

Island of  Guernsey

Ordinance of the States.

III

1951

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Made	.....	14th February, 1951
Coming into Force	.....	14th February, 1951

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**The Bovine Tuberculosis Ordinance, 1951.**

THE STATES, on the representation of the States Committee for Agriculture and Fisheries, and in pursuance of their Resolutions of the 8th day of November, 1950, and of the 6th day of December, 1950, hereby order:—

1. In this Ordinance:

- (a) “animal” means a bull, cow, ox, heifer or calf;
- (b) “Board” means the Board of Administration;
- (c) “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;

- (d) "States Veterinary Officer" includes any person nominated by the Board to carry out any special duties in relation to this Ordinance;
- (e) "test" means the single intradermal tuberculin test and any other tuberculin test which may be approved by the Board, and the expression "tested" shall be construed accordingly.

2. (1) Without prejudice to the powers conferred on the States Veterinary Officer by the next succeeding section, the Board 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 under the last preceding sub-section shall be given by the Board to the owner of the animal. Such owner and any person authorised by him may be present at the test, but the absence of the owner or person authorised shall not invalidate the test if due notice thereof under this sub-section has been given.

3. 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 notice in writing to the contrary is given to such person by the States Veterinary Officer; and
- (b) notify the States Veterinary Officer, who shall, if he so thinks fit, submit that animal to the test.

4. The States Veterinary Officer is, in any case where he suspects that tuberculosis exists on any premises, authorised 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 re-acted thereto, or with regard to which he is uncertain whether or not the animal has re-acted thereto (which latter animal shall hereafter in this Ordinance be called an inconclusive reactor), shall forward to the Board 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 Herd Book of the Bailiwick of Guernsey, the Veterinary Surgeon shall brand the letter T on the animal's horn or hoof with a hot iron;
- (b) the Board may order the immediate isolation, slaughter and disposal of the animal in such manner as the Board shall direct, which shall be carried out at the expense of the States immediately after it has been valued in accordance with Section 12 of this Ordinance; and
- (c) the Board 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 Board 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 Board, 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 sub-section (2) of section 12 of this Ordinance.

7. When, on test, an animal is found to be an inconclusive reactor the Board 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. (1) 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 Board.

(2) The delivery, in completion of the transfer by sale or otherwise, of an animal over the age of one week is prohibited, unless at the time of such delivery there shall be delivered to the transferee or to his agent a certificate from a Veterinary Surgeon authorised to practise in this Island stating that the animal has been submitted to the test by that Veterinary Surgeon during the sixty days immediately preceding the date of such delivery and that the animal is not affected with tuberculosis:

PROVIDED that the provisions of this sub-section shall not apply to animals delivered for the purpose of being slaughtered immediately after delivery.

10. It shall be an offence for any person, knowing that there is at 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 any animal for any purpose except with the permission of the Board. Any animal moved to a place in contravention of this Section shall for the purposes of Sections 6 and 7 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 same 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 States Dairy 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 First 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 on or after the 1st day of January, 1950, 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 carcase.

(3) (a) Subject as is hereinbefore provided, if, where an animal is ordered by the Board to be slaughtered, the Board and the owner of the animal do not agree as to the value of such animal, such value shall be assessed, before slaughter, by two valuers, of whom one shall be appointed by the Board, and the other by the owner of the animal.

(b) If such owner shall fail to inform the Board in writing within such period as the Board 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 States Committee for Agriculture and Fisheries, 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 of 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 by the Board shall be transported to the States Slaughter House, accompanied by a Police Officer, in

a vehicle which shall thereafter be disinfected under the supervision of the Slaughter-house Superintendent. The Board may, however, prohibit the transport along the public roads of any animal suffering from the disease, if, in the opinion of the States Veterinary Officer, the disease is in such an advanced state that it might cause other animals to be infected and in such case the Board may, if it considers it in the public interest, permit the slaughter of the animal on the premises on which the animal then is, and order that the carcass shall be transported to the States Slaughter House in a vehicle which shall thereafter be disinfected under the supervision of the Slaughter-House Superintendent.

(2) 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 carcass in order to ascertain whether there are any tubercular lesions and who shall report thereon to the Board. The presence at such examination of a Veterinary Surgeon representing the owner of the animal shall be permitted.

(3) When an animal is slaughtered under the provisions of this Ordinance the carcass or the portion of the carcass which is unfit for human consumption shall be destroyed, in such manner as shall be approved by the Board, in the presence of the Market Superintendent.

14. (1) When the existence of tuberculosis has been established and after the slaughter of the animals affected therewith, the Board 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 the States Veterinary Officer, who shall make a report in writing to the Board that such disinfection has been carried out in an effec-

tive manner. No such stable shall be occupied by cattle nor shall any such accessory or utensil be used in connection with cattle without the Board's written permission.

(2) When it shall appear to the Board to be impracticable to carry out an effective disinfection of the stables or that alterations or repairs to the stables are necessary in order to make them sanitary and fit for use by cattle, the Board, after consulting the States Veterinary Officer and two independent persons appointed by the Royal Guernsey Agricultural and Horticultural Society, shall be authorised to order that such stables shall not be used to house an animal for such period as the Board shall consider necessary.

15. The cost of submitting an animal to the test by the Board under the provisions of this Ordinance and of the cleansing and disinfection by the Board 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 Board 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 to the States Slaughter House and of the disinfection of such vehicle shall be defrayed by the States.

16. Every Veterinary Surgeon practising in this Island of Guernsey shall supply a written report to the Board 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 reactors;

(c) the names and addresses of the owners of the animals included in each category respectively in paragraph (b) of this section.

17. This Ordinance shall apply to the Islands of Guernsey, Herm and Jethou.

18. Any person who shall contravene 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 and shall be liable on conviction to a fine not exceeding one hundred pounds.

19. The Ordinances set out in the first column of the Second Schedule hereto are hereby repealed to the extent shown in the second column thereof.

*FIRST SCHEDULE*

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		Maxima.
		£
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

*SECOND SCHEDULE*

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<i>First Column.</i>	<i>Second Column.</i>
Ordonnance relative à la Tuberculose Bovine of the 6th day of June, 1936, as amended by the Ordonnance amendant l'Ordonnance relative à la Tuberculose Bovine, of the 8th day of May, 1937.	The whole Ordinance except Article XVIII, save that references in that Article to Herm and Jethou shall be deleted.
Ordonnance de 1938 supplémentaire à l'Ordonnance relative à la Tuberculose Bovine.	Paragraph (a).
Ordonnance de 1939 supplémentaire à l'Ordonnance relative à la Tuberculose Bovine.	The whole Ordinance.
Ordonnance de 1946 amendant l'Ordonnance relative à la Tuberculose Bovine.	The whole Ordinance.

JAMES E. LE PAGE,

H.M. Greffier.