought within one month from the seizure of the spirituous liquor to which the charge relates; and, in default of its being so brought, the occupier of the premises in which the spirituous liquor has been seized shall be entitled on application to a magistrate to an order from him on the Commissioner to re-deliver the liquor and the packages

containing it to the occupier.

Keeping
samples of
spirituous
liquor.
[24 of 1992]

88. Anyone dealing in any spirituous liquor by wholesale may keep, in any store, shop, or business premises, occupied by him, a sample, not to exceed one litre of each kind and each quality of spirituous liquor in which he deals without being guilty of an offence under section 85.

Penalty for
obstructing or
impeding
entry and
search of
premises.
[21 of 1992]

89. Everyone who—

- (a) by refusing to open any door which it is legally in his power to open, or in any other way, obstructs, or in any way molests, opposes, hinders, or impedes, any officer authorised by this Act, or anyone having authority in writing under this Act and exhibiting his authority, to enter any premises and there to search, or otherwise to ascertain whether there has been any breach of any part of this Act; or
- (b) removes, throws away, or destroys, or causes to be removed, thrown away, or destroyed, any wine, malt liquor, or spirituous liquor, in order to prevent or impede any search for or seizure thereof,

shall be liable to a fine of not less than five thousand dollars and not more than fifteen thousand dollars.

LEGAL PROVISIONS

Breach of the
Act by member
of licence

90. (1) Every holder of a licence issued under this Act shall be, and he is hereby declared to be penally liable and

holder's family
and person in
his employ.

responsible for every breach of any provision of this Act by any member of his family, or by any person employed, whether temporarily or permanently, in or about any licensed premises, or in or about any room or place thereto attached and belonging, in the same manner and as fully as if he himself had committed the breach, and the member of the family or person employed shall be liable to the same punishment as the holder of the licence.

(2) The member of the family, or the person in the employ of the holder of the licence, may be examined as a witness for or against the holder on any charge brought against him under this Act, and, if so examined, shall not himself thereafter be liable to any charge in respect of such breach.

Special
provisions
where holder
of licence
incurs a penalty
and where he is
without
Guyana.

91. Where by this Act the holder of a licence is made liable to a penalty in respect of any act or omission, and a charge is preferred alleging that act or omission, the following proceedings shall be lawful:

- (a) the summons may be served in the manner now permitted by law, or by leaving it with any person who is apparently a clerk or servant found on the premises for which the licence is granted, or, if that person cannot be found, by affixing it in a conspicuous manner to the outer door or outer wall of the premises;
- (b) where the holder is without Guyana, his attorney or agent may appear on his behalf; and
- (c) where the holder is without Guyana, either at the time of the act or omission charged or at the time

when the summons is served, the magistrate, on being satisfied as to the service of the summons as hereinbefore authorised, shall proceed to investigate the matter of the charge whether any attorney or agent appears for the holder or not and, if the act or omission is proved, may order the penalty to be paid and to be levied upon the goods and chattels of the holder of the licence by distress, but where it is shown that the holder did not leave Guyana to avoid the service of the summons upon him personally, the magistrate shall not make an order or direct that the holder shall be imprisoned, either in default of sufficient goods or chattels being found or otherwise.

Liability of representative of holder of licence in certain cases.

92. The attorney of the holder of a licence issued under this Act, where the holder is without Guyana, shall be liable to every penalty imposed by this Act on the holder of the licence in respect of any act or omission, if it is proved that that act or omission occurred with the knowledge and consent of the attorney.

PROCEDURE

Liability of holder of spirit shop licence to forfeiture of licence on third conviction.
[30 of 1952
66 of 1952
21 of 1992]

93. (1) Every holder of a railway station or stelling liquor or a spirit shop licence who has been convicted twice under this Act of any offences where the maximum penalty amounts to or exceeds three thousand dollars may, on conviction a third time be adjudged, in addition to any fine or penalty awarded against him, to forfeit his licence in respect of which he has been last convicted.

(2) The court before whom the holder of a spirit

shop licence is convicted of the unlawful possession of the substance known as bush rum, may, in addition to any other penalty, order that the licence be forfeited.

(3) When a forfeited licence has been delivered to the Commissioner he shall cancel the licence.

Time when an order suspending or forfeiting a licence takes effect.

94. (1) When an order is made under this Act suspending or forfeiting any licence for a tavern or spirit shop, the order, unless an appeal is previously brought by the holder of the licence, shall take effect at the expiration of ten days next after the day on which it is made, and if an appeal is previously brought then at the expiration of ten days after the day on which it is finally confirmed.

