

# ශ්‍රී ලංකා ජනරජයේ ගැසට් පත්‍රය

අති විශේෂ

## THE GAZETTE OF THE REPUBLIC OF SRI LANKA (CEYLON)

EXTRAORDINARY

අංක 245/11 — 1976 දෙසැම්බර් 31 වැනි පිනුරුදා — 1976.12.31

No. 245/11 — FRIDAY, DECEMBER 31, 1976

(Published by Authority)

### PART I: SECTION (I)—GENERAL

#### “Excise Ordinance” Notices

##### THE EXCISE ORDINANCE

Excise Notification No. 631

THE Minister of Finance has, under section 25 of the Excise Ordinance (Chapter 52), directed that with effect from January 1, 1977—

- (1) every licence for the sale of arrack—
  - (a) by the Bottle only (not to be consumed on the premises) in Foreign Liquor Retail (off) Licensed Premises;
  - (b) in premises licensed for the sale of Foreign Liquor other than by a Retail (off) Licence;
  - (c) in Foreign Liquor Taverns licensed for the sale of Foreign Liquor (including locally made Malt Liquor) to be consumed on the premises;
  - (d) in Resthouses licensed for the sale of Foreign Liquor (including locally made Malt Liquor); and
  - (e) in premises specially licensed for the sale of Foreign Liquor (including locally made Malt Liquor); shall be issued—
    - (i) on the payment of the appropriate fee calculated at the rates set out in Schedule I hereto;
    - (ii) for a period of not more than one year;
    - (iii) in the appropriate form set out in Schedule II hereto; and
    - (iv) subject to the restrictions and on the conditions contained in the said forms; and
- (2) Excise Notification No. 439 published in Gazette No. 10,689 of July 2, 1954, as amended by, Excise Notification No. 454 published in Gazette No. 10,839 of September 16, 1955, Excise Notification No. 542 published in Gazette No. 14,539 of October 22, 1965, Excise Notification No. 557 published in Gazette No. 14,764 of September 01, 1967, Excise Notification No. 562 published in Gazette No. 14,787 of February 02, 1968, Excise Notification No. 603 published in Gazette No. 48 of February 23, 1973, Excise Notification No. 611 published in Gazette No. 130 of September 20, 1974, and Excise Notification No. 612 published in Gazette No. 140, of November 28, 1974, shall be rescinded.

C. SIVAPRAGARAM,  
Additional Secretary,  
Ministry of Finance.

Colombo, December 31, 1976.

##### SCHEDULE I

###### Nature of Licence

###### Fee

- (1) Licence for the sale of Arrack by the bottle only (not to be consumed on the premises) in Foreign Liquor Retail (off) Licensed Premises.
- (2) Licence for the sale of Arrack in premises licensed for the sale of Foreign Liquor other than by a Retail (off) Licence.
- (3) Licence for the sale of Arrack in Foreign Liquor Taverns licensed for the sale of Foreign Liquor (including locally made Malt Liquor) to be consumed on the premises.
- (4) Licence for the sale of Arrack in Resthouses licensed for the sale of Foreign Liquor (including locally made Malt Liquor)
- (5) Licence for the sale of Arrack in premises specially licensed for the sale of Foreign Liquor (including locally made Malt Liquor)

Fifty cents per gallon of estimated sales of arrack at the premises during the period of the licence calculated on the basis of the sale of arrack at the premises during the period of twelve consecutive months ending on August 31, of the preceding year, subject to a minimum fee of Rs. 200.

One rupee and fifty cents per gallon of estimated sales of arrack at the premises during the period of the licence calculated on the basis of the sale of arrack at the premises during the period of twelve consecutive months ending on August 31, of the preceding year, subject to a minimum fee of Rs. 200.

No fee.

One rupee per gallon of estimated sales of arrack at the premises during the period of the licence calculated on the basis of the sales of arrack at the resthouse during the period of twelve consecutive months ending on August 31, of the preceding year, subject to a minimum fee of Rs. 5.

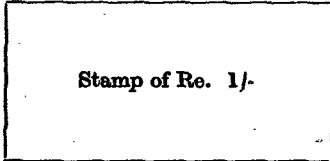
One rupee per gallon of estimated sales of arrack at the premises during the period of the licence calculated on the basis of the sales of arrack at the premises during the period of twelve consecutive months ending on August 31, of the preceding year, subject to a minimum fee of Rs. 5.

SCHEDULE II  
 (FORMS)

Fee: Rs.....

LICENCE FOR THE SALE OF ARRACK FOR CONSUMPTION ON THE PREMISES ONLY, IN PREMISES  
 LICENSED FOR THE SALE OF FOREIGN LIQUOR OTHER THAN BY RETAIL (OFF) LICENCE OR  
 IN FOREIGN LIQUOR TAVERNS LICENSED FOR THE SALE OF FOREIGN LIQUOR  
 (INCLUDING LOCALLY MADE MALT LIQUOR) TO BE CONSUMED ON THE  
 PREMISES

Name of licensee : \_\_\_\_\_  
 Description of Licensed Premises : \_\_\_\_\_  
 Date of Issue : \_\_\_\_\_  
 Date of Expiry : \_\_\_\_\_



Excise Commissioner.

Office of the Excise Commissioner,  
 Colombo, 19...

Counterpart Agreement

I/We ....., the aforementioned licensee/licensees for myself/ourselves, hereby agree with the Excise Commissioner that I/We will well and truly observe and perform the terms and conditions contained in the licence (of which this is a Counterfoil) to sell arrack at the premises more fully described above, during the official year ending December 31, 19..... subject to the general conditions applicable to all Excise Licences for the time being in force, and the following special conditions applicable to this licence :—

- (1) The arrack shall be obtained by the licensee/Licensees only from the Arrack Tavern No. \_\_\_\_\_ situated at \_\_\_\_\_ in \_\_\_\_\_ District at a price at which the renter of the said tavern (hereinafter called "the Renter" is authorised by law to sell arrack to the public.
- (2) (a) No arrack shall be removed from the said tavern to the licensed premises, except under the authority of a pass issued by the Superintendent of Excise. No pass will be made available for use at a later hour than 6 p.m. on the date of issue.  
 (b) All such passes shall be filed of record in the licensed premises, and shall be made available for inspection for a period of 12 months from the date of issue.
- (3) The sale of arrack whether by the dram or by the bottle shall be for consumption on the licensed premises only and the sale of arrack shall be subject to the same restrictions as may be imposed on the sale of foreign liquor by the foreign liquor licence held by the licensee/licensees as regards the hours of sale, the class of customers and the nature of business permitted.
- (4) sale of Arrack in unopened bottles—  
 (a) where any customer demands a sealed bottle of arrack of any variety which is available for sale with the licensee/licensees, the licensee/licensees shall sell to such customer, only bottled arrack of the variety demanded, and with the stoppers or seals placed on such bottles of arrack by their manufacturers, intact :  
 (b) the licensee/licensees or his/their agent shall not break open the seal placed by the manufacturer on a bottle of arrack so sold, unless at the request of the customer, and if so requested only after the bottle has been handed over to the customer with the seal intact.
- (5) Sale of arrack by the glass in quantities less than found in sealed bottles—  
 (a) where any customer demands such quantity of a variety of arrack as is less than the quantity contained in the smallest sealed bottle of that variety of arrack available for sale with the licensee/licensees, he/they shall be entitled to break open the seal or stopper on a sealed bottle of arrack, if a bottle already opened under the provisions of this condition is not available, and to serve arrack therefrom by the glass.  
 (b) at any one time, the licensee/licensees shall not keep open in his/their possession in the licensed premises, more than two reputed quart bottles of any one variety of arrack for the purpose of serving arrack by the glass. The licensee/licensees shall not open bottles of arrack of capacity less than a reputed quart, for conducting sale of arrack by the glass.  
 (c) sale of arrack by the glass shall be only by the half dram and its multiples.
- (6) Standard measures approved by the Superintendent of Excise viz., 1 dram and ½ dram shall be kept and shall on demand by any customer be used for measuring the arrack he has purchased.
- (7) All arrack sold or kept for sale under this licence shall be not below nor above the strength prescribed by the Excise Commissioner by notification under Arrack Rent Sale Conditions for the time being in force in that behalf as tested in compliance with the provisions of Excise Notification No. 178 published in Gazette No. 7654 of July 13, 1928. No water, and no colouring, flavouring or other matter whatsoever shall be added to the arrack.
- (8) The licensee/licensees shall at all times keep a stock of not less than two gallons of arrack, in sealed bottles, except when stocks are not available at the arrack Tavern specified in condition 1 or a special monthly quota has been fixed for the licensee/licensees by the Excise Commissioner.
- (9) Arrack shall not be sold by the dram or by the bottle at rates other than those prescribed by the Excise Commissioner from time to time. The licensee/licensees shall not levy and service charge or any other additional charge whatsoever on arrack sold under this licence.
- (10) The licensee/licensees shall affix in a prominent place within the Licensed Premises, so as to be capable of being easily read by the customers, a card displaying in bold printed figures and in Sinhala, Tamil and English letters the selling price of the arrack offered for sale by the dram and by the bottle.
- (11) The licensee/licensees shall keep an account of all arrack bought and sold in the form prescribed hereunder with separate folios on the register for each quality of arrack, and each kind of bottle. Arrack Register (in Gallons and/Drains) ..... Quality.

