

New Zealand.



ANALYSIS.

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1907, No. 17.

Title.

AN ACT to provide for the Manufacture of Methylated Spirit and to prohibit the Purification of the same. [5th October, 1907.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

Short Title.

1. This Act may be cited as the Methylated Spirit Act, 1907.

Incorporation with Customs Laws Consolidation Act.

2. This Act shall be deemed to be incorporated with the Customs Laws Consolidation Act, 1882.

Interpretation.

3. In this Act—

“Methylated spirit” means any spirit mixed with methyl alcohol or with wood spirit, or to which any other substance has been added which has the like effect as methyl alcohol or wood spirit in rendering spirit unsuitable for human consumption ; and includes any spirit from which methyl alcohol, wood spirit, or such other substance has been unlawfully removed ; and also includes all spirit, whether imported or made in New Zealand, which has been entered for home consumption as methylated spirit :

“To purify methylated spirit” means—

(a.) To deodorise, rectify, or distil methylated spirit, either wholly or partially ; or

(b.) To abstract from methylated spirit, either wholly or partially, any substance which has been added thereto for the purpose of methylating such spirit ; or

(c.) To add to methylated spirit any substance for the purpose of disguising the odour or taste thereof, or whereby such spirit may be rendered fit for use as a perfume, food, or drink, or as an ingredient in any perfume, food, or drink.

4. Every person is guilty of an offence who purifies or attempts to purify, or is in any way concerned in purifying or attempting to purify, any methylated spirit for any purpose whatever.

Offence to purify methylated spirit.

5. Every person is guilty of an offence who knowingly sells or has in his possession any methylated spirit which has been purified in breach of this Act, or who, after the expiration of three months from the passing of this Act, knowingly sells or has in his possession any methylated spirit which has been purified before the passing of this Act.

Offence to have such methylated spirit in possession.

6. Save so far as is otherwise provided by regulations made under the authority of section twelve of this Act, every person is guilty of an offence who uses methylated spirit as an ingredient in any perfume, toilet preparation, or tincture, or in any medicine whether for internal or external application.

Offence to use methylated spirit in perfumes, &c.

7. Every person who commits any offence under this Act is liable to a penalty not exceeding one hundred pounds; and all methylated spirit found in his possession, and all vessels, utensils, apparatus, implements, and materials found in his possession which have been used or are intended for use in breach of this Act, may be forfeited to the Crown by order of the Court in which the said penalty is recovered.

Penalty.

8. If any officer of Customs has reasonable cause to suspect that any methylated spirit which has been, or is being, or is intended to be purified in breach of this Act is in any building or on any premises or place, such officer, if authorised in writing by any Collector of Customs, may enter and search such building, premises, or place and seize and carry away any methylated spirit which he reasonably suspects to have been purified in breach of this Act, and all apparatus, instruments, and materials which he reasonably suspects to have been used for such purpose.

Power of officer of Customs to enter and search suspected buildings, &c.

9. (1.) If any officer of Customs applies to purchase in any shop, store, factory, or place any spirit or any compound which he thinks may contain spirit, and offers a reasonable price for the quantity he requires and selects, not being more than is reasonably requisite for the purpose of analysis, and the owner or the person having the custody of such spirit or compound refuses to sell the same to such officer, or to permit such officer to examine the contents of any vessel for the purpose of such selection, such owner or person shall be liable to a penalty not exceeding fifty pounds.

Purchase of sample for analysis.

(2.) Where any such officer purchases any spirit, or any compound which he thinks may contain spirit, under the last preceding subsection, he shall, after the purchase has been completed, forthwith notify the owner or the person having custody of the goods of his intention to have the same analysed, and shall offer to divide the sample into three parts, each to be then and there marked and sealed, and shall, if required to do so, proceed accordingly, and shall deliver one of such parts to the owner or the person having the custody of the goods.

Restrictions on
delivery of
methylated spirit.

10. The Minister of Customs may refuse to permit the delivery of any spirit entered as methylated spirit which does not in his opinion conform to the standard for spirit methylated within New Zealand; or may require any spirit so entered to be subjected, before delivery, to such further methylation as he deems necessary, in default of which such spirit shall be liable to forfeiture if not exported within such time as he directs.

Recovery of
penalties, &c.

11. All penalties and forfeitures provided for by this Act or by regulations made thereunder may be recovered and enforced in manner provided by the Customs Laws Consolidation Act, 1882, in case of penalties or forfeitures imposed by that Act.

Regulations.

12. The Minister of Customs may make regulations under this Act for the following purposes:—

- (a.) Prescribing standards for methylated spirit, and the conditions on which such spirit may be manufactured:
- (b.) Prescribing the conditions on which methylated spirit may be used and sold:
- (c.) Requiring persons desiring to use methylated spirit for any special purpose to give security that such spirit shall be used for that purpose only:
- (d.) Prescribing the fees to be paid for the services of officers supervising the manufacture of methylated spirit or of articles in which such spirit is an ingredient:
- (e.) Prescribing penalties not exceeding twenty pounds for the breach of any such regulations:
- (f.) Prescribing any other matters in respect of which regulations are contemplated by this Act.