

The Agricultural Census Ordinance, 1997

THE STATES, in pursuance of their Resolution of 24th September 1997^a hereby order:-

Annual Agricultural Census

1. (1) An agricultural census is to be conducted during each calendar year, on 1st July or such other date as the Board may prescribe by Order ("agricultural census day").

(2) It is the duty of every prescribed person, within 14 days following agricultural census day, to deliver to the Board a return -

- (a) in the prescribed form;
- (b) containing the prescribed information as at midnight on the day immediately preceding agricultural census day;
- (c) signed by or on behalf of the prescribed person.

(3) The Board must, at least 7 days before each agricultural census day -

- (a) deliver a return in the prescribed form to every person believed by the Board to be a prescribed person, and

^a Article 18 of Billet d'État No. XVIII of 1997.

- (b) publish in *La Gazette Officielle* notice of the date of the census and of the requirements of subsection (4) of this section.

(4) Every prescribed person to whom no return has been delivered at least 7 days before an agricultural census day must within those 7 days require the Board to deliver a return to him.

Orders

2. (1) The Board may by Order

- (a) prescribe the form of, and the information to be contained in, any return required to be delivered to it under section 1 of this Ordinance in respect of any agricultural census;
- (b) prescribe a day other than 1st July as agricultural census day for any, or any particular, calendar year;
- (c) vary the definition of prescribed person set out in section 4 of this Ordinance in respect of any, or any particular, agricultural census.

(2) An Order made under this section must be laid before a meeting of the States as soon as possible (and in any event before the first agricultural census day to which the Order relates) and shall, if at that or the next meeting the States resolve to annul it, cease to have effect, but without prejudice to anything done under it or to the making of a new order.

Offences

3. (1) Any person who -
 - (a) fails to deliver a return to the Board in accordance with section 1(2) of this Ordinance, or
 - (b) fails to require the delivery by the Board of a return in accordance with section 1(4) of this Ordinance, or
 - (c) in a return purporting to be delivered in accordance with section 1(2) of this Ordinance
 - (i) fails to include all of the prescribed information, or
 - (ii) includes information which he knows to be false or misleading, or recklessly includes information which is false or misleading

is guilty of an offence under this section.

- (2) A person found guilty of an offence under this section is liable:
 - (a) to a fine not exceeding level 3 on the uniform scale, and
 - (b) in the case of an offence within paragraph (1)(a) or subparagraph (1)(c)(i) of this section, to a further fine of such amount, not exceeding level 2 on the uniform scale, as the court may impose on convicting him of that offence in respect of each week or part of a week

when the offence continues to be committed by that person, whether before or after the date of conviction.

Interpretation

4. In this Ordinance, unless the context otherwise requires -

"agricultural census" means a census relating to animals, crops and agriculture conducted in accordance with this Ordinance;

"agricultural census day" has the meaning given in section 1(1) of this Ordinance;

"the Board" means the States Agricultural and Milk Marketing Board;

"deliver" means deliver personally or send by post;

"prescribed" means prescribed by an Order made by the Board under section 2 of this Ordinance;

"prescribed person" means any individual, any partnership or other unincorporated body, and any body corporate, who or which

- (a) owns or keeps any bovine animal or pig (whether for commercial purposes or otherwise), or
- (b) owns or keeps any sheep, goats, poultry or deer for commercial purposes, or
- (c) grows any crops for commercial purposes;

and for the purposes of the above definition

- (i) **"bovine animal"** means any bull, cow, ox, heifer or calf (whether pure or cross-bred),
- (ii) **"poultry"** means any domestic fowl, turkey, geese, duck, guinea fowl, partridge or pheasant,
- (iii) **"crops"** means anything grown in or on land other than inside a glasshouse, and
- (iv) **"for commercial purposes"** means to sell or transfer (in the case of an animal either live or as a carcass) by way of business.

Relationship to other requirements

5. The returns required to be made in accordance with this Ordinance are independent of, and not in substitution for, any requirement to furnish information to which a person may be subject by virtue of the Animal Health Ordinance, 1996^b or any other enactment for the time being in force.

Application

6. This Ordinance applies in the Islands of Guernsey, Herm and Jethou.

^b Ordinance No. XI of 1996.

Repeals

7. The Ordinance entitled "Ordonnance ayant rapport au Recensement de Récoltes et de Bétail" of 30th July 1932^c, and the reference to that Ordinance in the Schedule to the States Committee for Agriculture (Transfer of Functions) Ordinance, 1987^d, are repealed.

Citation

8. This Ordinance may be cited as the Agricultural Census Ordinance, 1997.

^c Recueil d'Ordonnances Tome V, p.386.

^d Recueil d'Ordonnances Tome XXIV, p.17.