(1) Month of	(2) No. of Pass	(3) In hand	(4) Received	(5) Total	(6) Sold	(7) Balance
Dates : 1 to 31						

- (12) The licensee/licensees will be responsible for ensuring that, on December 31, of the year in which the licence expires he/they does /do not hold a stock of arrack in excess of the average sales for ten days computed on the basis of sales between October 15 and December 15 of the same year, so that an unduly large stock of arrack is not purchased by him/them from the outgoing renter of the arrack tavern referred to in Condition 1 above.
- (13) Excise Officers not below the grade of Inspector shall at all times, when the premises are open for sale of arrack, be given access to the sealed bottles, and allowed to check the strength and quantity of arrack contained therein as well as the accounts.
- (14) The licensee/licensees shall be responsible for all acts of his/their managers, agents, and employees in relation to this licence.
- (15) This licence is not transferable, except with the written sanction of the Excise Commissioner first had and obtained.
- (16) The sum of Rs. 1,000 deposited by the licensee/licensees with the application for this licence shall be held by the Excise Commissioner as security for the due observance of the general and special conditions of this licence, and shall be liable to forfeiture, in whole or in part, at the sole discretion of the Excise Commissioner for any breach of these conditions, in addition to the penalties provided for such breach by the Ordinance.
- (17) The licensee/licensees shall have or make no claim against the Excise Commissioner, or the Government of Sri Lanka for any failure, whether partial or total, of his/their supplies of arrack, or for any loss or damages arising from any act or omission of the renter, or for any other cause whatsoever.
- (18) This licence shall remain in force from ..... until December 31, 19 ....., unless other wise determined earlier.

Signature : \_\_\_\_\_

Witness : \_\_\_\_\_

Dated the ..... day of ..... 19.....

Fee : Rs:

Excise A (F. L.) 1

**LICENCE FOR THE SALE OF ARRACK FOR CONSUMPTION ON THE PREMISES ONLY, IN PREMISES LICENSED FOR THE SALE OF FOREIGN LIQUOR OTHER THAN BY RETAIL (OFF) LICENCE OR IN FOREIGN LIQUOR TAVERNS LICENSED FOR THE SALE OF FOREIGN LIQUOR (INCLUDING LOCALLY MADE MALT LIQUOR) TO BE CONSUMED ON THE PREMISES.**

..... of ..... (hereinafter called " the Licensee/Licensees ") is/are hereby licensed to sell arrack at the premises, known as ..... of, ..... of bearing Number ..... in ..... street, and situated at ..... in ..... District (hereinafter called " the licensed premises "), subject to the General Condition applicable to all Excise Licences for the time being in force, and the following special conditions applicable to this licence : —

- (1) The arrack shall be obtained by the licensee/licensees only from the Arrack Tavern No..... situated at ..... in ..... District at a price at which the Renter of the said tavern (hereinafter called "the Renter") is authorised by law to sell arrack to the public.
- (2) (a) No arrack shall be removed from the said tavern to the Licensed Premises, except under the authority of a pass issued by the Superintendent of Excise. No pass will be made available for use at a later hour than 6 p. m. on the date of issue ;  
(b) All such passes shall be filed of record in the Licensed Premises, and shall be made available for inspection for a period of 12 months from the date of issue.
- (3) The sale of arrack whether by the dram or by the bottle shall be for consumption on the licensed premises only and the sale of arrack shall be subject to the same restrictions as may be imposed on the sale of foreign liquor by the foreign liquor Licence held by the licensee/licensees as regards the hours of sale, the class of customers and the nature of business permitted.
- (4) Sale of Arrack in unopened bottles.—  
(a) Where any customer demands a sealed bottle of arrack of any variety which is available for sale with the licensee/ licensees, the licensee/licensees shall sell to such customer, only bottled arrack of the variety demanded, and with the stoppers or seals placed on such bottles of arrack by their manufacturers, intact ;  
(b) The licensee/licensees or his/their agent shall not break open the seal placed by the manufacturer on a bottle of arrack so sold, unless at the request of the customer and if so requested only after the bottle has been handed over to the customer with the seal intact.
- (5) Sale of Arrack by the Glass in Quantities Less than found in Sealed Bottles.—  
(a) Where any customer demands such quantity of a variety of arrack as is less than the quantity obtained contained in the smallest sealed bottle of that variety of arrack available for sale with the licensee/licensees, he/they shall be entitled to break open the seal or stopper on a sealed bottle of arrack, if a bottle already opened under the provisions of this condition is not available, and to serve arrack therefrom by the glass.  
(b) At any one time, the licensee/licensees shall not keep open in his/their possession in the licensed premises, more than two reputed quart bottles of any one variety of arrack for the purpose of serving arrack by the glass. The licensee/licensees shall not open Lottles of arrack of capacity less than a reputed quart, for conducting sale of arrack by the glass.  
(c) Sale of arrack by the glass shall be only by the half dram and its multiples.
- (6) Standard measures approved by the Superintendent of Excise viz. 1 dram and  $\frac{1}{2}$  dram shall be kept and shall on demand by any customer be used for measuring the arrack he has purchased.
- (7) All arrack sold or kept for sale under this licence shall be not below not above the strength prescribed by the Excise Commissioner by notification under Arrack Rent Sale Condition for the time being in force in that behalf as tested in compliance with the provisions of Excise Notification No. 178 published in Gazette No. 7,654 of July 13, 1923. No water and no colouring, flavouring or other matter whatsoever shall be added to the arrack.
- (8) The licensee/licensees shall at all times keep a stock of not less than two gallons of arrack in sealed bottles, except when stocks are not available at the arrack Tavern specified in condition 1 or a special monthly quota has been fixed for the licensee/ licensees by the Excise Commissioner.
- (9) Arrack shall not be sold by the dram or by the bottle at rates other than those prescribed by the Excise Commissioner from time to time. The licensee/licensees shall not levy any service charge or any other additional charge whatsoever on arrack sold under this licence.
- (10) The licensee/ licensees shall affix in a prominent place within the licensed premises, so as to be capable of being easily read by the customers, a card displaying in bold printed figures and in Sinhala, Tamil and English letters the selling price of the arrack offered for sale by the dram and by the bottle.
- (11) The licensee/ licensees shall keep a account of all arrack & bought and sold in the form prescribed hereunder separate folios in the register for each quality of arrack and each kind of bottle.

Arrack Register (in Gallons and Drams).....Quality

1 Month of	2 No. of Pass	3 In hand	4 Received	5 Total	6 Sold	7 Balance
Dates : 1 to 31						

- (12) The licensee/licensees will be responsible for ensuring that on December 31, of the year in which the licence expires he/they does/do not hold a stock of arrack in excess of the average sales for ten days computed on the basis of sales between October 15 and December 15 of the same year, so that an unduly large stock of arrack is not purchased by him/them from the outgoing Renter of the arrack tavern referred to in Condition 1 above.
- (13) Excise Officers not below the grade of Inspector shall at all times, when the premises are open for sale of arrack be given access to the sealed bottles, and allowed to check the strength and quantity of arrack contained therein as well as the accounts.
- (14) The licensee/licensees shall be responsible for all acts of his/their managers, agents, and employees in relation to this licence.
- (15) This licence is not transferable, except with the written sanction of the Excise Commissioner first had and obtained.
- (16) The sum of Rs. 1,000 deposited by the licensee/licensees with the application for this licence shall be held by the Excise Commissioner as security for the due observance of the general and special conditions of this licence, and shall be liable to forfeiture, in whole or in part, at the sole discretion of the Excise Commissioner for any breach of these conditions, in addition to the penalties provided for such breach by the ordinance.
- (17) The licensee/licensees shall have or make no claim against the Excise Commissioner, or the Government of Sri Lanka for any failure, whether partial or total, of his/their supplies of arrack, or for any loss or damages arising from any act or omission of the Renter, or for any other cause whatsoever.
- (18) This licence shall remain force from..... until December 31, 19....., unless otherwise determined earlier.

