



GUYANA

ACT No. 25 OF 1992

SPIRITS (AMENDMENT) ACT 1992

I assent.

H. D. HOYTE,
President.

1992—08—21

ARRANGEMENT OF SECTIONS

SECTION

1. **Short title.**
2. **Amendment of section 2 of the Principal Act.**
3. **Amendment of section 12 of the Principal Act.**

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- Amendment of section 14 of the Principal Act.
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 Amendment of section 18 of the Principal Act.
 Amendment of section 21 of the Principal Act.
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 Amendment of section 24 of the Principal Act.
 12. Amendment of section 26 of the Principal Act.
 Amendment of section 29 of the Principal Act.
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 Amendment of section 34 of the Principal Act.
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 Amendment of section 41 of the Principal Act.
 22. Amendment of section 43 of the Principal Act.
 Amendment of section 44 of the Principal Act.
 24. Amendment of section 54 of the Principal Act.
 Amendment of section 55 of the Principal Act.
 26. Amendment of section 57 of the Principal Act.
 27. Amendment of section 58 of the Principal Act.
 28. Amendment of section 63 of the Principal Act.
 Amendment of section 64 of the Principal Act.
 30. Amendment of section 65 of the Principal Act.
 31. Amendment of section 66 of the Principal Act.
 33. Amendment of section 75 of the Principal Act.
 Amendment of section 76 of the Principal Act.
 Amendment of section 77 of the Principal Act.
 36. Amendment of section 78 of the Principal Act.
 Amendment of section 79 of the Principal Act.
 38. Amendment of section 105 of the Principal Act.
 Amendment of section 106 of the Principal Act.
 40. Amendment of section 125 of the Principal Act.
 41. Amendment of section 126 of the Principal Act.
 Amendment of the Schedule to the Principal Act.

AN ACT to amend the Spirits Act

A. D. 1992 Enacted by the Parliament of Guyana :—

short title. This Act, which amends the Spirits Act, may be cited as
 Cap. 82:24 the Spirits (Amendment) Act 1992.

A.D. 1992]

SPIRITS (AMENDMENT)

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2. Section 2 of the Principal Act is hereby amended as follows —

**Amendment
of section
2 of the
Principal
Act.**

(a) by the renumbering of it as subsection (1) thereof and by the insertion, after subsection (1) as so renumbered, of the following subsection as subsection (2)—

“(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 or of the alcohol contained in 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 is the ratio of the volume of the alcohol contained in the liquor to the volume of the liquor (inclusive of the alcohol contained in it);

(b) in subsection (1), as so renumbered —

- (i) by the insertion after the words “In this Act—” of the following definition —

‘ “alcohol” means ethyl alcohol’;

- (ii) by the deletion of the definition of “gallon”;

- (iii) by the insertion after the definition of “Government Analyst” of the following definition —

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

- (iv) by the deletion of the definition of “proof”; and

- (v) by the insertion after the definition of “still” of the following definition —

‘ “strength” in relation to any liquor means its alcoholic strength computed in accordance with subsection 2, the ratio referred to in paragraph (c) thereto being expressed as a percentage’;

**Amendment
of section
12 of the
Principal
Act.**

3. Section 12 of the Principal Act is hereby amended by the substitution for the word "gallon" of the words "four decimal five litres".

**Amendment
of section
14 of the
Principal
Act.**

4. Subsection (1) of section 14 of the Principal Act is hereby amended, by the substitution for the word "quart" of the word "litre".

**Amendment
of section
15 of the
Principal
Act.**

5. Subsection (1) of section 15 of the Principal Act is hereby amended, by the substitution for the words "one gallon" of the words "four decimal five litres".

**Amendment
of section
17 of the
Principal
Act.**

6. Subsection (5) of section 17 of the Principal Act is hereby amended, by the substitution for the words "spirits at proof" of the words "alcohol in the spirits".

**Amendment
of section
18 of the
Principal
Act.**

7. Section 18 of the Principal Act is hereby amended in the following respects —

- (a) in subsections (1) (c) (i) and (ii) and (e) by the substitution for the word "gallon" of the word "litres"; and
- (b) in subsection (2), by the substitution for the words "imperial gallon" of the word "litre";

**Amendment
of section
21 of the
Principal
Act.**

8. Subsection (1) of section 21 of the Principal Act is hereby amended, by the substitution for the words "nine tenths of a gallon of spirits at proof for each five degrees of attenuation on each hundred gallons" of the words "one litre of alcohol for each nine decimal seven degrees of attenuation on each hundred litres";

**Amendment
of section
22 of the
Principal
Act.**

9. Section 22 of the Principal Act is hereby amended, in the following respects —

- (a) in subsections (1) and (2) by the substitution for the word "Sikes" of the words "an approved alcohol"; and
- (b) in subsection 4 by the substitution for the words "four degrees of strength" of the words "two decimal three percent alcohol" and for the word "Sikes" of the words "an approved alcohol".

