



ANALYSIS

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3. Licence to import intoxicating liquor	Schedules

 1995-96, No. 28

An Act to amend the Cook Islands Act 1915

(22 November 1996)

BE IT ENACTED by the Parliament of the Cook Islands in Session assembled, and by the authority of the same as follows:

1. Short Title - This Act may be cited as the Cook Islands Amendment Act 1995-96 and shall be read together with and deemed part of the Cook Islands Act 1915 (hereinafter referred to as "the principal Act").

2. Importation of intoxicating liquor - Section 6 of the Cook Islands Amendment Act 1961 (No.15) is repealed and substituted by the following -

"6. Importation of intoxicating liquor - (1) Except as provided in sections 7, 7A, 7AA, 7B and 7C of this Act, it shall not be lawful for any person to import any intoxicating liquor into the Cook Islands.

(2) Every person who commits an offence against subsection (1) of this section is liable to imprisonment for a term not exceeding one year or to a fine not exceeding \$1,000.00."

3. Licence to import intoxicating liquor - Section 7 of the Cook Islands Amendment Act 1961 (No. 15) is repealed and substituted by the following -

"7. Licence to import intoxicating liquor - (1) Any person may import intoxicating liquor into the Cook Islands where that person has obtained a licence from the Minister responsible for Customs permitting that person to do so.

Price \$1.50c

(2) A licence shall be granted for a period of 12 months where the applicant can show -

- (a) an available source of supply whether through a manufacturer, supplier, wholesaler, or otherwise; and
- (b) satisfactory arrangements for payment have been made with the supplier.

(3) An application for a licence to import intoxicating liquor shall be made in the manner prescribed in Form 1 of the First Schedule to this Act, and shall be lodged with the Collector of Customs.

(4) The application fee for a licence shall be \$1,000.00 and a renewal fee shall be \$100.00."

4. Sale of intoxicating liquor - The Cook Islands Amendment Act 1961 (No. 15) is amended by adding after section 7A a new section 7AA.

"7AA. Sale of intoxicating liquor - Any person licensed to import intoxicating liquor to the Cook Islands under section 7 of this Act shall only sell that intoxicating liquor in accordance with the provisions of the Sale of Liquor Act 1991-92."

5. Passenger may import intoxicating liquor - Section 7A of the Cook Islands Amendment Act 1961 (No. 15) is amended by adding a proviso to subsection 1 as follows -

"Provided however that when any passenger brings into the Cook Islands intoxicating liquor of an amount exceeding the quantities provided in subparagraphs (a) and (b) that person shall pay a levy on that excess amount at the rate prescribed in any Customs Tariff (Alcoholic Beverages) Order currently in force."

This Act is administered by the Office of the Collector of Customs

FIRST SCHEDULE

**Application for a Licence to Import Intoxicating liquor into the Cook Islands
(The application shall be lodged in triplicate)**

The Licensing Office _____

I/We, _____

Hereby apply for a licence to import intoxicating liquor into the Cook Islands

1. Range of intoxicating liquor

2. Countries from which it is desired to import

3. Details of supplier

4. Evidence (letter form sufficient) that supplier is willing to supply and satisfactory arrangements have been put into place.

SECOND SCHEDULE

L I C E N C E

A licence to import intoxicating liquor to the description in paragraph 1 is hereby granted subject to the following conditions:

1. That this import licence shall not be transferrable to any other person.

2. That this licence will expire twelve months from the date of issue.

Date

Minister Responsible for Customs