

Hon. Mr. Ward.

TOBACCO ACTS AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Date when Act to come into force. To be read with "The Tobacco Act, 1879."</p> <p>3. No person to sell or deal in manufactured tobacco, cigars, or snuff unless licensed. Proviso.</p> <p>4. (1.) No person to engage in manufacture of cigarettes and cut-tobacco from imported manufactured tobacco unless licensed. (2.) Commissioner of Trade and Customs to approve premises in which manufacture may be carried on.</p> <p>5. Licensed persons to keep books and enter certain particulars therein.</p> <p>6. Commissioner may issue licenses, and fees to be paid thereon.</p>	<p>7. Raw tobacco on the premises of any licensed person may be seized. Penalty.</p> <p>8. (1.) Packages containing tobacco to have name and address of licensee. (2.) Penalty. (3.) Section to apply to cigarette-packets, and to receptacles and coverings of tobacco.</p> <p>9. Amendment of the amount of license-fee under "The Tobacco Act, 1879."</p> <p>10. Power to Governor in Council to make regulations for certain purposes.</p> <p>11. Penalties for breaches of Act or regulations.</p> <p>12. Commissioner may allow goods to be removed to tobacco-factory to be used for sweetening or flavouring tobacco, &amp;c.</p> <p>13. Definition of certain terms.</p> <p>14. Power to officers of Customs to enter and search premises. Schedule.</p>
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A BILL INTITULED

AN ACT to amend the Acts in Force allowing Tobacco to be manufactured in Bond. Title.

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

1. The Short Title of this Act is "The Tobacco Acts Amendment Act, 1893." Short Title.

10 2. This Act shall come into force on the first day of January, one thousand eight hundred and ninety-four, and shall be read and construed with "The Tobacco Act, 1879," and any Act amending the same. Date when Act to come into force. To be read with "The Tobacco Act, 1879."

15 3. No person shall hereafter in any manner sell or deal in manufactured tobacco, cigars, cigarettes, or snuff, or any of them, unless he shall previously have registered his name and place of business under this Act, and obtained a license under the provisions hereinafter contained: Provided that no person licensed under "The Tobacco Act, 1879," as a tobacco-manufacturer shall be required to pay a license-fee under this section for selling tobacco lawfully No person to sell or deal in manufactured tobacco, cigars, or snuff unless licensed. Proviso.

20 4. (1.) No person shall hereafter engage in the manufacture of cigarettes or cut-tobacco, or either of them, from imported manufactured tobacco unless he shall previously have obtained a license for that purpose under the provisions hereinafter contained. No person to engage in manufacture of cigarettes and cut-tobacco from imported manufactured tobacco unless licensed.

Commissioner of Trade and Customs to approve premises in which manufacture may be carried on.

(2.) The Commissioner may approve and appoint buildings or premises in which cigarettes and cut-tobacco may be made from imported duty-paid manufactured tobacco, and may grant a license to the owner or occupier of such premises under this Act authorising him to make cigarettes and cut-tobacco as aforesaid; and all cigarettes and cut-tobacco made by him shall be liable to the same excise duty as that payable on tobacco or cigarettes manufactured from raw tobacco under any Act for the time being in force. 5

Licensed persons to keep books and enter certain particulars therein.

5. Every person licensed in accordance with the last foregoing section shall keep a book in which such licensee shall enter or cause to be entered day by day and every day a true account of the weight of the duty-paid manufactured tobacco cut by him for making cigarettes or cut-tobacco, and of the weight of cigarettes and cut-tobacco made therefrom; and such book shall be open to inspection at all reasonable times to any officer of Customs, who may take 10 copies thereof or extracts therefrom. 15

Commissioner may issue licenses, and fees to be paid thereon.

6. The Commissioner may from time to time grant and issue licenses under this Act of the various kinds mentioned in the Schedule hereto, and the several fees prescribed in the said Schedule shall be payable on the first issue of the license, according to the nature thereof, and thereafter such fee shall be payable on the first business day of each succeeding year; but the license shall take effect as from the first day of January in that year. Every license shall remain in force up to and including the thirty-first day of December in each year, unless cancelled under this Act. 20 25

Raw tobacco on the premises of any licensed person may be seized. Penalty.

7. All raw tobacco found on the premises of any person licensed under this Act shall be liable to seizure and forfeiture, and the said licensee shall be liable to a penalty of not less than *fifty* pounds, and upon conviction his license shall be cancelled.

Packages containing tobacco to have name and address of licensee.

8. (1.) Every package containing tobacco in any shape or put up or offered for sale or disposal in any form by or on behalf of any person licensed under "The Tobacco Act, 1879," or licensed under section three of this Act, shall have printed thereon, in plain and legible letters, the name and address of the licensee. 30

Penalty.

(2.) Any person committing a breach of this section shall be liable to a penalty not exceeding *five* pounds and not less than *one* pound, and all packages upon which the name and address of the licensee is not so printed as aforesaid, together with the contents thereof, shall be liable to forfeiture. 35

Section to apply to cigarette-packets, and to receptacles and coverings of tobacco.

