

CHAPTER 390

THE POTABLE SPIRITS (COMPOUNDING) ACT

[PRINCIPAL LEGISLATION]

ARRANGEMENT OF SECTIONS

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CHAPTER 390

THE POTABLE SPIRITS (COMPOUNDING) ACT

An Act to control the compounding of potable spirits.

[27 December 1963]

Acts Nos.
57 of 1963
58 of 1964
[R.L. Cap. 539]

Short title **1.** This Act may be cited as the Potable Spirits (Compounding) Act.

Interpretation **2.** In this Act, unless the context requires otherwise-
“denatured spirits” means spirits mixed with any substance so as to render the mixture unfit, and incapable of being readily converted so as to be fit for human consumption as a beverage;
“licensing officer” means a person appointed under section 3 to be a licensing officer for the purposes of this Act;
“Minister” means the Minister responsible for finance;
“spirits” means spirits of any description and includes all mixtures, compounds or preparations made with spirits, but does not include any denatured spirits;
“to compound spirits” means to communicate any flavour to, or to mix any ingredient or material with spirits, but not so as to denature the spirits.

Appointment of
licensing officers
Act No.
58 of 1964
s. 2

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

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

Offence to
compound spirits
without a licence

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

Provided that, nothing in this section shall apply to the *bona fide* compounding of spirits-

Cap. 77

- (a) upon any premises licensed under the Intoxicating Liquors Act, by the licensee, for the lawful sale thereof for consumption on those premises;
- (b) in any canteen, club, institute, mess or similar institution not conducted by a private individual for personal profit, for the lawful sale thereof to the members only of such canteen, club, institute, mess or similar institution, for consumption therein;
- (c) in any vessel in territorial waters, or in any aircraft, for the lawful sale thereof to any passenger on or officer or member of the crew of such vessel or aircraft, for consumption therein;
- (d) in the course of the lawful preparation or administration of medicine by a medical practitioner registered or licensed under the Medical, Dental and Allied Health Professionals Act, a Veterinary Surgeon registered or licensed under the Veterinary Act or a Pharmacist registered under the Pharmacy Act;
- (e) authorised under the Customs (Management and Tariff) Act; or
- (f) in any circumstances or in any particular case or for any purpose where an exemption from the provisions of this section has been granted in writing by a licensing officer.

Cap. 152
Cap. 319
Cap. 311

Cap. 40

- Issue of licences **5.** Upon application being made to him in that behalf, a licensing officer may in his discretion, issue a licence to compound spirits on such terms and subject to such conditions, including the specification of formulae, as he may think fit.
- Regulations **6.** The Minister may make regulations-
- (a) prescribing the form of licences issued under this Act and the fees to be paid therefor and providing for the duration and cancellation thereof; and
 - (b) generally for the better carrying out of the provisions of this Act.
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