Office of the Excise Commissioner,  
 Colombo,..... 19.....

Excise Commissioner.

FEE Rs.....

**LICENCE FOR THE SALE OF ARRACK IN RESTHOUSES OR IN PREMISES SPECIALLY LICENSED FOR THE SALE OF FOREIGN LIQUOR (INCLUDING LOCALLY MADE MALT LIQUOR)**

Name of licensee :.....  
 Description of licensed premises :.....  
 Date of issue :.....  
 Date of expiry :.....  
 Stamp of Re. 1/00



Office of the Excise Commissioner,  
 Colombo, ....., 19.....

Excise Commissioner.

**Counterpart Agreement**

I/We.....the afore-mentioned licensee/licensees for myself/ourselves, hereby agree with the Excise Commissioner that I/We will well and truly observe and perform the terms and conditions contained in the licence (of which this is a Counterfoil) to sell arrack by the glass at the premises more fully described above, during the official year ending December 31, 19...., subject to the general conditions applicable to all Excise Licences for the time being in force, and the following special conditions applicable to this licence :—

1. The arrack shall be obtained by the licensee/licensees only from the Arrack Tavern No.....situated at..... in.....District at a price at which the Renter of the said tavern (hereinafter called "the Renter"), is authorised by law to sell arrack to the public.
2. (a) No arrack shall be removed from the said tavern to the licensed premises, except under the authority of a pass issued by the Superintendent of Excise. No pass will be issued for use at a later hour than 6 p.m. on the date of issue.  
 (b) All such passes shall be filled of record in the licensed premises, and shall be available for inspection for a period of 12 months from the date of issue.
3. The sale of arrack by the bottle is prohibited. This condition may be specially waived in whole or in part by the Excise Commissioner.
4. The licensee/licensees shall sell arrack only by the glass and for consumption on the licensed premises. Sale in containers for removal from the licensed premises is prohibited.
5. The sale of arrack shall be subject to the same restrictions, as may be imposed on the sale of foreign liquor by the Foreign Liquor Licence held by the licensee/licensees as regards the hours of sale, the class of customer and the nature of business permitted.
6. All arrack sold or kept for sale under this licence shall be not below the strength prescribed by the Excise Commissioner by notification under Arrack Rent Sale Conditions for the time being in force in that behalf as tested in compliance with the provisions of Excise Notification No. 178 published in Gazette No. 7,654 of July 13, 1928. No water, and no colouring, flavouring or other matter whatsoever shall be added to the arrack.
7. The licensee/licensees shall at all times keep a stock of not less than one gallon of arrack, except when stocks are not available at the arrack tavern specified in Condition I, or a special monthly quota has been fixed for the licensee/licensees by the Excise Commissioner.
8. Arrack shall not be sold by the dram or by the glass at rates other than those prescribed by the Excise Commissioner from time to time.
9. Standard measures approved by the Superintendent of Excise, viz., 1½ dram, 1 dram, ¾ dram, ½ dram and ¼ dram shall be kept and shall on demand by any customer be used for measuring the arrack he has purchased.

10. The licensee/licensees shall affix in a prominent place within the licensed premises, so as to be capable of being easily read by the customers, a card displaying in bold printed figures and in Sinhala, Tamil and English letters the selling price of the arrack offered for sale by the dram.
11. The licensee/licensees shall keep an account of all arrack bought and sold in the following form with separate folios in the register for each quality of arrack :—

Bottled Arrack Register (in Gallons and Drams).....Quality

1 Month of	2 No. of Pass	3 In hand	4 Received	5 Total	6 Sold	7 Balance
Dates : 1 to 31						

12. No implement for reproducing a seal similar to the Manufacturers' seal shall be kept in the licensed premises, or any outhouses thereof, or any buildings appurtenant thereto. This condition may be specially waived in whole or in part by the Excise Commissioner.
13. The licensee/licensees will be responsible for ensuring that on December 31, of the year in which this license expires he/they does/do not hold a stock of arrack in excess of the average sales for ten days computed on the basis of sales between October 15 to December 15 of the same year, so that an unduly large stock of arrack is not purchased by him/them from the out-going Renter of the arrack tavern referred to in Condition 1 above.
14. Excise Officers not below the grade of Inspector shall at all times, when the premises are open for sale of arrack, be given access to the arrack, and allowed to check the strength and quantity of arrack as well as the accounts.
15. The licensee/licensees shall be responsible for all acts of his/their managers, agents, and employees in relation to this licence.
16. This licence is not transferable, except with the written sanction of the Excise Commissioner first had and obtained.
17. The sum of Rs. 100 deposited by the licensee/licensees with the application for this licence shall be held by the Excise Commissioner as security for the due observance of the general and special conditions of this licence, and shall be liable to forfeiture, in whole or in part, at the sold discretion of the Excise Commissioner for any breach of these conditions, in addition to the penalties provided for such breach by the Ordinance.
18. The licensee/licensees shall have or make no claim against the Excise Commissioner, or the Government of Sri Lanka for any failure, whether partial or total of his/their supplies of arrack, or for any loss or damage arising from any act or omission of the Renter, or for any other cause whatsoever.
19. This licence shall remain in force from.....until December 31, 19....., unless otherwise determined earlier, for so long and so long only during that period as he continues in his employment as.....

Signature : \_\_\_\_\_

Witness : \_\_\_\_\_

Dated the.....day of ..... 19.....

FEE Rs... ..

Excise A (F. L.) 2.

**LICENCE FOR THE SALE OF ARRACK IN RESTHOUSES OR IN PREMISES SPECIALLY LICENSED FOR THE SALE OF FOREIGN LIQUOR (INCLUDING LOCALLY MADE MALT LIQUOR)**

.....of.....  
 (hereinafter called " the licensee/licensees ") is/are hereby licensed to sell arrack by the glass only at the premises known as .....  
 .....or bearing Number.....in .....Street, and situated at  
 .....in.....District (hereinafter called " the licensed premises "), subject to the  
 General Conditions applicable to all Excise Licences for the time being in force, and the following special conditions applicable to this  
 licence :—

1. The arrack shall be obtained by the licensee/licensees only from the Arrack Tavern No..... situated at ..... in ..... District at a price at which the Renter of the said tavern (hereinafter called "the Renter"), is authorised by law to sell arrack to the public.
2. (a) No arrack shall be removed from the said tavern to the licensed premises, except on a pass issued by the Superintendent of Excise. No pass will be made available for use at a later hour than 6 p.m. on the date of issue.  
 (b) All such passes shall be filed of record in the licensed premises, and shall be available for inspection for a period of 12 months from the date of issue.
3. The sale of arrack by the bottle is prohibited. This condition may be specially waived in whole or in part by the Excise Commissioner.
4. The licensee/licensees shall sell arrack only by the glass and for consumption on the Licensed Premises. Sale in containers for removal from the licensed premises is prohibited.
5. The sale of arrack shall be subject to the same restrictions, as may be imposed on the sale of foreign liquor by the Foreign Liquor Licence held by the licensee/licensees as regards the hours of sale, the class of customer and the nature of business permitted.
6. All arrack sold or kept for sale under this licence shall be not below the strength prescribed by the Excise Commissioner by notification under Arrack Rent Sale Conditions for the time being in force in that behalf as tested in compliance with the provisions of Excise Notification No. 178 published in *Gazette* No. 7,654 of July 13, 1928. No water, and no colouring, flavouring or other matter whatsoever shall be added to the arrack.
7. The licensee/licensees shall at all times keep a stock of not less than one gallon of arrack, except when stocks are not available at the arrack tavern specified in Condition I, or a special monthly quota has been fixed for the licensee/licensees by the Excise Commissioner.
8. Arrack shall not be sold by the dram or by the glass at rates other than those prescribed by the Excise Commissioner from time to time.
9. Standard measures approved by the Superintendent of Excise, viz., 1½ dram, 1 dram, ¾ dram, ½ dram and ¼ dram shall be kept and shall on demand by any customer be used for measuring the arrack he has purchased.
10. The licensee/licensees shall affix in a prominent place within the licensed premises, so as to be capable of being easily read by the customers, a card displaying in bold printed figures and in Sinhala, Tamil and English letters the selling price of the arrack offered for sale by the dram.