(2) No one may sell any wine, malt liquor, or spirituous liquor in that tavern or spirit shop after the date when the order suspending or forfeiting the licence takes effect, and anyone who contravenes this subsection shall be deemed to have sold the wine, malt liquor, or spirituous liquor, without having a licence to do so and shall become liable to the penalties imposed on everyone so acting.

Sale of forfeited article.
[66 of 1952]

95. All articles forfeited under this Act, other than articles forfeited under section 49, shall be put up to public competition by the Commissioner and sold by him for cash to the highest bidder, not sooner than fourteen days after the forfeiture, and after not less than three notices of the sale in the *Gazette* and at least one newspaper published in Guyana. Articles forfeited under section 49 hereof shall be destroyed.

Deduction of costs and expenses.
[4 of 1972]

96. (1) The officer into whose hands comes the gross amount of any fine, penalty, or forfeiture, recovered and realised under this Act shall pay over the amount to the Accountant General.

(2) There shall also be deducted from such amount all costs and expenses whatever.

Recovery of money due on bond under the Act.

97. The State shall be entitled to parate or summary execution against all the parties to any bond given under this Act, for any sum for which the State Solicitor instructs the Registrar to issue summation on the bond; and the execution may be against all, or any one or more, of those parties; and to obtain the execution it shall not be necessary to give any proof of the signing or of the validity of the bond.

Evidence of sale or consumption of intoxicating liquor.

98. (1) In proving the sale or consumption of intoxicating liquor for the purpose of any proceeding relevant to an offence under this Act, it shall not be necessary to show that any money or valuable consideration actually passed or that any intoxicating liquor was actually consumed, if the court hearing the cause be satisfied that a transaction in the nature of a sale actually took place, or that consumption of intoxicating liquor was about to take place.

(2) Proof of consumption or intended consumption of intoxicating liquor on premises to which a licence is attached by some person other than the occupier of, or a servant employed on, the premises shall be evidence that the liquor was sold by or on behalf of the holder of the licence to the person consuming, or being about to consume, or carrying away the liquor.

Procedure and appeal.
[66 of 1952
21 of 1992]

99. (1) All fines and penalties to which anyone is liable under this Act shall be sued for, prosecuted, realised and recovered, and all proceedings in respect of forfeitures under this Act, shall be prosecuted and carried on, by the Commissioner under the Summary Jurisdiction Acts.

(2) Every conviction, order, or adjudication whatever, in respect of any fine, penalty, or forfeiture aforesaid shall be according to the forms (except as specially provided in this Act) and the rules of procedure, and subject to any appeal, provided by the Summary Jurisdiction Acts.

(3) Every magistrate shall have full jurisdiction and power to hear, determine, and adjudicate in the case of any fine, penalty or forfeiture aforesaid, whatever may be the amount or value thereof:

Provided that no prosecution or proceeding for or in respect of any fine, penalty, or forfeiture, exceeding in amount or value the sum of fifty thousand dollars shall be commenced without the authority in writing of the Director of Public Prosecutions.

Power to accept compensation for offences.

99A. Notwithstanding any other provisions of this Act, the Commissioner may, in any case he deems proper and in substitution for any proceedings in a court of summary jurisdiction, accept on behalf of the State a sum of money by way of compensation from any person reasonably suspected of a contravention of the Act or any regulations made thereunder:

Provided that such compensation shall be accepted only where the person reasonably suspected of such contravention has expressed his willingness, in such form as the Commissioner may prescribe by order, that the contravention as aforesaid shall be so dealt with.

Protection of person acting under the Act.

100. All persons acting under this Act shall be entitled to the protection afforded by law to justices of the peace.

Liability to damages and costs of person making seizure under the Act.

101. (1) No action, suit, or prosecution whatever shall be brought against anyone in respect of any detention or seizure made under this Act when the detention or seizure has been followed by forfeiture of the articles seized or any portion of them.

(2) When any action, suit, or prosecution whatever is brought against anyone in respect of any detention or seizure made under this Act, which has not been followed by

forfeiture of any of the articles detained or seized, if the judge or court before whom or which the action, suit, or prosecution is tried is of opinion that there was reasonable ground for the detention or seizure, the defendant shall not be liable to pay to the plaintiff in the action or suit any damages, or any costs of suit, nor shall he in that prosecution be liable to more than a fine of twenty-five cents.

Regulations
and forms.

102. The Minister—

- (a) may make regulations for carrying into effect the objects and purposes of this Act; and
- (b) may prescribe new forms and forms in place of those contained in the First Schedule, but no prescribed forms shall take effect until they have been published in three issues of the *Gazette* and of one daily newspaper respectively.