**Amendment
of section
23 of the
Principal
Act.**

10. Subsection (1) of section 23 of the Principal Act is hereby amended by the deletion of the form thereto and the substitution of the following form therefor ---

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| | | | | | | | | |
|-----------------------------|---|--|--------|--------------|-------------|-----------------|--|--|
| a) | DATE | | SET UP | WASH ACCOUNT | PERIOD FROM | | | |
| | Number of Vat | | | | | | | |
| | Number of Litres | | | | | | | |
| | Specific gravity before fermentation | | | | | | | |
| | Temperature of Wash | | | | | | | |
| | Specific gravity after fermentation | | | | | WASH ATTENUATED | | |
| | Temperature of Wash | | | | | | | |
| | Number of degrees attenuated | | | | | | | |
| | DATE | | | | | | | |
| | Number of Vats distilled | | | | | | | |
| Litres of Wash distilled | | | | | | | | |
| Litres of Spirit from Still | | | | | | | | |
| Temperature | | | | | | | | |
| Hydrometer Indication | | | | | | | | |
| Strength | | | | | | | | |
| b) | Thermal Correction Factor | | | | | | | |
| | Liquid Quantity at 20° C | | | | | | | |
| | Litres of Alcohol at 20° C | | | | | | | |
| | Average attenuation of wash | | | | | | | |
| | Return of Litres of alcohol per cent of wash per 9.7 degrees of attenuation | | | | | | | |

REMARKS

Amendment
of section
24 of the
Principal
Act.

11. Subsection (i) of section 24 of the Principal Act is hereby amended by the deletion of the form thereto and the substitution of the following Form therefor —

| | | |
|--|---------------------------------------|--|
| | | DATE |
| | Litres of alcohol at 20° C | BALANCE FROM LAST ACCOUNT |
| | Liquid quantity (litres) | QUANTITY FROM SPIRIT RECEIVER |
| | Temperature | |
| | Indication | |
| | Strength | |
| | Thermal correction factor | |
| | Liquid quantity at 20° C | |
| | Litres of alcohol at 20° C | |
| | DATE | DELIVERED |
| | Liquid quantity (litres) | |
| | Temperature | |
| | Indication | |
| | Strength | |
| | Thermal correction factor | |
| | Liquid quantity at 20° C | |
| | Litres of alcohol at 20° C | |
| | To whom sent or for what purpose used | |

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12. Subsection (4) of section 26 of the Principal Act is hereby amended by the substitution for the words "twenty-five gallons" of the words "one hundred and thirteen litres".

**Amendment
of section
26 of the
Principal
Act.**

13. Section 29 of the Principal Act is hereby amended in the following respects —

**Amendment
of section
29 of the
Principal
Act.**

- (a) in subsection (2), by the substitution for the word "gallons" of the word "litres"; and
- (b) in subsection (3), by the substitution for the words "gallons per inch and tenths of an inch" of the words "litres centimetre and two-tenths of a centimetre".

14. Section 31 of the Principal Act is hereby amended in the following respects —

**Amendment
of section
31 of the
Principal
Act.**

- (a) in subsection (1), by the substitution for the words "imperial gallon" of the word "litre"; and
- (b) in subsection (2) by the substitution for the words "twelve hundred weight in both places where they occur of the words "six hundred and ten kilograms" and for the word "imperial" of the word "metric".

15. Subsection (1), of section 32 of the Principal Act is hereby amended in the following respects —

**Amendment
of section
32 of the
Principal
Act.**

- (a) by the substitution for the word "gallons" where it first occurs, of the word "litre"; and
- (b) by the deletion of the words beginning with "and, if" and ending with "entire gallons".

16. Section 34 of the Principal Act is hereby amended in the following respects —

**Amendment
of section
34 of the
Principal
Act.**

- (a) in subsection (1) (c), by the substitution for the word "proof" of the words "litres of alcohol"; and
- (b) in subsections (1) (e) and (f), by the substitution for the words "spirit at proof" wherever they occur of the word "alcohol".

