

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Export Quarantine Stations Ordinance, 1962 *

[CONSOLIDATED TEXT]

NOTE

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* Recueil d'Ordonnances Tome XIII, p. 134; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016).

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ARRANGEMENT OF SECTIONS

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(Made on the 30th May, 1962.)

The Export Quarantine Stations Ordinance, 1962

THE STATES, in pursuance of their Resolution of the fourth day of April, nineteen hundred and sixty-two, hereby order: –

Interpretation.

1. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"animals" means cattle, sheep, goats and swine,

"approved export quarantine station" means a quarantine station for the reception, isolation and examination of animals intended for export to a place of destination outside the Island in respect of which there is for the time being in force an authorisation granted by the [Committee] under section two of this Ordinance,

"[Committee]" means the States [Committee for Home Affairs],

"fodder" means hay or other substance commonly used for food of animals,

"the Island" means the Island of Guernsey and includes the Islands of Herm and Jethou,

"litter" means straw or other substance commonly used for bedding or otherwise for or about animals,

"States Veterinary Officer" includes any person authorised by the [Committee] to carry out any special duties in relation to this Ordinance.

NOTES

In section 1, the words in, first, the first and, second, the second pairs of square brackets in the definition of the expression "Committee" and, third, the word "Committee" in square brackets wherever else occurring were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 5(1), Schedule 3, paragraph 7, section 2, Schedule 1, paragraph 6(a) and section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.¹

The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for Home Affairs and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 6(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.²

Approved export quarantine stations.

2. (1) The [Committee] may approve and authorise the use of any premises as a quarantine station for the reception, isolation and examination of animals intended for export to a place of destination outside the Island.

(2) Any authorisation granted by the [Committee] under this section –

(a) shall be subject to such conditions as the [Committee] may from time to time see fit to impose,

(b) may at any time be varied or revoked by the [Committee].

(3) An approved export quarantine station shall not be used otherwise than as a quarantine station for the reception, isolation and examination of animals intended for export to a place of destination outside the Island and no premises, other than an approved export quarantine station, shall be used as a quarantine station for any of those purposes.

NOTE

In section 2, the word "Committee" in square brackets, wherever occurring, was substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with

effect from 1st May, 2016.

Movement of animals into approved export quarantine stations.

3. (1) An animal shall not be moved into an approved export quarantine station except under and in accordance with a permit in writing granted by or on behalf of the [Committee] and in accordance with the provisions of this section.

(2) An application for a permit to move an animal into an approved export quarantine station shall be made in such form as the [Committee] may from time to time prescribe.

(3) A permit under this section to move an animal into an approved export quarantine station shall not be granted except in respect of –

- (a) an animal which has been on premises in the Island on which no case of cattle plague, foot-and-mouth disease or pleuro-pneumonia has occurred during the three months next preceding the date of the grant of the permit,
- (b) an animal which has been examined by the States Veterinary Officer after the date of the application for the permit and found by him to be free from cattle plague, foot-and-mouth disease, pleuro-pneumonia, and any other contagious or parasitic disease and lice, and
- (c) an animal on premises in the Island on which all the animals have been examined by the States Veterinary Officer after the date of the application for the permit and certified by him to be free from cattle plague, foot-and-mouth disease and pleuro-pneumonia.

(4) An animal when being moved to an approved export

quarantine station shall be accompanied by the permit required by this section and a declaration signed by the owner of the animal or by his authorised agent to the effect that –

- (a) to the best of his knowledge and belief the animal is free from any contagious or parasitic disease and that during the three months next preceding the movement the animal had not been exposed to infection, and
- (b) the animal has been consigned to the quarantine station in a vehicle which has been cleansed and disinfected in accordance with the requirements of the States Veterinary Officer.

NOTE

In section 3, the word "Committee" in square brackets, wherever occurring, was substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

Movement of animals from approved export quarantine stations.

4. (1) An animal shall not be moved from an approved export quarantine station to any ship or aircraft for export except under and in accordance with a permit in writing granted by the States Veterinary Officer and in accordance with the provisions of this section.

(2) A permit under this section to move an animal from an approved export quarantine station to any ship or aircraft for export shall not be granted unless the animal has been detained in the quarantine station for a period of not less than fourteen days and has, while being detained in the quarantine station, remained free from cattle plague, foot-and-mouth disease and pleuro-pneumonia.

(3) An animal when being moved from an approved export quarantine station to any ship or aircraft for export shall be accompanied by –

- (a) the permit required by this section,

- (b) a certificate of the States Veterinary Officer to the effect that the animal was moved into the quarantine station in accordance with the provisions of the last preceding section, has been detained and isolated in the quarantine station under the supervision of the States Veterinary Officer for a period of not less than fourteen days and has during that period remained free from cattle plague, foot-and-mouth disease and pleuropneumonia.

Restriction on supply and use of fodder and litter.

5. (1) No fodder or litter shall be used for or about animals in an approved export quarantine station or be moved into such a quarantine station except with permission granted by or on behalf of the [Committee].

(2) No fodder or litter shall be supplied for the use of animals during the voyage from the Island to a place of destination outside the Island other than fodder and litter grown in the Island or imported into the Island in accordance with the provisions of any enactment for the time being in force relating to the importation into the Island of fodder and litter.

NOTE

In section 5, the word in square brackets was substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

Restriction on access of persons to approved export quarantine stations.

6. (1) No person shall enter an approved export quarantine station except under and in accordance with a permit in writing granted by or on behalf of the [Committee]:

PROVIDED that the provisions of this subsection shall not apply to the States Veterinary Officer or any person appointed by the [Committee] to have the care or supervision of animals in any approved export quarantine station.

(2) A permit under this section shall contain such conditions as to personal disinfection or otherwise as the [Committee] may deem necessary to prevent the introduction or spreading of contagious diseases.

NOTE

In section 6, the word "Committee" in square brackets, wherever occurring, was substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

Penalty.

7. Any person who –
- (a) contravenes any of the provisions of this Ordinance or who fails to comply with any conditions contained in any permit granted under this Ordinance,
 - (b) makes a declaration for the purposes of this Ordinance which is false in any material particular,
 - (c) obstructs or attempts to obstruct the States Veterinary Officer in the execution of his duty under this Ordinance,

shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 2 on the uniform scale].

NOTE

In section 7, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Citation.

8. This Ordinance may be cited as the Export Quarantine Stations

Ordinance, 1962.

NOTE

The Ordinance was made and came into operation on 30th May, 1962.

¹ The words "Committee for Home Affairs" were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 3(a), with effect from 6th May, 2004.

² The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Ordinance were previously transferred to and vested in them, respectively, from the Board of Administration and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 3(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.