Saving of Acts
relating to
distillation,
sale and
keeping of
rum.

103. Nothing in this Act shall affect the provisions of any Act for the time being in force relating to the distillation and sale of rum, or to the quantity of rum that may be kept by anyone or the regulations for keeping it, as by that Act provided.

Licences in
respect of the
Transport and
Harbours
Department
and the
Timehri
International
Airport.
[35 of 1950
66 of 1950
3 of 1997]

104. (1) The Minister may authorise the Commissioner to issue a licence—

- (a) to the General Manager of the Transport and Harbours Department or to such person as may be nominated by that Department in respect of the sale of intoxicating liquor at any station or in any train or in any steamer of the Department;

or

- (b) to any person in respect of the sale of intoxicating liquor at the Cheddi Jagan International Airport.

(2) Any licence issued in pursuance of this section, shall be subject to any restrictions as to hours and manner of sale in each case prescribed by the Minister, and any sale contrary to those restrictions shall be deemed to be a sale without a licence.

Grant of licence not to create vested right.

105. The grant of an application for a certificate for a licence, or the renewal of a licence, or issue of a licence, or the renewal of a licence consequent thereon, shall not be deemed to create any vested interest or right, or to confer any right to a renewal of the licence.

[30 of 1952
66 of 1952]

**SCHEDULE
FORMS**

s. 13

FORM 1

A

INTOXICATING LIQUOR LICENSING ACT

Application for an Hotel Licence

To the Commissioner-General of the Guyana Revenue Authority.

I,
residing atin
the county of hereby make
application for a certificate for an hotel licence to sell

intoxicating liquor in the house at the premises occupied by me and situate at* subject to the above-named Act.

Dated this..... day of20.....
(Signed)

*Here describe accurately the situation of the house or building and state the number of rooms, etc., in the house or building which it is intended shall be licensed.

Example.—Lot No. 48, New Town, Georgetown, consisting of a three - storey building containing 12 rooms, 3 on the lower storey, 4 on the second storey, and 5 on the top storey, and 8 bedrooms, 4 on the second storey and 4 on the top storey.



s. 13

FORM 1

B

INTOXICATING LIQUOR LICENSING ACT

Application for a Railway Station or Stelling Liquor Licence

To the Commissioner - General of the Guyana Revenue Authority.

I,
residing at in
the county of hereby make
application for a certificate for a railway station or stelling
liquor licence to sell intoxicating liquor in the house at the
premises occupied by me and situate at*
..... subject to the provisions of the above-
named Act.

Dated this.....day of.....20.....
(Signed).....

* Here describe accurately the situation of the house or building.

s. 13

FORM 1

C

INTOXICATING LIQUOR LICENSING ACT

Application for a Spirit Shop Licence

To the Commissioner -General of the Guyana Revenue Authority.

I,
residing at.
in the county of. hereby make application for a certificate for a spirit shop licence to sell intoxicating liquor in the building situate at*.....subject to the provisions of the above-named Act.

Dated this.....day of.....20.....
(Signed).....

* Here describe accurately the situation of the premises and the shop or building, and state the number of rooms (all of which shall be numbered) and their situation in such shop or building, and state also in which room or rooms of the shop it is proposed to sell intoxicating liquor.

Example.—Lot No. 360, Bourda, Georgetown, consisting of a two-storey building containing 8 rooms, 4 on the lower storey and 4 on the upper storey, numbered I to 8 consecutively; in rooms numbered 1, 2, 3, 4, it is intended to sell intoxicating liquor.

s. 13

FORM 1

D

INTOXICATING LIQUOR LICENSING ACT

Application for a Restaurant Liquor Licence

To the Commissioner - General of the Guyana Revenue Authority .

I,
residing atin
the county ofhereby make
application for a certificate for a restaurant liquor licence
to sell intoxicating liquor in the building at the premises
occupied by me and situate at*.....
subject to the provisions of the above-named Act.

Dated this day of 20.....

(Signed).....

* Here describe accurately the situation of the building



s. 13

FORM 1

E

INTOXICATING LIQUOR LICENSING ACT

Application for a Members' Club, Liquor Licence

To the Commissioner-General of the Guyana Revenue Authority.

I,Secretary of
residing at in the county of
.....hereby make application on behalf
of the club for a certificate
for a members' club liquor licence to supply intoxicating
liquor in the building at the premises occupied by the club

and situate at *
.....
..... subject to the provisions of the above-named Act.