11. The licensee/licensees shall keep an account of all arrack bought and sold in the following form with the separate folios in the register for each quality of arrack :—

Bottled Arrack Register (in Gallons and Drams) .....QUALITY

1 Month of .....	2 No. of Pass	3 In hand	4 Received	5 Total	6 Sold	7 Balance
Dates : 1 to 31						

12. No implement for reproducing a seal similar to the manufacturer's seal shall be kept in the licensed premises, or any outhouses thereof, or any buildings appertenant thereto. This condition may be specially waived in whole or in part by the Excise Commissioner.
13. The licensee/licensees will be responsible for ensuring that on December 31 of the year in which this licence expires he/they does/do not hold a stock of arrack in excess of the average sales for ten days computed on the basis of sales between October 15 to December 15 of the same year, so that an unduly large stock of arrack is not purchased by him/them from the out going Renter of the arrack tavern referred to in Condition I above.
14. Excise Officers not below the grade of Inspector shall at all times, when the premises are open for sale of arrack, be given access to the arrack and allowed to check the strength and quantity of arrack contained therein as well as the accounts.
15. The licensee/licensees shall be responsible for all acts of his/their managers, agents, and employees in relation to this licence.
16. This licence is not transferable, except with the written sanction of the Excise Commissioner first had and obtained.
17. The sum of Rs. 100 deposited by the licensee/licensees with the application for this licence shall be held by the Excise Commissioner as security for the due observance of the general and special conditions of this licence, and shall be liable to forfeiture, in whole or in part, at the sole discretion of the Excise Commissioner for any breach of these conditions, in addition to the penalties provided for such breach by the Ordinance.
18. The licensee/licensees shall have or make no claim against the Excise Commissioner, or the Government of Sri Lanka for any failure, whether partial or total of his/their supplies of arrack, or for any loss or damage arising from any act or omission of the Renter, or for any other cause whatsoever.
19. This licence shall remain in force from ..... until December 31, 19...., unless otherwise determined earlier for so long and so long only during that period as he continues in his employment as .....

Office of the Excise Commissioner,  
Colombo 19

Excise Commissioner.

FEE : Rs.....

**LICENCE FOR THE SALE OF ARRACK BY THE BOTTLE ONLY (NOT TO BE CONSUMED ON THE PREMISES) IN FOREIGN LIQUOR RETAIL (OFF) LICENSED PREMISES**

Name of licensee : .....  
 Description of license premises : .....  
 Date of issue : .....  
 Date of expiry : .....

Stamp of Re. 1/—

Office of the Excise Commissioner,  
Colombo , 19 .

Excise Commissioner

*Counterpart Agreement*

I/We,....., the aforementioned licensee/licensees for myself/ourselves hereby agree with the Excise Commissioner that I/We will well and truly observe and perform the terms and conditions contained in the licence (of which this is a counterfoil) to sell arrack by the bottle only at the premises more fully described above, during the official year ending December 31, 19 , subject to the general conditions applicable to all excise licences for the time being in force, and the following special conditions applicable to this licence :—

1. The arrack shall be obtained by the licensee/licensees only in sealed bottles, and only from the Arrack Tavern No. .... situated at ..... in the ..... District at a price at which the Renter of the said tavern (hereinafter called "the RENTER") is authorised by law to sell arrack in sealed bottles to the public. However, "processed arrack", "molasses arrack" or "sugar cane arrack" may also be obtained in sealed bottles on a permit issued by the Superintendent of Excise from a person to whom a licence has been issued to manufacture "processed arrack", "molasses arrack" or "sugar cane arrack" at duly approved premises.
- 2 (a) No sealed bottles of arrack shall be removed from the said tavern to the licensed premises, except under the authority of a pass issued by the Superintendent of Excise. No pass will be made available for use at a later hour than 6 p. m. on the date of issue.

- (b) All such passes shall be filed of record in the licensed premises, and shall be available for inspection for a period of 12 months from the date of issue.
- 3. The sale of arrack shall be by the sealed bottle only, and for consumption off the premises only. The breaking open of sealed bottles of arrack and sale by the glass are prohibited.
- 4. The licensee/licensees shall not at any one time sell to any one person, or allow any one person to remove, sealed bottles containing in the aggregate more than one-third of an imperial gallon of arrack, without a valid permit or pass. The licensee/licensees may in his/their discretion, anything to the contrary notwithstanding in Condition 14 of the general conditions applicable to all Excise licences refuse to sell arrack under this licence to any customer who does not bring such number of empty bottles as can contain the gallonage of arrack to be purchased by him.
- 5. The sale of arrack in sealed bottles for consumption off the licensed premises shall be subject to the same restrictions as may be imposed on the sale of foreign liquor by the foreign liquor Retail (off) Licence held by the licensee/licensees as regards the hour of sale permitted.
- 6. All arrack sold or kept for sale under this licence shall be not below or higher than the strength prescribed by the Excise Commissioner by notification under Arrack Rent Sale Conditions for the time being in force in that behalf as tested in compliance with the provisions of Excise Notification No. 178 published in Gazette No. 7,654 of July 13, 1928. No water, and no colouring, flavouring or other matter whatsoever shall be added to the arrack.
- 7. The licensee/licensees shall at all times keep a stock of not less than two gallons of arrack in sealed bottles, except when stocks at the arrack tavern specified in Condition 1 are over or a special quota has been fixed by the Excise Commissioner in respect of this licence.
- 8. Arrack in sealed bottles shall not be sold at the licensed premises at rates other than those prescribed by the Excise Commissioner from time to time. Where any arrack is sold, the licensee shall not levy in respect of such arrack any service charge or any other additional charge whatsoever.
- 9. Sealed bottles of arrack sold under this licence shall not be sold for consumption on the premises.
- 10. The licensee/licensees shall keep an account of all arrack bought and sold in the following form with separate folios in the register for each quality of arrack stocked by him/them :—

Bottled Arrack Register (in Gallons and Drams) .....Quality.

1 Month of	2 No. of Pass	3 IN HAND		4 Received		5 Total		6 Sold		7 Balance	
		Reputed quarts	Reputed pints	Reputed quarts	Reputed pints	Reputed quarts	Reputed pints	Reputed quarts	Reputed pints	Reputed quarts	Reputed pints
Dates : 1 to 3]											

- 11. No arrack, other than arrack in the manufacturer's sealed bottles with the labels and capsules or seals intact, and no capsule or seal of the type used for arrack bottles, and no implement for reproducing as seal similar to the manufacturer's seal shall be kept in the licensed premises, or any outhouse thereof, or any building appurtenant thereto.
- 12. The licensee/licensees will be responsible for ensuring that on December 31 of the year in which this licence expires he/they does/do not hold a stock of arrack in excess of the average sales for ten days computed on the basis of sales between October 15 to December 15 of the same year, so that an unduly large stock of arrack is not purchased by him/them from the outgoing renter of the arrack tavern referred to in condition 1 above.
- 13. Excise officers not below the grade of Inspector shall at all times, when the premises are open for sale of sealed bottles of arrack be given access to check the strength and stocks of arrack as well as the accounts.
- 14. The licensee/licensees shall be responsible for all acts of his/their managers, agents, and employees in relation to this licence.
- 15. This licence is not transferable, except with the written sanction of the Excise Commissioner first had and obtained.
- 16. The sum of Rs. 1,000 deposited by the licensee/licensees with the application for this licence shall be held by the Excise Commissioner as security for the due observance of the general and special conditions of this licence, and shall be liable to forfeiture, in whole or in part, at the sole discretion of the Excise Commissioner for any breach of these conditions, in addition to the penalties provided for such breach by the Ordinance.
- 17. The licensee/licensees shall have or make no claim against the Excise Commissioner or the Government of Sri Lanka for any failure whether partial or total, of his/their supplies of arrack, or for any loss or damage arising from any act or omission of the Renter, or for any other cause whatsoever.
- 18. This licence shall remain in force from.....until December 31, 19....., unless otherwise determined earlier.

Signature : \_\_\_\_\_

Witness : \_\_\_\_\_

Dated the.....day of....., 19.....

FEE : Rs.....

