



ANALYSIS

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| 1. Short offences created | 15B. Intoxicating liquor at dance halls |
| 2. Drinking of liquor in public conveyances and in public places | 15C. Consuming illegally manufactured liquor |

1970, No. 2

An Act to amend the Cook Islands Amendment Act 1961

(28 August 1970)

BE IT ENACTED by the Legislative Assembly 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 1970 and shall be read together and deemed part of the Cook Islands Amendment Act 1961 (hereinafter referred to as "the principal Act").

2. New offences created - The principal Act is hereby amended by inserting after section 15 and before section 16 the following new sections:-

"15A. Drinking of liquor in public conveyances and in public places - (1) Every person commits an offence, and is liable to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding one month, who in any omnibus, service car, taxicab, or other vehicle for the time being used for the carriage for hire or reward of members of the public, or in any public place, -

- (a) Drinks any intoxicating liquor; or
- (b) Supplies or offers any intoxicating liquor to any person for consumption therein; or
- (c) Has in his possession or control any intoxicating liquor intended for consumption therein.

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(2) Any constable may seize and remove any intoxicating liquor which there is reasonable ground to suppose is intended for consumption in contravention of subsection (1) of this section, and the vessels containing the liquor.

(3) Any liquor seized in respect of which any person is convicted of an offence under this section, together with the vessels containing the liquor, shall be forfeited to the Crown.

(4) For the purposes of this section, -
"Public Place" has the same meaning as in section 2 of the Crimes Act 1969.

15B. Offences in relation to intoxicating liquor at dances - (1) Every person who, having the control or management of any dance being held in any hall, supplies intoxicating liquor to any person in the hall, or permits, any liquor to be taken into or consumed in the hall, commits an offence and is liable on conviction to a fine of fifty dollars or to a term not exceeding one month imprisonment.

(2) Every person who, while a dance is being held in any hall, drinks intoxicating liquor in the hall, or has any liquor in his possession or control in the hall or in the vicinity of the hall or supplies liquor to any person in the hall commits an offence and is liable on conviction to a fine of fifty dollars or to a term not exceeding one month imprisonment.

(3) For the purposes of the last preceding subsection liquor shall be deemed to be in the vicinity of a hall wherein a dance is being held if it is shown that the liquor was in the possession or control of any person attending or proceeding to attend the dance, or was consumed or intended for consumption by any person so attending.

(4) Any Constable who has reason to suspect that there is any breach by any person of the provisions of this section or in the vicinity of a hall where a dance is being held may without warrant enter the hall, or any place in the vicinity thereof, and examine the same and search for intoxicating liquor therein and may seize and recover any liquor found therein and the vessels containing the liquor, shall be forfeited to the Crown.

(5) Nothing in this section shall apply in relation to any liquor in any licensed premises or in any dwelling house.

(6) For the purposes of this section - "Hall" means any building where any public dance is held or where any dance is held to which admission is obtained upon payment of subscriptions, either in money or by way of supplying refreshments, and whether upon general or individual invitation or otherwise.

15C. Consuming illegally manufactured liquor -
Every person commits an offence and is liable
to a fine not exceeding fifty dollars or to a
term of imprisonment not exceeding one month
who consumes any intoxicating liquor that has
been illegally manufactured."

This Act is administered in the Police Department.