Dated this day of 20.....
(Signed).....
* Here describe accurately the situation of the building

s. 19(1)

FORM 2

A

INTOXICATING LIQUOR LICENSING ACT

District licensing board for the county of

*Certificate authorising the issue of an Hotel or Railway Station or
Stelling Liquor Licence*

It is hereby certified that the above-mentioned board on
the..... day of.....20....., granted the
application of.....offor a
certificate for the issue (or the renewal) of a licence to keep
an hotel (or tavern as the case may be) in the house at the
premises situate at..... in the county of
..... for the financial year 20.....

Dated this day of 20.....
(Signed).....

*Clerk of the district
licensing board for the
county of.....*

*Note.—A licence cannot be issued by the Commissioner General of the
Guyana Revenue Authority unless this certificate is presented to him within
60 days of the date of this certificate. (See section 20(2)).*

s. 19(1)

FORM 2

B

INTOXICATING LIQUOR LICENSING ACT

District licensing board for the county of.....

Certificate authorizing the issue of a Spirit Shop Licence

It is hereby certified that the above-mentioned board on the.....day of20....., granted the application ofof.....for a certificate for the issue (or the renewal) of a licence to keep a spirit shop in the building at the premises situate at..... in the county offor the financial year 20....., and that intoxicating liquor may be sold only in the rooms numberedon the storey.

Dated this..... day of20.....

*Clerk of the district
licensing board for the
county of.....*

s. 19(1)

FORM 2

C

INTOXICATING LIQUOR LICENSING ACT

District licensing board for the county of.....

Certificate authorizing the issue of a Restaurant Liquor Licence

It is hereby certified that the above-mentioned board on the.....day of20..... , granted the application ofof for a certificate for the issue (or the renewal) of a licence for the sale of intoxicating liquor in a restaurant in the building at the premises situate at..... in the county of.for the financial year 20.....

Dated this..... day of.....20.....

(Signed).....

*Clerk of the district
licensing board for the
county of.....*

s. 19(1)

FORM 2

D

INTOXICATING LIQUOR LICENSING ACT

District licensing board for the county of

Certificate authorising the issue of a Members' Club Liquor Licence

It is hereby certified that the above-mentioned board on the day of 20..... granted the application of of for a certificate for the issue (or the renewal) of a licence for the supply of intoxicating liquor in a club in the building at the premises situate at..... in the county offor the financial year 20.....

Dated this.....day of20.....

(Signed).....
Clerk of the district
licensing board for the
county of

s. 19(2)

FORM 3

A

INTOXICATING LIQUOR LICENSING ACT

Hotel Licence

WHEREAS the district licensing board for the county ofon theday of 20....., granted the application ofof in the county offor a certificate for the issue (or the renewal) of a licence to keep an hotel in the house on the premises occupied by him and situate at.....

These are, therefore, to authorise and license the said.....to sell intoxicating liquor at the house aforesaid to be consumed on the premises.

This licence is issued under and subject to the above-named Act.

Dated this.....day of20.....

(Signed).....
Commissioner -General of the
Guyana Revenue Authority

s. 19(2)

FORM 3

B

INTOXICATING LIQUOR LICENSING ACT

Railway Station or Stelling Liquor Licence

WHEREAS the district licensing board for the county of.....on theday of 20....., granted the application ofof in the county offor a certificate for the issue (or the renewal) of a licence to keep a tavern in the house on the premises occupied by him and situate at.....

These are, therefore, to authorise and license the said..... to sell intoxicating liquor in the following rooms of the said houseand to be consumed on the premises.

This licence is issued under and subject to the above-named Act.

Dated thisday of.....20.....

(Signed).....

Commissioner General of the

Guyana Revenue Authority

s.20(2)

FORM 3

C

INTOXICATING LIQUOR LICENSING ACT

Spirit Shop Licence

WHEREAS the district licensing board for the county of

..... on the day of
20..... granted the application of of
..... in the county offor a
certificate for the issue (or the renewal) of a licence to keep
a spirit shop in the building situate at
.....

These are, therefore, to authorise and license the
said.....to sell intoxicating liquor in the
following rooms of the said

This licence is issued under and subject to the above-
named Act.

Dated this.....day of20.....
(Signed).....
Commissioner General of the
Guyana Revenue Authority

s. 19(2)

FORM 3

D

INTOXICATING LIQUOR LICENSING ACT

Restaurant Liquor Licence

WHEREAS the district licensing board for the county
of.....on the.....day of
..... 20....., granted the application of
.....in the county of.....for a
certificate for the issue (or the renewal) of a licence for the sale
of intoxicating liquor in a restaurant in the building on the
premises occupied by him and situate
at.....