Excise A (F. L.) 3

**LICENCE FOR THE SALE OF ARRACK BY THE BOTTLE ONLY (NOT TO BE CONSUMED ON THE PREMISES) IN FOREIGN LIQUOR RETAIL (OFF) LICENSED PREMISES**

..... of (hereinafter called/" the licensee/licensees") is/are hereby licensed to sell arrack by the sealed bottle only at the premises known as ..... of bearing No. .... in ..... Street, and situated at ..... in ..... District (hereinafter called " the licensed premises " ), subject to the General Conditions applicable to all Excise Licences for the time being in force, and the following special conditions applicable to this Licence :—

1. The arrack shall be obtained by the licensee/licensees only in sealed bottles, and only from the Arrack Tavern No. .... situated at ..... in the ..... District at a price ..... at which the renter of the said tavern (hereinafter called "the Renter") is authorised by law, to sell arrack in sealed bottles to the public. However, processed arrack, molasses arrack or sugar cane arrack may also be obtained in sealed bottles on a permit issued by the Superintendent of Excise from a person to whom a licence has been issued to manufacture processed arrack, molasses arrack or sugar cane arrack at duly approved premises.
- 2 (a) No sealed bottles of arrack shall be removed from the said tavern to the licensed premises, except on a pass issued by the Superintendent of Excise. No pass will be made available for use at a later hour than 6 p.m. on the date of issue.
- (b) All such passes shall be filed of record in the licensed premises, and shall be available for inspection for a period of 12 months from the date of issue.
3. The sale of arrack shall be by the sealed bottle only, and for consumption off the premises only. The breaking open of sealed bottles of arrack and sale by the glass are prohibited.
4. The licensee/licensees shall not at any one time sell to any one person, or allow any one person to remove, sealed bottles containing in the aggregate more than one-third of an imperial gallon of arrack without a valid permit or pass. The licensee/licensees may in his/their discretion, anything to the contrary notwithstanding in Condition 14 of the General Conditions applicable to all Excise licences refuse to sell arrack under this licence to any customer who does not bring such number of empty bottles as can contain the gallonage of arrack to be purchased by him.
5. The sale of arrack in sealed bottles for consumption off the licensed premises shall be subject to the same restrictions as may be imposed on the sale of foreign liquor by the Foreign Liquor Retail (Off) Licence held by the licensee/licensees as regards the hours of sale permitted.
6. All arrack sold or kept for sale under this licence shall be not below or higher than the strength prescribed by the Excise Commissioner by notification under Arrack Rent Sale Conditions for the time being in force in that behalf as tested in compliance with the provisions of Excise Notification No. 178 published in Gazette No. 7,654 of July 13, 1928. No water and no colouring, flavouring or other matter whatsoever shall be added to the arrack.
7. The licensee/licensees shall at all times keep a stock of not less than two gallons of arrack in sealed bottles, except when stocks at the arrack tavern specified in Condition 1 are over or a special quota has been fixed by the Excise Commissioner in respect of this licence.
8. Arrack in sealed bottles shall not be sold at the licensed premises at rates other than those prescribed by the Excise Commissioner from time to time. Where any arrack is sold, the licensee shall not levy in respect of such arracks any service charge or any other additional charge whatsoever.
9. Sealed bottles of arrack sold under this licence shall not be sold for consumption on the premises.
10. The licensee/licensees shall keep an account of all arrack bought and sold in the following form with separate folios in the register for each quality of arrack stocked by him/them :—

Bottled Arrack Register (in Gallons and Drams) . . . . . Quality.

1 Month of	2 No. of Pass	3 In hand		4 Received		5 Total		6 Sold		7 Balance	
		Reputed quarts	Reputed pints	Reputed quarts	Reputed pints	Reputed quarts	Reputed pints	Reputed quarts	Reputed pints	Reputed quarts	Reputed pints
Dates: 1 to 31											

11. No arrack, other than arrack in the manufacturer's sealed bottles with the labels and capsules or seals intact, and no capsule or seal of the type used for arrack bottles, and no implement for reproducing a seal similar to the manufacturer's seal shall be kept in the licensed premises, or any outhouse thereof, or any building, appertenant thereto.
12. The licensee/licensees will be responsible for ensuring that on December 31 of the year in which this licence expires he/they does/do not hold a stock of arrack in excess of the average sales for ten days computed on the basis of sales between October 15 to December 15 of the same year, so that an unduly large stock of arrack is not purchased by him/them from the outgoing renter of the arrack tavern referred to in condition 1 above.
13. Excise officers not below the grade of Inspector shall at all times, when the premises are open for sale of sealed bottles of arrack be given access to check the strength and stock of arrack as well as the accounts.
14. The licensee/licensees shall be responsible for all acts of his/their managers, agents, and employees in relation to this licence.
15. This licence is not transferable, except with the written sanction of the Excise Commissioner first had and obtained.
16. The sum of Rs. 1,000 deposited by the licensee/licensees with the application for this licence shall be held by the Excise Commissioner as security for the due observance of the general and special conditions of this licence, and shall be liable to forfeiture, in whole or in part, at the sole discretion of the Excise Commissioner for any breach of these conditions, in addition to the penalties provided for such breach by the Ordinance.
17. The licensee/licensees shall have or make no claim against the Excise Commissioner or the Government of Sri Lanka for any failure whether partial or total of his supplies of arrack, or any loss or damage arising from any act or omission of the Renter, or for any other cause whatsoever.
18. This licence shall remain in force from ..... until December 31, 19...., unless otherwise determined earlier.



THE EXCISE ORDINANCE

Excise Notification No. 632

(ARRACK TAVERN LICENCE)

THE Minister of Finance has, under Section 25 of the Excise Ordinance (Chapter 52), directed that on and after January 01, 1977—

- (a) no fee shall be recovered on licences for the sale of arrack by retail in a tavern ;
- (b) that the form and conditions in the Schedule hereto shall be the form and conditions of such licences ; and
- (c) that Excise Notification No. 576 published in *Gazette* No. 14,857 of June 06, 1969 shall be rescinded.

H. B. WIJERON,  
Excise Commissioner.

Colombo. 31.12.1976.

SCHEDULE

Excise C.S. 5.

Hour of Opening :

Hour of Closing :

Serial No. and Machine No.

TAVERN LICENCE FOR THE SALE OF ARRACK BY RETAIL

..... of ..... is/are hereby licensed under the provisions of the Excise Ordinance, to sell arrack by retail at the premises more fully described below, during the official year ending December 31, 19....., subject to—

- (a) the General Conditions for the time being in force and applicable to all Excise licences ;
- (b) the Arrack Rent Sale Conditions, under which the exclusive privilege of selling arrack by retail at the said premises was granted, and which the said licensee(s) by agreement bound himself/themselves to observe ; and
- (c) the following special conditions applicable to this licence :—

1. *Sales and Stocks.*—(1) The licensee/licensees shall, except as hereinafter provided, on demand and tender of cash, sell, from the opening hour to the closing hour, each day, from the day on which the exclusive privilege of selling arrack by retail, commences, upto the day on which the licence expires—

- (a) arrack in sealed bottles ; and
- (b) arrack by the glass, and only for consumption on the premises of only the lowest priced variety made available, for the time being, by the State Distilleries Corporation, or if such lowest priced variety of arrack is not available at the tavern by reason of the State Distilleries Corporation not issuing such arrack, for the time being, the licensee/licensees shall sell by the glass the next cheaper variety of arrack available at the tavern.

Provided however that—

- (1) the Excise Commissioner shall have power to prohibit the sale of arrack on any day, and
  - (2) where the State Distilleries Corporation, at any time during the continuance of the privilege, declares that any bottles in which its arrack is issued shall be replaced with empty bottles before bottles with arrack shall be issued, the licensee/licensees may in his/their discretion, anything to the contrary in General Condition 14 of the General Conditions applicable to all Excise Licences notwithstanding, refuse to sell arrack in sealed bottles, for removal from the tavern, even on tender of cash, to any customer who does not tender an equivalent number of empty bottles in good condition and of the same kinds and capacities as the bottles of arrack intended to be removed by such customer.
- (2) All arrack sold by the bottle under this licence shall be sold in sealed bottles, bearing intact, the capsule, stopper or seal of the manufacturer.
- (3) Arrack sold by the glass, under condition (1) (b) above shall be sold by the half dram, and its multiples, and by no other measure whatsoever.
- (4) The licensee/licensees shall not, for the purpose of selling Arrack by the glass, under condition (1) (b) above, at any one time, have open, more than four sealed bottles, and bottles to be so opened shall not be bottles other than reputed quart bottles.
- (5) The licensee/licensees shall not keep in a tavern except for the four reputed quart bottles of Arrack provided for in condition (4) above, any sealed bottles other than those bearing intact, the capsule/stopper/seal and label of the manufacturer. He/They shall put aside any bottle bearing a damaged or obliterated or loose capsule/stopper/seal or label, report the facts forthwith in writing, to the Excise Inspector in-charge of the tavern, and shall show it to the Inspecting Officer on his next visit. The order of the Superintendent of Excise of the area in which the tavern is situated, regarding the disposal of such bottle shall be carried out by the licensee/licensees.
- (6) The licensee/licensees shall, at all times keep, at least one dozen or such other number, as may be prescribed as the minimum, by the Superintendent of Excise under the provisions of the General Conditions for the time being in force applicable to all Excise Licences, of sealed bottles of arrack of each quality and each capacity, provided such bottles of arrack are supplied without restriction by the State Distilleries Corporation. He/They shall further more, at all times keep, at least one dozen sealed bottles of each quality of arrack and of each capacity, as may be issued to grantees by the State Distilleries Corporation, on a shelf or rack hung on a wall of the tavern, prominently in view of the customers at the bar, provided that if the stock of sealed bottles of any one or more distinctive groups, is, at any time less than one dozen bottles, all the bottles in stock, of such groups shall be kept in the shelf or rack.
- (7) No arrack shall be bottled in any tavern. No articles, implements, instruments or other equipment which could be used to fraudulently pilfer arrack from sealed bottles or to turn out sealed bottles simulating them to have been turned out by the authorised manufacturers, shall be kept in the tavern.