(3.) The provisions of this section shall apply to cigarette-packets as well as to the receptacle or covering in which such packets may be contained, and to every tin, jar, box, bag, or other receptacle or covering containing cut-tobacco, and to all boxes or packages containing tobacco or cigars. 40

Amendment of the amount of license-fee under "The Tobacco Act, 1879."

9. The words "the sum of fifty pounds" in section five of "The Tobacco Act, 1879," are hereby repealed, and in lieu thereof it is hereby enacted that the fee for such license shall hereafter be a sum not exceeding *one hundred* and *fifty* pounds, to be determined in proportion to the quantity of tobacco estimated to be manufactured by the licensee under that Act during the year for which the license is granted. 45 50

Power to Governor in Council to make regulations for certain purposes.

10. It shall be lawful for the Governor in Council from time to time to make, alter, vary, or rescind regulations, for the purpose of giving effect to this Act, for all or any of the following purposes:—

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- (1.) The mode of applying for and registering any application for the issue of a license ;
- (2.) The form of any license and of any change therein or modification thereof that may be necessary according to the facts of any case ;
- (3.) The form of any book by this Act required to be kept, and the nature of the particulars to be inserted therein ;
- (4.) For determining a scale of fees to be paid for licenses issued under "The Tobacco Act, 1879" ; and the mode of ascertaining the amount thereof, and the terms and conditions on which the same shall be payable ;
- (5.) To whom and in what manner the fees prescribed under this Act shall be payable ;
- (6.) The size and weight of packages of tobacco, cigars, cigarettes, or snuff that may be put up or offered for sale or disposal by any licensee ;
- (7.) Any such further or other regulations (whether general or particular) that may be deemed necessary or expedient for the purpose of giving effect to "The Tobacco Act, 1879," or any Act amending the same, or this Act.

11. If any person shall, after the commencement of this Act, in any manner sell or deal in manufactured tobacco, cigars, or snuff, or any of them, without having previously obtained a license under this Act, or shall engage in the manufacture of cigarettes and cut-tobacco, or either of them, as hereinbefore provided, without having previously obtained a license under this Act, or shall carry on or conduct any such manufacture in any place or premises which has or have not been approved and appointed by the Commissioner as hereinbefore required, every such person shall in any such case be guilty of an offence, and be liable on conviction to a penalty not exceeding *fifty* pounds.

Penalties for breaches of Act or regulations.

Any person who commits a breach of any regulations made under this Act, or of any of the provisions of this Act for which no specific penalty has been provided, shall be guilty of an offence, and be liable on conviction to a penalty not exceeding *fifty* pounds.

12. The Commissioner may permit goods liable to duty on importation, and lodged in any bonded warehouse, to be removed to any tobacco-factory for the purpose of being used for sweetening or flavouring any tobacco, cigars, or snuff ; and all materials, including raw tobacco, for the manufacture of tobacco, under "The Tobacco Act, 1879," may be stored in a bonded tobacco-manufactory, and the Commissioner may direct in what parts or divisions of the factory such materials shall be stored, and in what parts thereof the various processes of manufacture shall be carried on.

Commissioner may allow goods to be removed to tobacco-factory to be used for sweetening or flavouring tobacco, &c.

13. In the construction of "The Tobacco Act, 1879," and of any Act amending the same (including this Act), or of any regulations made under any such Act, the terms "manufacture," "manufacturing," or "manufactured," shall include the processes of cutting, pressing, grinding, crushing, or rubbing any raw or leaf tobacco, or otherwise preparing raw or leaf tobacco, or manufactured or partially-manufactured tobacco, and of putting up for use or consumption in any way any scraps, waste, chippings, stems, or deposits of tobacco resulting from any process of handling tobacco.

Definition of certain terms.

Power to officers of  
Customs to enter  
and search premises.

14. Any officer of Customs having a writ of assistance issued or in force under any Act relating to the Customs, or any other person duly authorised in writing by the Commissioner, may at any time enter any land, factory, shop, store, shed, house, or building, or premises or place of any kind, whether registered or licensed or not under "The Tobacco Act, 1879," or this Act, and may search for any tobacco (whether manufactured or not), cigars, or cigarettes, and seize and take away any such tobacco, cigars, or cigarettes upon which there has not been paid the duty properly chargeable thereon as may be stored or be in the possession of any person in contravention of this Act. 5 10

Schedule.

### SCHEDULE.

FEES.	£	s.	d.
ANNUAL license to sell or deal in tobacco, cigars, cigarettes, and snuff ...	1	0	0
Annual license to sell cigars and cigarettes only, to be granted to the holder of a publican's license under any Act for the time being in force ...	0	10	0
Annual license to make cigarettes and cut-tobacco from imported duty-paid manufactured tobacco—			
For a quantity not to exceed 10,000lb. to be made during the year for which the license is in force ...	20	0	0
And for every 10,000lb. or fraction thereof to be manufactured during the year for which the license is in force in excess of the first 10,000lb., a further sum of ...	10	0	0