These are, therefore, to authorise and license the said
..... to sell intoxicating liquor at the building
aforesaid to be consumed on the premises.

This licence is issued under and subject to the above-named Act.

Dated this.....day of.....20.....

(Signed).....

Commissioner General of the

Guyana Revenue Authority

s. 19(2)

FORM 3

E

INTOXICATING LIQUOR LICENSING ACT

Members' Club Liquor Licence

WHEREAS the district licensing board for the county ofon the.....day of..20....., granted the application ofin the county offor a certificate for the issue (or the renewal) of a licence for the supply of intoxicating liquor in a club in the building situate at.....

These are, therefore, to authorise and license the said.....to supply to its members, visitors and guests Intoxicating liquor at the building aforesaid to be consumed on the premises.

The licence is issued under and subject to the above-named Act.

Dated this.....day of20.....

(Signed).....

Commissioner General of the
Guyana Revenue Authority

s. 21(2)

FORM 4

INTOXICATING LIQUOR LICENSING ACT

Application to Transfer a Licence to a Transferee

To the Commissioner General of the Guyana Revenue Authority.

We,.....residing atin the county of..... andresiding at.....in the county of hereby make application for the transfer of the Licence Noin respect of the building situate at from the said..... to the said.....

Dated this day of..... 20.....

(Signed).....

(Signed).....

s. 21 (3)

FORM 5

A

INTOXICATING LIQUOR LICENSING ACT

Application to Transfer a Hotel Licence from one Premises to

Another

To the Commissioner General of the Guyana Revenue Authority.

I.....residing at
in the county of.....hereby make application
that the hotel licence No.....now held by me in
respect of the house situate at.....may be
transferred to, and held by me in respect of the house at the
premises occupied by me and situate
at*.....subject to the above-named Act.

Dated this.....day of.....20.....
(Signed).....

* Here describe accurately the situation of the house or building.

s. 21(3)

FORM 5

B

INTOXICATING LIQUOR LICENSING ACT

*Application to Transfer a Railway Station or Stelling Liquor
Licence from one Premises to Another*

To the Commissioner General of the Guyana Revenue Authority.

I,residing at in
the county ofhereby make application that
the railway station or stelling liquor licence No.....now
held by me in respect of the house situate at
.....ay be transferred to, and held by me
in respect of the house at the premises occupied by me and
situate at* subject to the above-named
Act.

Dated this..... day of 20.....
(Signed).....

* Here describe accurately the situation of the house or building.

s. 21(3)

FORM 5

C

INTOXICATING LIQUOR LICENSING ACT

Application to Transfer a Spirit Shop Licence from one Premises to Another

To the Commissioner General of the Guyana Revenue Authority .

I,residing at
in the county ofhereby make application
that the spirit shop licence No.....now held by me in
respect of the house situate at.....may be
transferred to, and held by me in respect of the building
situate at*..... subject to the above-
named Act.

Dated this.....day of.....20.....
(Signed).....

*Here describe accurately the situation of the premises and the shop or building, and state the number of rooms (all of which shall be numbered) and their situation in such shop or building, and state also in which room or rooms of the shop it is proposed to sell intoxicating liquor.

Example.—Lot No. 360, Bourda, Georgetown, consisting of a two-storey building containing 8 rooms, 4 on the lower storey and 4 on the upper storey, numbered 1 to 8 consecutively; In rooms numbered 1, 2, 3, 4, it is intended to sell intoxicating liquor.

s. 21(3)

FORM 5

D

INTOXICATING LIQUOR LICENSING ACT

Application to Transfer a Restaurant Liquor Licence from one Premises to Another

To the Commissioner - General of the Guyana Revenue Authority.

I, residing at in the county ofhereby make application that the restaurant liquor licence No.....now held by me in respect of the building situate atmay be transferred to, and held by me in respect of the building at the premises occupied by me and situate at*subject to the above named Act.

Dated this.....day of20.....
(Signed).....

* Here describe accurately the situation of the building.

s. 21(3)

FORM 5

E

INTOXICATING LIQUOR LICENSING ACT

Application to transfer a Member's Club Liquor Licence from one Premises to Another

To the Commissioner-General of the Guyana Revenue Authority.

I, Secretary of

..... residing at
 in the county of hereby
 make application that the members' club liquor licence
 No..... issued in the name of the club in respect of
 the building situate at may be
 transferred to and in the name of the club in respect of the
 building at the premises occupied by the club and situate at*
 above-named Act.

Dated this..... day of20.....
 (Signed).....

*Here describe accurately the situation of the building.