2. *Selling Prices of Arrack.*—The licensee/licensees—

- (a) shall affix in a prominent place in the tavern, so as to be clearly visible to and legible by the customers at the bar, lists printed in bold figures and letters in Sinhala, Tamil and English, of the selling prices of all kinds of arrack offered for sale, by the sealed bottle and by the dram, and such prices shall be the prices determined from time to time by the Excise Commissioner and published in the *Gazette* ;
- (b) shall not circumvent the conditions as to rates of sale of arrack, by recovering the correct rates at the tavern and by giving rebates or discounts by means of secret or open return at the tavern or any other place of any proportion of the rate so charged, either in cash, or in kind, or by coupons, or in any other manner whatsoever ; and
- (c) where he/they decides/decide, notwithstanding the proviso to condition 1 above, to sell arrack in sealed bottles to such customer, shall, on no account charge such customer, any sum in excess of the rates prescribed, as the cost of the empty bottle delivered in the absence of its replacement in kind, or recover or take in lieu, such excess charge for non-replacement of empty bottles, on the issue of any ticket or coupon or adopt any other means of circumventing this condition.

3. *Strength of Arrack.*—(a) Prohibition against Adulteration of Arrack and keeping of other Liquors.—All arrack exposed or kept for sale in a tavern shall be not below the strength prescribed for each quality by the Excise Commissioner from time to time under the provisions of Arrack Rent Sale Condition 18 as tested in compliance with Excise Notification No. 178 published in *Gazette* No. 7,654 of July 13, 1928. No water and no colouring, flavouring, or other matter whatsoever shall be added thereto.

(b) No liquor other than that issued to the licensee/licensees from a State Distilleries Corporation Warehouse or a licensed manufactory of molasses arrack or cane arrack or processed arrack shall be kept in the tavern.

4. (a) *Furniture, &c., in Taverns to be kept clean.*—The licensee/licensees shall cause all tables and chairs provided for the use of Inspecting Officers, Rent Managers, and Accountants, to be kept scrupulously clean, and shall cause the tops of all such tables to be covered at all times with clean covering material.

(b) *Prohibition of other than prescribed Articles in Taverns.*—The licensee/licensees shall not, except as hereinafter in sub-clause (c) provided, and except with the written sanction of an Excise Officer not below the rank of Inspector, permit the introduction into his/their tavern of any articles other than—

- (i) the drinking vessels,
- (ii) two tables.
- (iii) two chairs,
- (iv) authorised account books, inspection note books, pen, ink and writing materials,
- (v) cash, and receptacles for its safe-keeping,
- (vi) frames or notice boards on which the licence, the general conditions applicable to all Excise licences, and such other notices as the Excise Commissioner may require, may be exhibited.
- (vii) one receptacle for disinfectants,
- (viii) one stool for each authorised employee, and
- (ix) separate receptacles for clean and for dirty water for use as prescribed in General Condition No. 25(4).

(c) *Provision of Spittoons in Taverns.*—The licensee/licensees shall provide in his/their tavern at least three spittoons which shall be kept in a scrupulously clean and sanitary condition and be washed daily with disinfectants.

5. *Special Measuring Taps, if required.*—All sales by the glass shall, if the Excise Commissioner at any time so directs by writing under his hand addressed to the licensee/licensees, be made by means of special measuring taps of a pattern to be approved by him.

6. *Standard Measures to be kept.*—Standard measures approved by the Excise Commissioner, viz., 1 dram, and  $\frac{1}{2}$  dram shall be kept in every tavern and shall on demand by any customer be used in measuring the arrack he has purchased.

7. (a) *Drinking Vessels to be of transparent material and to be marked.*—Every drinking vessel used in a tavern shall be made of glass or of some other transparent material. The quantity of arrack which the vessel shall contain must be indicated by a horizontal line, coloured red, cut at least two inches round the circumference of such vessel and not less than one-half of an inch below the top of such vessel. The quantity and the current authorized price for such quantity must be marked clearly in bold red figures, cut into the glass or other transparent vessel, the price being marked above the centre of the cut red line, and the quantity on the opposite side that is, on the exterior side of the vessel furthest from the price. At least two drinking vessels for each of the quantities of arrack viz.  $0\frac{1}{2}$  dram,  $0\frac{3}{4}$  dram, 01 dram and 02 drams, marked at the current rate of sale, shall be maintained.

( ) No arrack shall be served for consumption on the premises except in a drinking vessel marked as hereinbefore prescribed and filled up to the horizontal line marked in the vessel.

(c) No drinking vessels other than the drinking vessels hereinbefore prescribed shall be kept in a tavern.

8. *Inspection by Excise Officers.*—All arrack kept or exposed for sale in a tavern shall at all times be made available for inspection and test by Excise Officers duly empowered to do such inspections and tests.

9. *Accounting of Arrack.*—(a) The licensee/licensees shall transport all arrack drawn by him/them at the warehouse or place licensed to manufacture molasses arrack or cane arrack or processed arrack by the shortest route to the tavern and to no other place and shall account for all arrack in the prescribed form of tavern register. He/They shall also keep separate accounts on Form Excise C.S. 1 in respect of the different qualities of arrack and capacities of bottles.

(b) The total wastage, if any, at every tavern shall be written off at the end of each month and the actual balance in hand of each kind of arrack shall be brought forward on the first day of the month following.

(c) He/They shall keep a separate account of all the sales in excess of the limit of sale by retail done under the authority of permits on form Excise C.S.T. 1 recording such sales contemporaneously and showing, the number of the permit, name of permit-holder, date and time of issue, quantities issued by qualities of arrack and capacities of bottles, and signature of person issuing the arrack.

(d) The licensee/licensees shall cause all accounts kept at his/their tavern to be written in Sinhala, Tamil, or English.

(e) Such accounts shall be entered in ink.

(f) The licensee/licensees shall keep proceeds of sale of arrack sold by the glass from opened bottles and arrack sold in unopened bottles separately to enable inspecting officers to determine quantities of arrack sold in opened and unopened bottles at their inspections.

10. *Removal of Proceeds of Sale, &c.*—(1) The licensee/licensees shall cause all the proceeds of any one day's sale of arrack to be removed from the tavern between the closing hour on that day and 8 a.m. on the following day, but before such removal of the proceeds the licensee/licensees shall cause all the accounts for the day to be duly entered in the books required to be kept at the tavern. The proceeds of the sale of arrack by the glass and by sealed bottles must be kept separately until the removal of the day's proceeds from the tavern.

(2) He/They shall not permit any money other than the proceeds of the sale of arrack to be kept in the tavern.

(3) He/They shall not permit any part of the proceeds of any one day's sale of arrack to be removed from the tavern before the closing hour on that day, unless before such removal a statement is filed in the tavern duly signed and dated by himself/themselves or an authorised employee and setting out in words and figures the exact sum of money so removed.

(4) The statement aforesaid shall be produced for inspection when called for by any Excise Officer duly empowered and shall be kept in the tavern for a period of one month from the date set out in it.

11. The licensee/licensees shall cause his/their tavern to be opened at ..... a.m. and to be closed at ..... p.m. and no arrack shall be sold between the hour of closing and that of opening.

12. If the licensee/licensees was/were not qualified to tender under the provisions of Special Condition 6(1) or 6(2) of the Arrack Rent Sale Conditions for 19... 19... and subsequent periods, the licence shall be liable to cancellation by the Government Agent.

Dated the ..... day of ..... 19.....

Government Agent.

..... Kachcheri.

COUNTERPART AGREEMENT

Serial No. and Machine No.....

Tavern Licence for the Sale of Arrack by Retail

Name of Licensee : \_\_\_\_\_

Description of licensed premises : \_\_\_\_\_

Date of Issue : \_\_\_\_\_

Date of Expiry : \_\_\_\_\_

\_\_\_\_\_ Kachcheri,

\_\_\_\_\_ Government Agent.

