

N.R.C. Decree
No. 5



Sierra Leone

1968

The Liquor Act (Amendment) Decree, 1968

Short title.

[25th January, 1968.] Date of commencement.

PURSUANT to the Proclamation entitled "Administration of Sierra Leone (National Reformation Council) Proclamation 1967", published in the *Gazette* on the 25th of March, 1967, the National Reformation Council hereby makes and issues the following Decree:—

1. Section 6 of the principal Act is hereby repealed and replaced by the following new section—

Amendment
of section 6
of Cap. 237.

"Possession. 6. (1) A person shall be guilty of a contravention of this section if he is in possession of injurious spirit or any spirits distilled in Sierra Leone and he fails to prove that he is lawfully in possession of such spirits.

(2) It shall not be lawful for any person to be in possession of injurious spirits, or any spirits distilled in Sierra Leone without a permit issued for that purpose by the National Reformation Council:

Provided that this section shall not apply—

(a) to the possession of injurious spirits for legitimate purpose by medical practitioners, dentists and druggists registered under the Medical Practitioners, Dentists and Druggists Act, or the Medical Practitioners and Dental Surgeons Act, 1966 as the case may be;

Cap. 151.

Act No. 3 of
1966.

(b) to the possession of injurious spirits supplied by a registered druggist in pursuance of a written prescription by a registered medical practitioner or dentist:
or

(c) to any spirits distilled in Sierra Leone under licence granted in accordance with the Spirits (Distillation and Licensing) Act, 1962 or section 5 of this Act.

Act No. 5 of
1962.

(3) It shall not be lawful for any person to be in possession of injurious spirit or spirits distilled in Sierra Leone other than spirits which—

(a) are of a type which may lawfully be imported into Sierra Leone; or

(b) have been distilled by the Wellington Distilleries Limited or any other person holding a special licence under the Spirits (Distillation and Licensing) Act, 1962 or a licence under section 5 of this Act; or

Act No. 5 of
1962.

(c) are in the possession of a person who proves that he is entitled to have them in his possession by virtue of the provisions of any enactment or of any licence or permit issued in pursuance of such provisions.

(4) Any person reasonably suspected of committing an offence under this section may be arrested by a constable without a warrant and any person so arrested shall be taken before a Magistrate without any unreasonable delay.

(5) Where in any proceedings under this Act it is required to prove that any liquid is injurious spirit or spirits distilled in Sierra Leone, the court shall hear evidence of any person appointed in writing by the Comptroller of Customs to give evidence as to the nature of spirits, and the evidence of any such person to the effect that any liquid is injurious spirit or spirits distilled in Sierra Leone shall be *prima facie* evidence of such fact, and the burden of proof that such liquid is not injurious spirit or spirits distilled in Sierra Leone shall be upon the accused.”.

MADE and ISSUED this 8th day of January, 1968.

BRIG. A. T. JUXON-SMITH,
Chairman,
National Reformation Council.