FORM 6

s. 28(1)

A

INTOXICATING LIQUOR LICENSING ACT

Application for a Provisional Grant of Hotel Licence

To the Commissioner - General of the Guyana Revenue
 Authority .

I,residing at
 in the county of hereby make
 application for a provisional grant of a certificate for a hotel
 licence to sell intoxicating liquor in the house about to be
 constructed (or in course of construction) at the premises
 occupied by me and situate at*.....
 subject to the provisions of the above-named Act.

The plans of the said house are hereto annexed marked
 A.

Dated this.....day of.....20.....
 (Signed).....

* Here describe accurately the situation of the house or building.

s. 28 (1)

FORM 6

B

INTOXICATING LIQUOR LICENSING ACT

*Application for a Provisional Grant of a Railway Station
or Stelling Liquor License*

To the Commissioner General of the Guyana Revenue Authority.

I.....residing at

In the county of.....hereby make application for a provisional grant of a certificate for a railway station or stelling liquor licence to sell intoxicating liquor in the house about to be constructed (or In course of construction) at the premises occupied by me and situate at*subject to the above-named Act.

The plans of the said house are hereto annexed marked A.

Dated this.....day of.....20.....

(Signed).....

* Here describe accurately the situation of the house or building.

s. 28(1)

FORM 6

C

INTOXICATING LIQUOR LICENSING ACT

Application for a Provisional Grant of a Spirit Shop Licence

To the Commissioner General of the Guyana Revenue Authority.

I, residing at
in the county of.....hereby make
application for a provisional grant of a certificate for a spirit
shop licence to sell intoxicating liquor in the building about
to be constructed (or in course of construction) situate
at*.....subject to the above named Act.

The plans of the said building are hereto annexed
marked A.

Dated this.....day of.....20.....
(Signed).....

* Here describe accurately the situation of the premises and the shop
or building, and state the number of rooms (all of which shall be
numbered) and their situation in the shop or building and state also in
which room or rooms of the shop it is proposed to sell intoxicating liquor.

Example.—Lot No. 360, Bourda, Georgetown, consisting of a two-
storey building containing 8 rooms, 4 on the lower storey and 4 on the
upper storey, numbered 1 to 8 consecutively; in rooms numbered 1, 2, 3, 4,
it is intended to sell intoxicating liquor.



s. 28(1)

FORM 6

D

INTOXICATING LIQUOR LICENSING ACT

Application for a Provisional Grant of a Restaurant Liquor Licence

To the Commissioner-General of the Guyana Revenue Authority.

I, residing at.....
in the county of.....hereby make application for a provisional grant of a certificate for a restaurant liquor license to sell intoxicating liquor in the building about to be constructed (or in course of construction) at the premises occupied by me and situate at*.....subject to the above-named Act.

The plans of the said building are hereto annexed marked A.

Dated this.....day of.....20.....
(Signed).....

* Here describe accurately the situation of the building.

s. 28(1)

FORM 6

E

INTOXICATING LIQUOR LICENSING ACT

Application for a Provisional Grant of a Members' Club Liquor Licence

To the Commissioner-General of the Guyana Revenue Authority.

I Secretary of

residing at in the county ofhereby make application for a provisional grant of a certificate for a members' club liquor licence to supply intoxicating liquor in the building about to be constructed (or in course of construction) at the premises occupied by the club and situate at* subject to the above-mentioned Act.

The plans of the said building are hereto annexed marked A.

Dated this day of.....20.....
(Signed).....

* Here describe accurately the situation of the building

s. 32(1)

FORM 7

INTOXICATING LIQUOR LICENSING ACT

Application for Issue or Renewal of Off-Licence

To the Commissioner - General of the Guyana Revenue Authority.

I, residing at in the county of.....hereby make application for the issue or renewal of a licence to—

*(a) store in bulk, mix and blend and to sell spirituous liquor, wine or malt liquor in the premises occupied by me and situate at..... subject to the above named Act.

*(b) sell spirituous liquor, wine or malt liquor

in the premises occupied by me and situate at.....but not to store in bulk, mix or blend such spirituous liquor, subject to the above-named Act.

Dated this..... day of.....20.....

(Signed).....

* Strike out the categories not required.

Here describe accurately the situation of the house or building and the position of the room or rooms in such house or building and state in which room or rooms it is intended to keep spirituous liquor.

Example.—Lot No. 67, Robb’s Town, Georgetown, consisting of a two-storey building containing 8 rooms of which the room on the lower storey in the centre of the building marked “A” is intended to be used as a liquor store.



