

STATES OF ALDERNEY
ORDINANCE OF THE STATES

Made 21st February, 1956

Coming into force 21st February, 1956

THE BOVINE TUBERCULOSIS [ALDERNEY] ORDINANCE,
1956

THE STATES, on the representation of the States Committee for Agriculture and Fisheries, hereby order:-

1. In this Ordinance:-
 - (a) "animal" means a bull, cow, ox, heifer or calf;
 - (b) "carcase" means the carcase of any animal, and includes part of a carcase, and the meat, bones, hide, skin, hoofs, horns, offal or other part of any animal separately or otherwise, or any portion thereof;
 - (c) "Clerk" means the Clerk of the States of Alderney;
 - (d) "Committee" means the States Committee for Agriculture and Fisheries;
 - (e) "States Veterinary Officer" means a Veterinary Surgeon who is authorised to practice as such in Guernsey and who is nominated by the Committee to carry out the duties prescribed in the Ordinance;
 - (f) "test" means the single intradermal tuberculin test and any other tuberculin test which may be approved by the Committee, and the expression "tested" shall be construed accordingly.
2. (1) The Committee may cause to be tested by the States Veterinary Officer any animal over the age of one week, which test shall be conducted either on the premises of the owner of the animal or on the premises of any other person having charge of the animal.
- (2) Not less than five hours notice of the time and place of any test carried out in accordance with the provisions of the last preceding subsection shall be given by the Committee to the owner of the animal or to the person having charge of the animal, as the case may be; such owner, any person authorised by him and the person having charge of the animal may be present at the test, but in the absence of the owner, the person authorised or the person having charge of the animal

shall not invalidate the test if notice thereof under provisions of this subsection has been given.

3. (1) Every person having in his possession or under his charge any animal which is affected or suspected of being affected with tuberculosis shall immediately –
 - a) isolate that animal, and keep it in isolation until notification to the contrary is given to such person by the States Veterinary Officer; and
 - b) notify the Clerk or a Police Officer.
- (2) If a notification as aforesaid is made to a Police Officer, that Officer shall immediately notify the Clerk.
- (3) On receipt of a notification in accordance with the provisions of the two preceding subsections the Clerk shall, as soon as practicable, notify the States Veterinary Officer.
4. The States Veterinary Officer is, in any case where he suspects that tuberculosis exists on any premises, authorized to inspect such premises and any animal on the premises; and to keep under inspection any suspected premises or animal for any period which he may think fit.
5. The States Veterinary Officer, with regard to every animal which he has submitted to the test, and every other Veterinary Surgeon, with regard to every animal which he has submitted to the test, and which has reacted thereto, or with regard to which he is uncertain whether or not the animal has reacted thereto (which latter animal shall hereafter in this Ordinance be referred to as an "inconclusive reactor"), shall send to the Committee a written report.
6. When an animal reacts to the test –
 - (a) The States Veterinary Officer shall immediately procure from the owner the Certificate of Registry of the animal in the Herd Book of the Bailiwick of Guernsey, maintained by the Royal Guernsey Agricultural and Horticultural Society, which he shall use for purposes of identification; if the animal is not registered in the said Herd Book, the Veterinary Surgeon shall brand the letter T on the animal's horn or hoof with a hot iron;
 - (b) the Committee may order the immediate isolation, slaughter or other disposal of the animal in such manner as the Committee shall direct, which shall be carried out at the expense of the States immediately after it has been valued in accordance with section twelve of this Ordinance; and

- (c) the Committee shall instruct the States Veterinary Officer immediately to submit to the test every animal which has been herded with the slaughtered animal at any time during the sixty days immediately preceding the date of such reaction; every such animal being deemed for the purposes of this Ordinance to be suspected of being affected with tuberculosis:

PROVIDED that any animal which has been submitted to the test without reaction within the said preceding sixty days shall be submitted to the test after the expiration of sixty days from the date of its previous submission to the test;

- (d) the Committee may, in relation to any other animal in the same herd, notwithstanding that such other animal has not reacted to the test –

(i) order the isolation of that other animal, subject to such conditions and for such time as the Committee, in consultation with the States Veterinary Officer, think necessary, or

(ii) if the owner of that other animal so desires, order its slaughter, in which case compensation shall be payable at the rate specified in the proviso to subsection (2) of section twelve of this Ordinance.

7. When, on test, an animal is found to be an inconclusive reactor the Committee shall –

- (a) Order the isolation of that animal for a period of sixty days, after which period the animal shall again be submitted to the test; and

- (b) instruct the States Veterinary Officer immediately to submit to the test every animal which has been herded with such animal at any time during the sixty days immediately preceding the date of such inconclusive reaction, every such animal being deemed for the purposes of this Ordinance to be suspected of being affected with tuberculosis;

PROVIDED that any animal which has been submitted to the test without reaction within the said preceding sixty days shall be submitted to the test after the expiration of sixty days from the date of its previous submission to the test.

8. When an inconclusive reactor or an animal suspected of being affected with tuberculosis has been submitted to the test by the States Veterinary Officer and has not reacted thereto, the States Veterinary Officer shall deliver a certificate to that effect to the owner.

9. The sale, the offer for sale or the movement from the place where it then is, of an animal affected with or suspected of

being affected with tuberculosis or which forms part of or comes from a herd which is affected or suspected of being affected with tuberculosis is prohibited without the permission of the Committee.

