

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 2 de 1922

JOINT REGULATION 2 of 1922

A JOINT REGULATION

No. 2 of 1922.

to regulate the importation of alcohol and alcoholic liquors into the New Hebrides.

[Published: Western Pacific High Commission Gazette No. 30 of 1922.]

1. From the date of this Regulation (1) no pure alcoholic or crude spirit from which can be extracted or distilled alcoholic liquor that can be used in the preparation of intoxicating liquids and (2) no spirituous or alcoholic liquids of any kind not comprised within the category (1) first referred to shall be imported into the New Hebrides except with the permission in writing previously given of the Resident Commissioners. Provided that permission for the importation of (1) pure alcohol shall be given by the Resident Commissioners conjointly and that no such permission shall be given unless it is proved that the spirit is required for industrial objects or for pharmaceutical purposes or for use by medical practitioners or hospitals and that permission for the importation of (2) spirituous liquors of other kinds shall be given by the Resident Commissioner of the nation to which the applicant may belong or for which he may have opted under Article 1 (2) of the Anglo-French Convention of 20th October, 1906.

Un-
authorised
importation
of alcohol
and alcoholic
liquors
prohibited.
Permits for
pure spirits.
Permits for
spirituous
liquors.

(2) Permission for the sale of pure alcohol shall be given by the Resident Commissioners conjointly under the same conditions as those prescribed above for permission for importation.

Sale of pure
alcohol.

(3) Permits for the importation and sale as aforesaid shall be in the form of Schedules 1 and 2 hereto and those for importation shall be delivered to the Collector of Customs by the importer together with the invoices and other documents relating to such importation.

Form of
permits.

2. By the words "pure alcohol" and "crude spirit" shall be meant alcohol of a strength of not less than 68° which has not been rendered unfit for human consumption and which can be used for making or distilling spirituous liquids.

Definition of
pure alcohol,
&c.

3. The carriage by sea or land within the limits of the New Hebrides of pure alcohol or crude spirit or of liquids of which this spirit forms the base is prohibited and for any breach of this Regulation in this respect employers shall be held responsible for the acts of their employees. In the case of such infraction by the master or any member of the crew of a vessel in the New Hebrides such vessel shall be held responsible and in the absence of security in the sum of one hundred pounds deposited with the Condominium Treasurer or on behalf of such master or member of the crew such vessel shall be detained until the case shall have been heard and decided by the competent authority.

Transport of
pure spirit
prohibited.
Responsi-
bility of
employers
and vessels.

4. (1) A Resident Commissioner may *proprio motu* or on the application of an officer of police or of the revenue or of any other official of the Condominium Government issue a search warrant as provided by Joint Regulation No. 2 of 1917 in respect of ships, boats, stores, dwelling or other houses and any building or place in the occupation of non-natives.

Issue of search warrants.

(2) Search warrants in respect of vessels belonging to or places in the occupation of natives may be issued by the Public Prosecutor either on his own initiative or on the application of one of the officials specified in the subsection next preceding.

(3) Any pure alcohol or spirituous liquors found in the course of execution of warrants issued under the provisions of this Regulation shall be seized and confiscated and shall be sold or otherwise disposed of as the Joint Court may direct. If sold the proceeds shall be paid to the Condominium Treasury to the account of the Condominium Government.

Disposal of spirits seized under warrant.

5. Breaches of the provisions of this Regulation shall be justiciable by the Joint Court and shall be punished by a fine of from four to twenty pounds and with imprisonment for a term of from one to thirty days or by one or other of those penalties. In the case of a repetition of the offence the maximum penalty shall be inflicted. Provided that should any person import spirituous liquors of the category (2) in section 1 thereof without having previously obtained the permission of a Resident Commissioner and such liquors are plainly entered on the ship's manifest the Resident Commissioners may conjointly order that proceedings under this section of the Regulations shall be dispensed with and that the goods shall be re-exported.

Trial of infractions of Regulation. Penalties.

6. The Commandants of the two Divisions of the Constabulary and such officials as may be authorised by the Resident Commissioners conjointly for the purpose shall report breaches of this Regulation whether committed by natives or non-natives to the Residencies on which they may depend and the official reports of the cases drawn up by such Commandants or other authorised officials shall be *prima facie* evidence before the competent authority of the facts contained therein.

Reports of infractions.

7. This Regulation shall be known as "The New Hebrides Alcohol Importation Regulation No. 2 of 1922".

Short title.

Published and exhibited in the Public Offices of the Resident Commissioners for Great Britain and the French Republic at Vila on the 24th day of July, 1922.

(S.) H. D'ARBOUSSIER
Resident Commissioner for
the French Republic.

(L.S.) M. KING
His Britannic Majesty's
Resident Commissioner.

SCHEDULE 1

THE NEW HEBRIDES
ALCOHOL IMPORTATION
REGULATION No. 2 OF 1922

No.
Name
Address
Quantity for which per-
mission given
Description
Vessel by which imported ..
Date

SCHEDULE 1

THE NEW HEBRIDES ALCOHOL IMPORTATION
REGULATION No. 2 OF 1922

No. 192..
M. of ..
has permission to import*/sell pure alcohol in
the quantities specified below (*into the New
Hebrides per s.s.*) in
accordance with the provisions of section 1 (1)
and (2) of the above Regulation.
(*words to be struck out in permits for sale.)

Quantity	Description	Remarks

.....
H.B.M. Resident *Resident Commissioner*
Commissioner *for the French Republic*

SCHEDULE 2

THE NEW HEBRIDES
ALCOHOL IMPORTATION
REGULATION No. 2 OF 1922

No.
Name
Address
Quantity for which per-
mission is given
Description
Vessel by which imported ..
Date

SCHEDULE 2

THE NEW HEBRIDES ALCOHOL IMPORTATION
REGULATION No. 2 OF 1922

No. 192..
M. of ..
has permission to import spirituous liquors of
the quantities specified below into the New
Hebrides per s.s. in
accordance with the provisions of section 1 of
the above Regulation.

Quantity	Description	Remarks

.....
Resident Commissioner.