FORM 8

INTOXICATING LIQUOR LICENSING ACT

Off-licence

WHEREAS.....of.....
on the.....day of.....20....., applied to the Commissioner -General of the Guyana Revenue Authority for the issue or renewal of licence to keep a liquor store at the premises situate at.....in the county of

These are, therefore, to authorise and license the said..... to—

- * (a) keep a liquor store and to store in bulk, mix and blend and to sell spirituous liquor, wine

s.33

or malt liquor and to keep the spirituous liquor in the following room.....;

- * (b) keep a liquor store and to sell spirituous liquor, wine or malt liquor and to keep the spirituous liquor in the following room.....but not to store in bulk, mix or blend such spirituous liquor.

This licence is issued under and subject to the above-named Act.

Dated this.....day of20.....

(Signed).....

*Commissioner General of the
Guyana Revenue Authority*

* Strike out the categories not required.

FORM 9							
s.47(1)							
Intoxicating Liquor Licensing Act							
BOOK SHOWING THE QUANTITY OF RUM RECEIVED INTO THE LICENSED*AT							
Date of Permit	When received	From whom purchased	From what place received	Marks on Packages	Number of litres	Strength	Litres of alcohol at 20 degrees

*Hotel, restaurant, tavern, spirit shop, passenger steamer, as the case may be.

FORM 10 s. 47(1) Intoxicating Liquor Licensing Act						
BOOK SHOWING THE QUANTITY OF SPIRITUOUS LIQUOR OTHER THAN RUM, RECEIVED INTO THE LICENSED*.....AT						
When received	From whom Purchased	From what place received	Mark or brand	Kind of spirituous liquor	Strength	
*Hotel, restaurant, tavern, spirit shop, passenger steamer, as the case may be.						

Intoxicating Liquor Licensing Act (Section 62(2)(a)). FORM 11 s. 62(2)(a) INTOXICATING LIQUOR LICENSING ACT

No. Authority to the Holder of a Spirit Shop Licence to sell more than Two Quarts of Rum Authority is hereby granted to...the holder of the spirit shop licence No...for the shop situate at... to sell...gallons of rum to...and the said...may remove of...gallons of rum to...within... the said...o'clock of the...day of...20.... hours from...day of...20....

Given under my hand this...day of...20.... (Signed) Commissioner-General of the Guyana Revenue Authority

Intoxicating Liquor Licensing Act
(Section 62(2)(b)).

FORM 12
INTOXICATING LIQUOR LICENSING ACT

s. 62(2)(b)

No.....

.....District

No.

Date.

Licence holder.

Locality.

Purchaser.

Number of gallons.

Strength (by Sikes' Hydrometer) of.

Time allowed.

Reasons alleged in application.

I, the holder of the spirit shop licence No..... for the shop situate at..... have this day sold to..... of..... gallons of rum of a strength (by Sikes' Hydrometer) of..... and the said..... may remove hereby granted to him to remove the said..... and authority is gallons of rum to within..... hours from..... o'clock of the..... day of..... 20....

Authority to Remove more than Two Quarts of Rum

Given under my hand this..... day of..... 20.....

(Signed).....
Spirit shop licence holder

s. 69

FORM 13

INTOXICATING LIQUOR LICENSING ACT

Order of Condemnation

County of.....

BE it remembered that on the.....day of
20.....at.....in Guyana,
 the following articles, namely (1).....were duly
 seized on certain premises said to be in the occupation of one
 (2).....and that (3).....
 has claimed the said articles, and that the claim has been this
 day adjudicated on by me, and that I have condemned, as I do
 hereby condemn (4).....and I hereby
 adjudge (3).....to pay to (5).....
 the sum of.....for costs in that behalf, and if
 the said sum be not paid forthwith (or on or before the
day of.....20.....) I adjudge the
 sum to be levied by distress and sale of the goods and chattels
 of (3).....and, in default of sufficient distress in
 that behalf, I adjudge (3).....to be
 imprisoned in the gaol at.....in Guyana for
 the space of (6).....from the date of these
 presents.

Dated this.....day of.....20.....

(Signed).....

Magistrate

- (1) Describe all the articles seized.
- (2) Name of occupier of premises.
- (3) Name of claimant.
- (4) Specify the articles condemned.
- (5) The Commissioner- General of the Guyana Revenue Authority and also any other seizing officer who may be a defendant, if he has any costs.
- (6) Not to exceed two calendar months.