10. It shall be an offence for any person, knowing that there is in any place an animal affected with or suspected of being affected with tuberculosis or which forms part of or comes from a herd which is affected or suspected of being affected with tuberculosis, to permit the entry on such place of an animal for any purpose except with the permission of the Committee; any animal moved to a place in contravention of this section shall for the purposes of sections six and seven of this Ordinance be deemed to be included in the herd to which it is moved.
11. (1) The milk of a cow affected with tuberculosis shall be destroyed forthwith by any person in possession of the milk in accordance with the instructions of the States Veterinary Officer.
(2) It shall be an offence to use in any manner the milk from a cow which is an inconclusive reactor or which is suspected of being affected with tuberculosis except as the Committee shall direct.
12. (1) Subject to his having complied with the provisions of this Ordinance, compensation shall be paid by the States to the owner of any animal slaughtered under and in accordance with such provisions.
(2) The valuation for compensation shall in no case exceed the amount specified for the kind of animal in question in the Schedule to this Ordinance, and the compensation payable shall be one half of such valuation, from which shall be deducted the value of the carcass sold for the account of the owner, but no deduction shall be made from such valuation on the ground that the animal slaughtered was affected with tuberculosis.

PROVIDED THAT, in the case of an animal so slaughtered the post-mortem examination of which does not confirm the existence of bovine tuberculosis in that animal, the compensation payable shall be one and one-half times the value of the animal subject to the maximum prices set out in the said Schedule, but there shall be deducted from that amount any amount received by or credited to the owner in respect of the carcass.

- (3)
 - (a) Subject as it hereinbefore provided, if, where an animal is ordered by the Committee to be slaughtered, the Committee and the owner of the animal do not agree as to the value of that animal, such value shall be assessed, before slaughter, by two valuers, of whom one shall be appointed by the Committee and the other by the owner of the animal.
 - (b) If such owner shall fail to inform the Committee in writing within such period as the Committee shall specify to him of the name and address of the valuer appointed by him, a valuer shall be appointed by the President of the Committee who shall then for the purposes of this Ordinance be deemed to be the valuer appointed by the owner.
 - (c) The valuers so appointed shall before commencing their valuation nominate an umpire, who shall assess the value of the animal if the valuers disagree; the decision of the valuers or of the umpire, as the case may be, shall be final.
 - (4) Payment of compensation as aforesaid shall be full satisfaction of the value of the animal so slaughtered and all expenses incurred by the owner of the animal in carrying out his duties under this Ordinance, including the costs, if any, of and incidental to a valuation.
13. (1) Every animal whose slaughter has been ordered under the provisions of this Ordinance shall be slaughtered in the presence of the States Veterinary Officer who shall examine the carcase in order to ascertain whether there are any tubercular lesions and who shall report thereon to the Committee; the presence at such examination of a Veterinary Surgeon representing the owner of the animal shall be permitted.
- (2) When an animal is slaughtered under the provisions of this Ordinance, the carcase or the portion of the carcase which is unfit for human consumption shall be destroyed in such manner and under such conditions as shall be approved by the Committee.
14. (1) When the existence of tuberculosis has been established and after the slaughter of the animals affected therewith, the Committee shall cause to be cleansed and disinfected every stable and every accessory and utensil which might have become contaminated, the whole under the supervision of a person nominated by, and to the satisfaction of, the Committee; no such stable shall be occupied by cattle nor shall any such accessory or utensil be used in connection with cattle without the Committee's written permission.

- (2) When it shall appear to the Committee to be impractical to carry out an effective disinfection of the stables or if alterations or repairs to the stables are necessary in order to make them sanitary and fit for use by cattle, the Committee after consulting the States Veterinary Officer and two independent persons appointed by the Royal Alderney Agricultural Society, shall be authorised to order that such stables shall not be used to house an animal for such period as the Committee shall consider necessary.
15. The cost of submitting an animal to the test by the Committee under the provisions of this Ordinance and of the cleansing and disinfection by the Committee of the stables, accessories and utensils shall be defrayed by the States save that where the cost of such cleansing or disinfection has been increased by any wilful act or neglect on the part of the owner of the animal concerned, or of his servants or agents, the Committee may recover, as a civil debt, from such owner the amount of such increase; the cost of transport in a vehicle of an animal or carcase and of the disinfection of such vehicle shall be defrayed by the States.
16. Every Veterinary Surgeon practising in the Island of Alderney shall supply a written report to the Committee at the end of each calendar month indicating –
- (a) the total number of animals submitted to the test by him during that month;
 - (b) the number of those –
 - (i) which have reacted thereto;
 - (ii) which have not reacted thereto;
 - (iii) which are inconclusive reactionsand
 - (c) the names and addresses of the owners of the animals included in each category respectively in paragraph (b) of this section.
17. (1) Any person who contravenes any of the provisions of this Ordinance or of any Order given hereunder or who shall obstruct or attempt to obstruct the States Veterinary Officer in the execution of any of his duties hereunder shall be guilty of an offence.
- (2) A person guilty of an offence under the provisions of this Ordinance shall be liable, on conviction, to a fine not exceeding ten pounds.
18. The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of this Ordinance as it applies to the interpretation of an enactment in force in the Island of Guernsey.

Section 12 (2)

SCHEDULEValuation for purposes of compensation of animals slaughtered

	<u>Maxima</u>
	£
1. A milch cow	65
2. A heifer aged –	
2 years and over	50
1½ years and under 2 years	42
1 year and under 1½ years	36
6 months and under 1 year	24
under 6 months	18
3. A bull aged –	
2½ years and over	65
2 years and under 2½ years	50
1½ years and under 2 years	42
1 year and under 1½ years	36
6 months and under 1 year	24
Under 6 months	18
4. An ox aged –	
2½ years and over	30
1 year and under 2½ years	20
6 months and under 1 year	15
Under 6 months	12