17. Subsections (1), (2) and (3) of section 35 of the Principal Act are hereby amended, by the substitution for the words "spirits at proof" wherever they occur of the word "alcohol".

**Amendment
of section
35 of the
Principal
Act.**

**Amendment
of section
37 of the
Principal
Act.**

18. Section 37 of the Principal Act is hereby amended in the following respects —

- (a) in subsection (1), by the substitution for the words "twenty-five gallons" of the words "one hundred and thirteen litres"; and
- (b) in the proviso to subsection (2), by the substitution for the words "five gallons" and "forty-five gallons" of the words "twenty-two litres" and "two hundred and four litres", respectively.

**Amendment
of section
38 of the
Principal
Act.**

19. Section 38 of the Principal Act is hereby amended in the following respects —

- (a) in subsection (2), by the substitution for the words "spirits at proof" of the word "alcohol";
- (b) in subsection (3), by the substitution for the words "spirits, computed at proof" of the word "alcohol"; and
- (c) in paragraph (a) of the proviso to subsection (3), by the substitution for the words "sixty percent over proof" in both places where they occur of the words "ninety-one decimal three percent alcohol".

**Amendment
of section
39 of the
Principal
Act.**

20. Subsection (1) of section 39 of the Principal Act is hereby amended by the substitution for the words "spirits computed at proof" of the word "alcohol".

**Amendment
of section
42 of the
Principal
Act.**

21. Subsection (2) of section 42 of the Principal Act is hereby amended by the substitution for the word "gallon" of the words "four decimal five litres".

**Amendment
of section
43 of the
Principal
Act.**

22. Subsection (3) of section 43 of the Principal Act is hereby amended by the substitution for the words "spirit at proof" in both places where they occur of the word "alcohol".

**Amendment
of section
53 of the
Principal
Act.**

23. Section 53 of the Principal Act is hereby amended in the following respects —

- (a) in subsection (1), by the substitution for the form thereto of the following form therefor —

(b) in subsection (2), by the substitution for the form thereto of the following form therefor —

| | | | |
|--|--|-----------------------------|--------------|
| | | ACCOUNT FOR RECEIPT | |
| | | Date of Receipt | |
| | | Number and mark on cask | |
| | | Capacity | |
| | | Wet Centimetres | |
| | | Liquid quantity (litres) | |
| | | Temperature | |
| | | Indication | |
| | | Strength | |
| | | Thermal correction factor | |
| | | Liquid quantity at 20° C | |
| | | Litres of alcohol at 20° C | |
| | | ACCOUNT FOR DELIVERY | |
| | | Date of Delivery | |
| | | Liquid quantity (litres) | |
| | | Temperature | |
| | | Indication | |
| | | Strength | |
| | | Thermal correction factor | |
| | | Liquid quantity at 20° C | |
| | | Litres of alcohol at 20° C | |
| | | Allowed | Deficiencies |
| | | Charged with duty | |

| | | | |
|--|----------------------------|-----------------|------------------|
| | Date of Delivery | RECEIPT ACCOUNT | |
| | Marks and numbers | | |
| | Capacity | | |
| | Liquid quantity (litres) | | |
| | Temperature | | |
| | Indication | | |
| | Strength | | |
| | Thermal correction factor | | |
| | Liquid quantity at 20° C | | |
| | Litres of alcohol at 20° C | | |
| | Bung | | DELIVERY ACCOUNT |
| | Wet Centimetres | | |
| | Liquid quantity (litres) | | |
| | Temperature | | |
| | Indication | | |
| | Strength | | |
| | Thermal correction factor | | |
| | Liquid quantity at 20° C | | |
| | Litres of alcohol at 20° C | DEFICIENCIES | |
| | Allowed litres of alcohol | | |
| | Charged litres of alcohol | | |

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24. Subsection (1) of section 54 of the Principal Act is hereby amended by the substitution for the words "twenty-five gallons" wherever they occur of the words "one hundred and thirteen litres".

Amendment
of section
54 of the
Principal
Act.

25. Section 55 of the Principal Act is hereby amended by the substitution for the words "two gallons" of the words "nine litres".

Amendment
of section
55 of the
Principal
Act.

26. Subsection (4) (a) of section 57 of the Principal Act is hereby amended by the substitution for the words "gallons at proof" of the words "litres of alcohol".