FORM 14

s. 75

INTOXICATING LIQUOR LICENSING ACT

Special Permit to keep Spirituous Liquor for Scientific Purposes

Special permission is hereby granted to.....of.....engaged in.....in the county of.....
 (or carrying on the manufacture, or trade, or business of.....) at.....for the purpose of being there exclusively used in
 to remove from.....to the factory premises of the said.....for the purpose of being there exclusively used in
bona fide preparation of (or dealing with, [describing the mode of dealing]) and not otherwise, and there to keep and use exclusively for the purpose aforesaid spirituous
 liquor, the particulars whereof are as follows –

Kind of Spirituous Liquor.	Number of litres.	Degree of Strength.	Whether coloured or not.	Name and Place where Made.	Kind of Package.	Number of Package.	Marks of Packages.

Dated this.....day of.....20.....

(Signed).....
 Commissioner General of the Guyana Revenue Authority

s. 93(2)

FORM 15

INTOXICATING LIQUOR LICENSING ACT

Adjudication of Forfeiture of Railway Station or Stelling Liquor or Spirit Shop Licence

County of

WHEREAS.....holder of the spirit shop (or railway station or stelling) liquor licence No..... has this day been convicted before and by me of an offence under the Intoxicating Liquor Licensing Act and whereas it has been shown to me that the saidhas been heretofore twice convicted of offences under the said Act; now, by virtue of section 97 of the said Act, I do not hereby adjudge and declare the said licence to be forfeited.

Dated this.....day of.....20.....

(Signed).....
Magistrate

SUBSIDIARY LEGISLATION

INTOXICATING LIQUOR LICENSING (OFF-LICENCES) ORDER

made under section 3 (a)

Citation. **1.** This Order may be cited as the Intoxicating Liquor Licensing (Off-Licences) Order.

Second class off-licence.
O. 58/1972 **2.** The area specified in the First Schedule shall be one in respect of which second class off licences may be issued.

First class off-licence
O. 58/1972 **3.** The ones specified in the Second and Third Schedules shall be areas in respect of which first class off licences may be issued.

O. 58/1972

FIRST SCHEDULE

The whole of Guyana.

O. 63/1952

SECOND SCHEDULE
PLANTATION NOITGEDACHT

That portion of Lot 43 or Noitgedacht situate on the right bank of the Demerara River between the Watooka and Coyuro Creeks as paled off and defined by A. J. Dheong, Government Surveyor, and shown on his plan dated 27th November, 1929, and recorded in the Department of Lands and Mines as Plan No. 3626.

[Subsidiary]

Intoxicating Liquor Licensing (Off-Licences) Order

O. 48/1953

THIRD SCHEDULE

PLANTATION BLAIRMONT

An area of 60 feet long by 40 feet wide situate immediately west of the western wall of the Spirit Warehouse situate on the premises of S. Dawson and Company Limited, at Plantation Blaimont on the West Bank of the Berbice River, in the County of Berbice.

O. 53/1953

PLANTATION UITVLUGT

An area 120 feet long by 60 feet wide situate immediately east of the Distillery Spirit Store and south of the Sugar Factory at Plantation Uitvlugt, West Coast, Demerara.

O. 43/1954

ITUNI TOWN SITE

This area known as the "Ituni Town Site" situate at the source of the Ituni River, a left bank tributary of the Berbice River, and near the southern terminus of the private railroad of the Demerara Bauxite Company Limited, from Linden, Demerara River, to the aforesaid source of the Ituni River; as defined by R. S. Kaufman, Government Surveyor and shown on his plan dated 29th September, 1944, and recorded in the Lands Department as plan No. 5942.

O. 90/1956

KWAKWANI

An area 62 feet in length by 31 feet in width, occupied by the commissary building, situate at the extreme south western corner of the community of Kwakwani, Berbice River, and adjacent to the main road leading from the said community to the Mine Plant.

LAWS OF GUYANA

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[Subsidiary]

Intoxicating Liquor Licensing (Off-Licences) Oder

O. 55/1957

ADVENTURE STELLING

An area of land comprised within a radius of one mile from Adventure Stelling, Essequibo Coast.

O. 58/1958

WISMAR

An area of land comprised within a radius of one mile from the Police Station at Wismar, Demerara River.

O. 58/1960

MATTHEWS' RIDGE

An area of land comprised within a radius of a half mile from the Ration Store owned by the Northwest Guiana Mining Co. Ltd. at Matthews' Ridge Mine Village, Matthews' Ridge, North West District.

O. 58/1960

PORT KAITUMA

An area of land comprised within a radius of a half mile from the Ration Store owned by the Northwest Guiana Mining Co. Ltd. At Port Kaituma, Kaituma River, North West District.

O. 12/1961

WALES ESTATE

An area 20 feet long by 20 feet wide situate 80 feet south east of the Factory Compound and 125 feet west of the Estate Office at Wales Estate, West Bank, Demerara.