Stamp of 50 cents.

I/We.....the aforementioned licensee(s) for myself/ourselves, hereby agree with the Government Agent that I/we will well and truly observe and perform the terms and conditions contained in the licence (of which this is a counterfoil) to sell arrack by retail at the premises more fully described above during the official year ending December 31, 19..... subject to the following conditions to be observed by me/us the said licensee(s), viz :—

- (a) the General Conditions for the time being in force and applicable to all Excise licences ;
- (b) the Arrack Rent Sale Conditions, under which the exclusive privilege of selling arrack by retail at the said premises was granted, and which the said licensee(s) by agreement bound himself/themselves to observe ; and
- (c) the following special conditions applicable to this licence :—

1. *Sales and Stocks.*—(1) The licensee/licensees shall, except as hereinafter provided, on demand and tender of cash, sell, from the opening hour to the closing hour, each day, from the day on which the exclusive privilege of selling arrack by retail, commences, up to the day on which the licence expires—

- (a) Arrack in sealed bottles ; and
- (b) Arrack by the glass, and only for consumption on the premises of only the lowest priced variety made available, for the time being, by the State Distilleries Corporation or if such lowest priced variety of arrack is not available at the tavern by reason of the State Distilleries Corporation not issuing such arrack, for the time being, the licensee/licensees shall sell by the glass the next cheaper variety of arrack available at the tavern.

Provided however that—

- (1) the Excise Commissioner shall have power to prohibit the sale of arrack on any day, and
- (2) where the State Distilleries Corporation, at any time during the continuance of the privilege, declares that any bottles in which its arrack is issued shall be replaced with empty bottles before bottles with arrack shall be issued, the licensee/licensees may in his/their discretion, anything to the contrary in General Condition 14 of the General Conditions applicable to all Excise Licences, notwithstanding, refuse to sell arrack in sealed bottles, for removal from the tavern, even on tender of cash, to any customer who does not tender an equivalent number of empty bottles in good condition and of the same kinds and capacities as the bottles of arrack intended to be removed by such customer.

(2) All arrack sold by the bottle under this licence shall be sold in sealed bottles, bearing intact, the capsule, stopper or seal of the manufacturer.

(3) Arrack sold by the glass, under condition (1) (b) above shall be sold by the half dram and its multiples, and by no other measure whatsoever.

(4) The licensee/licensees shall not, for the purpose of selling Arrack by the glass, under condition (1) (b) above, at any one-time, have open, more than four sealed bottles, and bottles to be so opened shall not be bottles other than reputed quart bottles.

(5) The licensee/licensees shall not keep in a tavern except for the four reputed quart bottles of Arrack provided for in condition (4) above, any sealed bottles other than those bearing intact, the capsule/stopper /seal and label of the manufacturer. He/They shall put aside any bottle bearing a damaged or obliterated or loose capsule/stopper/seal or label, report the facts forthwith in writing, to the Excise Inspector in-charge of the tavern, and shall show it to the Inspecting Officer on his next visit.

The order of the Superintendent of Excise of the area in which the tavern is situated, regarding the disposal of such bottle shall be carried out by the licensee/licensees.

(6) The licensee/licensees shall, at all times keep, at least one dozen or such other number, as may be prescribed as the minimum, by the Superintendent of Excise under the provisions of the General Conditions for the time being in force applicable to all Excise Licences, of sealed bottles of arrack of each quality and each capacity, provided such bottles of arrack are supplied without restriction by the State Distilleries, Corporation. He/They shall furthermore, at all times keep, at least one dozen sealed bottle of each quality of arrack and of each capacity, as may be issued to grantees by the State Distilleries Corporation, on a shelf or rack hung on a wall of the tavern, prominently in view of the customers at the bar, provided that if the stock of sealed bottles of any one or more distinctive groups, is, at any time less than one dozen bottles, all the bottles in stock, of such groups shall be kept in the shelf or rack.

(7) No arrack shall be bottled in any tavern. No articles, implements, instruments or other equipment which could be used to fraudulently pilfer arrack from sealed bottles or to turn out sealed bottles simulating them to have been turned out by the authorised manufacturers, shall be kept in the tavern.

2. *Selling Prices of Arrack.*—The licensee/licensees—

- (a) shall affix in a prominent place in the tavern, so as to be clearly visible to and legible by the customers at the bar, lists printed in bold figures and letters in Sinhala, Tamil and English, of the selling prices of all kinds of arrack offered for sale, by the sealed bottle and by the dram, and such prices shall be the prices determined from time to time by the Excise Commissioner and published in the *Gazette*.
- (b) shall not circumvent the conditions as to rates of sale of arrack, by recovering the correct rates at the tavern and by giving rebates or discounts by means of secret or open return, at the tavern or any other place of any portion of the rate so charged, either in cash, or in kind, or by coupons or in any other manner whatsoever ; and
- (c) where he/they decides/decide, notwithstanding proviso to condition 1 above, to sell arrack in sealed bottles to such customer, shall, on no account charge such customer, any sum in excess of the rates prescribed, as the cost of the empty bottle delivered in the absence of its replacement in kind, or recover or take in lieu, such excess charge for non-replacement of empty, or the issue of any ticket or coupon or adopt any other means of circumventing this condition.

3. *Strength of Arrack.*—(a) Prohibition against Adulteration of Arrack and keeping of other liquors. All arrack exposed or kept for sale in a tavern shall be of not below the strength prescribed for each quality by the Excise Commissioner from time to time under the provisions of Arrack Rent Sale Condition 18 as tested in compliance with Excise Notification No. 178 published in *Gazette* No. 7,654 of July 13, 1928. No water and no colouring, flavouring, or other matter whatsoever shall be added thereto.

(b) No liquor other than that issued to the licensee/licensees from a State Distilleries Corporation Warehouse or a licensed manufactory of molasses arrack or cane arrack or processed arrack shall be kept in the tavern.

4. (a) *Furniture, &c., in Taverns to be kept clean.*—The licensee/licensees shall cause all tables and chairs provided for the use of Inspecting Officers, Rent Managers and Accountants, to be kept scrupulously clean, and shall cause the tops of all such tables to be covered at all times with clean covering material.

(b) *Prohibition of other than prescribed Articles in Taverns.*—The licensee/licensees shall not, except as hereinafter in sub-clause (c) provided, and except with the written sanction of an Excise Officer not below the rank of Inspector, permit the introduction into his/their tavern of any articles other than—

- (i) the drinking vessels,
- (ii) two tables,
- (iii) two chairs,
- (iv) authorised account books inspection note books, pen, ink and writing materials,
- (v) cash and receptacles for its safe-keeping,
- (vi) frames or notice boards on which the licence, the general conditions applicable to all Excise licences, and such other notices as the Excise Commissioner may require, may be exhibited,
- (vii) one receptacle for disinfectants,
- (viii) one stool for each authorised employee, and
- (ix) separate receptacles for clean and for dirty water for use as prescribed in General Condition No. 25 (4).

(c) *Provision of Spittoons in Taverns.*—The licensee/licensees shall provide in his/their tavern at least three spittoons, which shall be kept in a scrupulously clean and sanitary condition, and be washed daily with disinfectants.

5. *Special Measuring Taps, if required.*—All sales by the glass shall, if the Excise Commissioner at any time so directs in writing under his hand addressed to the licensee/licensees, be made by means of special measuring taps of a pattern to be approved by him.

6. *Standard Measure to be kept.*—Standard measures approved by the Excise Commissioner, viz., 1 dram, and  $\frac{1}{2}$  dram shall be kept in every tavern and shall on demand by any customer be used in measuring the arrack he has purchased.

7. (a) *Drinking Vessels to be of transparent material and to be marked.*—Every drinking vessel used in a tavern shall be made of glass or of some other transparent material. The quantity of arrack which the vessel shall contain must be indicated by a horizontal line, coloured red, cut at least two inches round the circumference of such vessel and not less than one-half of an inch below the top of such vessel. The quantity and the current authorized price for such quantity must be marked clearly in bold red figures, cut into the glass or other transparent vessel, the price being marked above the centre of the cut red line, and the quantity on the opposite side, that is on the exterior side of the vessel furthest from the price. At least two drinking vessels for each of the quantities of arrack viz.,  $\frac{1}{4}$  dram,  $\frac{1}{2}$  dram,  $\frac{3}{4}$  dram, 01 dram and 02 drams, marked at the current rate of sale shall be maintained.

(b) No arrack shall be served for consumption on the premises except in a drinking vessel marked as hereinbefore prescribed and filled up to the horizontal line marked in the vessel.

(c) No drinking vessels other than the drinking vessels, hereinbefore prescribed shall be kept in a tavern.

