

GC Report of Edu Committee
1937-1941
Pg 15

NO. 2.

1909.



NORTHERN TERRITORIES
OF THE
GOLD COAST.

IN THE NINTH YEAR OF THE REIGN OF
HIS MAJESTY KING EDWARD VII.
SIR JOHN PICKERSGILL RODGER, K.C.M.G.,
GOVERNOR OF THE GOLD COAST COLONY.

AN ORDINANCE to regulate the importation and
sale of spirituous liquors, wine and beer.

(26th March, 1909.)

BE IT ENACTED by the Governor of the Gold Coast Colony with
respect to the Northern Territories as follows :—

1. This Ordinance may be cited as "The Northern Territories Spirituous Liquors Ordinance, 1909." Short title

2. In this Ordinance, unless the context otherwise requires, the expression :—

“ Spirituous liquors ” means rum, brandy, gin, whisky, absinthe, liqueurs, and any other distilled liquors ;

“ Wine ” does not include palm-wine ;

“ Beer ” includes ale, porter, lager beer, cider and perry but not native beer ;

“ Sale ” or “ sell ” includes disposal by barter, exchange, or in any other manner for valuable consideration ;

“ Native ” means a native of Tropical Africa, whether born within or without the Northern Territories ;

“ Tropical Africa ” shall be taken to mean all that part of the African continent lying between the 20th degree North latitude and the 22nd degree South latitude.

3. No spirituous liquors or wines shall be imported into the Northern Territories except by non-natives who are conveying them for their own use or except in the manner provided in the next succeeding section.

4. (1) Non-natives desiring to import into the Northern Territories spirituous liquors or wines for their own use to be shipped either directly to themselves or to any agent on their behalf in the Northern Territories or for the purpose of sale to non-natives under the licence hereinafter provided or in the capacity of agents on behalf of any other non-native shall first make a true declaration and receive a permit from the Chief Commissioner of the Northern Territories or from any other officer appointed by the Chief Commissioner to grant such permit.

(2) The form of declaration and permit shall be as set forth in Schedule A. hereto.

(3) Nothing herein contained shall be deemed to compel the Chief Commissioner or other officer appointed as aforesaid to grant such permit.

5. Every holder of a permit shall produce it when required by a Provincial or District Commissioner or by the Commandant or Assistant Commandant of Constabulary or by any other officer authorized in writing by a Commissioner to require the production of permits.

6. Every non-native found in possession of spirituous liquor or wine for which he is unable satisfactorily to account either by the production of a permit or by proof that he has purchased the same from some person licensed to sell such liquor shall be presumed to have imported the same in contravention of this Ordinance.

7. It shall be unlawful for any native to be in possession of any spirituous liquor or wine.

8. No spirituous liquor, wine or beer shall be sold or offered for sale except as hereinafter provided.

9. (1) The Chief Commissioner may in his discretion grant licences to non-natives for the sale to non-natives of spirituous liquors and wines in original bottles and not to be consumed on the premises : may attach such conditions to any such licence as he may think fit : and may on breach of any condition at any time cancel such licence or vary the conditions attached thereto.

and definition.

Importation of spirituous liquors and wines prohibited except as provided.

Importation under permit.

Permit to be produced when required.

Non-natives in possession of spirituous liquors or wines.

Native in possession of spirituous liquors or wine.

If liquor prohibited as provided.

Power in Chief Commissioner to grant licences for sale of spirituous liquors.

(2) There shall be payable for each such licence the sum of £10, and each licence shall expire on the 31st day of December of the year in which such licence was issued.

(3) Licences shall be in the form set forth in Schedule B. hereto.

10. (1) The Chief Commissioner may in his discretion grant licences to natives and non-natives for the sale to natives and non-natives of beer in original bottles and not to be consumed on the premises: may attach such conditions to any such licence as he may think fit: and may on breach of any condition at any time cancel such licence or vary the conditions attached thereto.

Power to grant licences to sell Beer.

(2) There shall be payable for each such licence the sum of £5, and the licence shall expire on the 31st day of December of the year in which such licence was issued.

(3) Licences shall be in the form set forth in Schedule C. hereto.

11. It shall be unlawful for a non-native to give spirituous liquor or wine to a native except in case of sickness.

Giving spirituous liquor or wine to a native an offence.

12. It shall be lawful for a Commissioner, the Commandant of Constabulary or any officer duly authorized in writing by either to search any person, animal, building, or anything used as a means of conveyance by land or water for the purpose of discovering whether there has been any contravention of this Ordinance.

Power of search.

13. (1) Any person contravening or conniving at any contravention of sections 3, 4, 9 or 10 hereof shall be liable on a first conviction to a fine not exceeding one hundred pounds or to imprisonment with or without hard labour for a period not exceeding six months and on every subsequent conviction to a fine not exceeding five hundred pounds or to imprisonment with or without hard labour for a period not exceeding twelve months, or to both.

Penalties.

(2) Any person contravening or conniving at any contravention of section 7 or 11 hereof shall on conviction be liable to a fine not exceeding one hundred pounds or to imprisonment with or without hard labour for a period not exceeding six months.

(3) Any person contravening section 5 hereof shall on conviction be liable to a fine not exceeding five pounds.

(4) In addition to any sentence by this Ordinance provided, the Court may order that the spirituous liquors or wine imported sold or offered for sale or given or possessed in contravention of this Ordinance or anything used as a means of conveyance of such spirituous liquors or wine shall be forfeited.

14. It shall be lawful for the Chief Commissioner subject to the approval of the Governor to make alter or rescind regulations for the better carrying out of the provisions of this Ordinance and for any contravention thereof to impose a fine not exceeding five pounds.

Power to make regulations.

15. This Ordinance shall come into force on the first day of July, 1909.

Commencement of Ordinance.

No. 2.]

The Northern Territories Spirituous
Liquors Ordinance.

[1909.

SCHEDULE A.—(Section 4).

FORM OF DECLARATION AND PERMIT.

Declaration of Spirituous Liquors and wines for importation
into the Northern Territories.

I the undersigned*.....
.....do hereby declare that I desire to import the
undermentioned spirituous liquors and wines into the Northern Territories
for the undermentioned purpose and no other.

*Here state name and
status of Importer.

Quantity and Description of Spirituous Liquors and Wines.	Purpose of Importation.*

*State if required for
personal consumption or for
sale under a licence. If for
sale under a licence state
place or places where the
liquors are to be sold.

Signature.....
Occupation.....

I hereby certify my approval of the importation of the above spirituous
liquors into the Northern Territories.

Signature.....

Place.....
Date.....

SCHEDULE B—(Section 9).

Licence is hereby granted to (*name and residence of Licensee*) to sell
to non-natives spirituous liquors and wines in original bottles not to be
consumed on the premises at (*describe place of sale by name, situation and
other particulars*) until the 31st day of December, 190 , under the following
conditions (*specify conditions*).

Dated this.....day of.....190 .

Fee paid £10.

Signature.....

SCHEDULE C.—(Section 10).

Licence is hereby granted to (*name and residence of Licensee*) to sell
to both natives and non-natives beer in original bottles not to be consumed
on the premises at (*describe place of sale by name, situation and other
particulars*) until the 31st day of December, 190 , under the following
conditions (*specify conditions*).

Dated this.....day of.....190 .

Fee paid £5.

Signature.....

Made this 26th day of March, 1909.

John Lodge
Governor of the Gold Coast Colony.