BEREKUM EAST MUNICIPAL ASSEMBLY (SALE OF INTOXICATING LIQUOR) BYE-LAW, 2018

In exercise of the powers conferred on the Berekum East Municipal Assembly by Section 181 of the Local Governance Act, 2016 (Act 936) these Bye-laws are hereby made:

License

20.1 No person shall distill or sell any intoxicating liquor either as a wholesaler or retailer without a license by Assembly.

20.1.1 Separate license shall be issued for distillation and selling and shall be issued yearly or as may be determined by the Assembly.

20.1.2 Every application for a license shall be made in writing to an officer so designated by the Berekum East Municipal Assembly and shall contain sufficient particulars of the place and type of liquor the applicant intends to see or distill.

20.1.3 Such application will be forwarded to the police officer in-charge of the area for determining whether the area is suitable for such purpose.

20.1.4 The officer when satisfied with such report from the Police will endorse it to the Assembly licensing officer for the license to be issued.

Every License

20.2 Every license:

a. Shall be subject to the provision in the manufacture and sale of Spirits Act of 1962 and
b. Shall be a yearly license and shall determine on the last day of the year in which it was issued or as may be determined by the Assembly.

Fees

20.3 The fee payable for such license shall be fixed by resolution of the Assembly.

Powers

20.4 An officer duly authorized by the Assembly may, at all reasonable times take steps to recover the approved fees or to revoke any such license where the proprietor:

(a) Has refused to pay the approved fee.
(b) Is acting in a manner repugnant to the Assembly
(c) Is acting in a way injurious to public interest, or
(d) Does not use the place for the purpose for which it was originally intended.

20.4.1 No person shall obstruct or otherwise interfere with any officer or other persons authorized by the Assembly in the performance of any duties assigned to them under these bye-laws.

Penalty

20.5 Any person who distils or sells liquor without the requisite license or contravenes any provision of these Bye-laws commits an offence and is liable on Summary Conviction to a fine of not less than one hundred and fifty penalty units and not more than two hundred penalty units or to a term of imprisonment of not less than six months and not more than ten months or to both the fine and imprisonment.

Interpretation

20.6 "Liquor" means any distilled alcoholic drink or any liquor produced by boiling/fermenting of food substance (e.g. malt, millet, sugar, etc.).

Revocation

20.7 All existing Bye-laws on sale of intoxicating liquor are hereby revoked.