8. *Inspection by Excise Officers.*—All Arrack kept or exposed for sale in a tavern shall at all times be made available for inspection and test by Excise Officers duly empowered to do such inspections and tests.

9. *Accounting of Arrack.*—(a) The licensee/licensees shall transport all arrack drawn by him/them at the warehouse or place licensed to manufacture molasses arrack or cane arrack or processed arrack by the shortest route to the tavern and to no other place and shall account for all arrack in the prescribed form of tavern register. He/They shall also keep separate accounts on Form Excise C.S. 1 in respect of the different qualities of arrack and capacities of bottles.

(b) The total wastage if any, at every tavern shall be written off at the end of each month and the actual balance in hand of each kind of arrack shall be brought forward on the first day of the month following.

(c) He/They shall keep a separate account of all the sales, in excess of the limit of sale by retail done under the authority of permits on form Excise C.S.T. 1 recording such sales contemporaneously and showing, the number of the permit, name of permit-holder, date and time of issue, quantities issued by qualities of arrack and capacities of bottles, and signature of person issuing the arrack.

(d) The licensee/licensees shall cause all accounts kept at his/their tavern to be written in Sinhalese, Tamil, or English.

(e) Such accounts shall be entered in ink.

(f) The licensee/licensees shall keep proceeds of sale of arrack sold by the glass from opened bottles and arrack sold in unopened bottles separately to enable inspecting officers to determine quantities of arrack sold in opened and unopened bottles at their inspections.

10. *Removal of Proceeds of Sale, &c.*—(1) The licensee/licensees shall cause all the proceeds of any one day's sale of arrack to be removed from the tavern between the closing hour on that day and 8. a.m. on the following day, but before such removal of the proceeds the licensee/licensees shall cause all the accounts for the day to be duly entered in the books required to be kept at the tavern. The proceeds of the sale of arrack by the glass and by sealed bottles must be kept separately until the removal of the day's proceeds from the tavern.

(2) He/They shall not permit any money other than the proceeds of the sale of arrack to be kept in the tavern.

(3) He/They shall not permit any part of the proceeds of any one day's sale of arrack to be removed from the tavern before the closing hour on that day, unless before such removal a statement is filed in the tavern, duly signed and dated by himself/themself or an authorised employee and setting out in words and figures the exact sum of money so removed.

(4) The statement aforesaid shall be produced for inspection when called for by any Excise officer duly empowered and shall be kept in the tavern for a period of one month from the date set out in it.

11. The licensee/licensees shall cause his/their tavern to be opened at .....a.m. and to be closed at .....p.m. and no arrack shall be sold between the hour of closing and that of opening.

12. If the licensee/licensees was/were not qualified to tender under the provisions of special Condition 6(1) or 6(2) of the Arrack Rent Sale Conditions for 19... 19... and subsequent periods, the licence shall be liable to cancellation by the Government Agent.

Licencee.

Dated the ..... day of ..... 19.....

.....Kachcheri.

E.C.'s No. 301/A/111.

THE EXCISE ORDINANCE

Excise Notification No. 633

BY virtue of the powers delegated to me by Excise Notification No. 509 published in *Gazette* No. 13,529 of February 22, 1963, I, Herath Banda Wijekoon, Excise Commissioner, do hereby direct under Section 25 of the Excise Ordinance (Chapter 52), that on and after January 01, 1977—

- (1) the rates prescribed in the Schedule hereto, shall be the rates at which arrack shall be sold in any premises licensed for the sale of foreign liquor, in lieu of any rates prescribed heretofore in that behalf in any Excise Notification whatsoever, relating to the sale of foreign liquor; and
- (2) that Excise Notification No. 629, published in *Gazette Extraordinary* No. 221/7 of July 14, 1976, be rescinded.

H. B. WIJEKOON  
 Excise Commissioner.

Colombo. December 31, 1976.

SCHEDULE

(i) In Foreign Liquor Retail (off) Licensed Premises licensed for the sale of liquor by the Bottle only (not to be consumed on the premises).

In sealed bottles only :

Quality	Per Bottle		
	Reputed Quarts	Reputed Pints	Nips
	Rs. c.	Rs. c.	Rs. c.
(a) Ten Year Old Coconut Arrack .. .. .	42 0	—	—
(b) " Old Seeduwa " (Double Distilled) Arrack .. .. .	34 0	—	—
(c) Very Special Old Arrack .. .. .	28 0	—	—
(d) Coconut Arrack .. .. .	19 0	9 50	4 75
(e) Special Arrack .. .. .	15 50	7 75	3 90

(ii) In Foreign Liquor Licensed Premises licensed for the sale of liquor to be consumed on the premises :

Quality	By the Glass		As Sealed Bottles		
	Per Dram	Per Half Dram	Per Reputed Quart	Reputed Pint	Per Nip
	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.
(a) Ten Year Old Coconut Arrack .. .. .	8 0	4 0	64 0	—	—
(b) " Old Seeduwa " (Double Distilled) Arrack .. .. .	6 50	3 25	52 0	—	—
(c) Very Special Old Arrack .. .. .	5 30	2 65	42 40	—	—
(d) Coconut Arrack .. .. .	2 40	1 20	20 0	10 0	5 0
(e) Special Arrack in Sealed Bottles .. .. .	2 0	1 0	17 0	8 50	4 25

1-173/3

ARRACK RENT SALES CONDITIONS—1977 AND SUBSEQUENT PERIODS

Issue Strength of Arrack

NOTIFICATION No. 1

I, Herath Banda Wijekoon, Excise Commissioner, do hereby prescribe under Condition 18 of the Arrack Rent Sales Conditions for 1977 and subsequent periods published in *Gazette* No. 237/6 of 5.11.76 that from January 1, 1977.

- (1) that the strength of arrack issued from a State Distilleries Corporation Warehouses shall be as indicated in the schedule below, and
- (2) Notification No. 5 published in *Gazette Extraordinary* No. 220/12 of 76.07.07 shall be rescinded from the date of publication of this notification in the *Gazette*.

SCHEDULE

Kind of Arrack	Degrees Strength under Proof
(a) Special Arrack .. .. .	40°—42°
(b) Coconut Arrack .. .. .	40°—42°
(c) Very Special Old Arrack .. .. .	34°—36°
(d) " Old Seeduwa " (Double Distilled) Arrack .. .. .	27°—29°
(e) Ten Year Old Coconut Arrack .. .. .	34°—36°

Colombo 1, December 31, 1976  
 Ref. 301/A/115.

H. B. WIJEKOON,  
 Excise Commissioner.

1-173/4

ARRACK RENT SALES CONDITIONS—1977 AND SUBSEQUENT PERIODS

Notification No. 2

BY virtue of the powers vested in me by Condition 18 of the Arrack Rent Sales Conditions for 1977 and subsequent periods published in *Gazette* No. 237/6 of November 5, 1976 and Condition 2 (a) of Arrack Tavern licence specified in Excise Notification No. 632 published in *Gazette* No. 245/11 of 76.12.31 I, Herath Banda Wijekoon, Excise Commissioner, do hereby notify—

- (1) that I have determined that, with effect from January 1, 1977—the prices set out in the Schedule hereto are the prices at which such arrack shall be sold by grantees of the Exclusive privilege; and
- (2) that Notification No. 7 published in *Gazette Extraordinary* No. 221/7 of July 14, 1976, shall be rescinded with effect from January 1, 1977.

Colombo 1, December 31, 1976  
 Ref. 301/A/115.

H. B. WIJEKOON,  
 Excise Commissioner.

SCHEDULE

I. In Sealed Bottles—

(1) Quality	(2) Reputed Quarts (6 to a gallon)		(3) Reputed Pints (12 to a gallon)		(4) Nips (24 to a gallon)	
	Per Bottle	Equivalent per gallon	Per Bottle	Equivalent per gallon	Per Bottle	Equivalent per gallon
	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.
(1) Ten Year Old Arrack ..	40 0	240 0	—	—	—	—
(2) "Old Seeduwa" (Double Distilled) Arrack ..	33 0	198 0	—	—	—	—
(3) Very Special Old Arrack ..	27 0	162 0	—	—	—	—
(4) Coconut Arrack ..	18 0	108 0	9 0	108 0	4 50	108 0
(5) Special Arrack ..	15 0	90 0	7 50	90 0	3 75	90 0

II. By the Dram—

(1) Quality	(2)	(3)
	Per Dram	Equivalent per gallon
	Rs. c.	Rs. c.
Maximum—Special Arrack ..	1 90	91 20
Coconut Arrack ..	2 30	110 40

1-173/5