Amendment
of section
57 of the
Principal
Act.

27. Subsection (2) of section 61 of the Principal Act is hereby amended by the substitution for the word "gallons" of the word "litres".

Amendment
of section
61 of the
Principal
Act.

28. Subsection (1) of section 63 of the Principal Act is hereby amended by the substitution for the word "gallons" of the word "litres".

Amendment
of section
63 of the
Principal
Act.

29. Subsection (1) of section 64 of the Principal Act is hereby amended by the substitution for the word "Sikes" of the words "an approved alcohol".

Amendment
of section
64 of the
Principal
Act.

30. Subsection (2) of section 65 of the Principal Act is hereby amended by the substitution for the words "spirits computed at proof" and the word "gallon" of the word "alcohol" and "four decimal five litres", respectively.

Amendment
of section
65 of the
Principal
Act.

31. Section 66 of the Principal Act is hereby amended by the substitution for the words "spirit at proof" of the word "alcohol".

Amendment
of section
66 of the
Principal
Act.

32. Subsection (1) of section 67 of the Principal Act is hereby amended by the substitution for the words "gallons of spirits at proof" of the words "litres of alcohol".

Amendment
of section
67 of the
Principal
Act.

33. Subsection (2) of section 75 of the Principal Act is hereby amended by the substitution for the words "twenty-five gallons" and "forty percent above proof" of the words "one hundred and thirteen litres" and "seventy-nine decimal nine percent alcohol", respectively.

Amendment
of section
75 of the
Principal
Act.

34. Subsection (1) of section 76 of the Principal Act is hereby amended by the substitution for the words "five gallons" of the words "twenty-two litres".

Amendment
of section
76 of the
Principal
Act.

35. Subsection (1) of section 77 of the Principal Act is hereby amended by the substitution for the words "at proof" of the words "in litres of alcohol".

Amendment
of section
77 of the
Principal
Act.

**Amendment
of section
78 of the
Principal
Act.**

36. Section 78 of the Principal Act is hereby amended in the following respects —

- (a) in subsection (1) (c), by the substitution for the words "fifty gallons" of the words "two hundred and twenty-seven litres";
- (b) in subsection (1) (c), by the substitution for the words "five gallons" of the words "twenty-two litres";
- (c) in subsection (2) (a), by the substitution for the words "fifty gallons" and "five gallons" of the words "two hundred and twenty-seven litres" and "twenty-two litres", respectively; and
- (d) in the marginal note to subsection (2) (a), by the substitution for the words "50 gals" of the "27 litres".

**Amendment
of section
89 of the
Principal
Act.**

37. Section 89 of the Principal Act is hereby amended in the following respects —

- (a) in subsection (2), by the substitution for the words "a pint" of the words "five hundred and sixty-eight millilitres"; and
- (b) in subsection (2) (c), by the substitution for the word "quarts" of the word "litres".

**Amendment
of section
105 of the
Principal
Act.**

38. Section 105 of the Principal Act is hereby amended by the substitution for the words "three miles" of the words "twelve miles".

**Amendment
of section
106 of the
Principal
Act.**

39. Section 106 of the Principal Act is hereby amended by the substitution for the words "one reputed pint" of the words "three hundred and seventy-eight millilitres".

**Amendment
of section
125 of the
Principal
Act.**

40. The Principal Act is hereby amended by the substitution for section 125 of the following section therefor —

**"Mode of
ascertaining
strength of
spirits"**

"125. All spirits shall be deemed to be of the strength indicated by an approved alcohol hydrometer as ascertained by the officer in accordance with the International Alcoholmetric Tables printed under the authority of the International Organisation of Legal Metrology and entitled "Practical Alcohol Tables Volume 2" and in accordance with any certificate of corrections issued by the Government Analyst under section 127."

Amendment
of section
126 of the
Principal
Act.

41. Section 126 of the Principal Act is hereby amended by the substitution for the word "Sikes" of the words "an approved alcohol".

Amend-
ment of
the Sched-
ule to the
Principal
Act.

42. Paragraph 2 of the Schedule to the Principal Act is hereby amended by the substitution for the words "three inches" of the words "seven decimal six centimetres".

Passed by the National Assembly on the 27th July, 1992.

F. A. Narain,
Clerk of the National Assembly.

(BILL No. 25/1992)

ST: 34/2/3/3^{III}

34/2/1/10^{II}