

Island of  Guernsey

Ordinance of the States. **XVIII**

1954

Made 17th November, 1954.
Coming into Operation .. 17th November, 1954.

The Atrophic Rhinitis (Compensation Provisions) Ordinance, 1954.

THE STATES, in pursuance of their Resolution of the 4th day of August, 1954, hereby order:—

1. Subject to his having complied with the provisions of the Atrophic Rhinitis Ordinance, 1954 (hereinafter referred to as "the 1954 Ordinance") compensation shall be payable, in accordance with the succeeding provisions of this Ordinance, to the owner of any swine slaughtered whether before or after the date of the commencement of this Ordinance under and in accordance with the provisions of the 1954 Ordinance.

2. (1) The compensation payable under and in accordance with the provisions of the last preceding section shall—

(a) in the case of a breeding sow or boar, be forty pounds sterling or its market value immediately before slaughter, whichever is the less,

(b) in the case of any other swine weighing under one hundred pounds, be the sum of three pounds sterling for the first month of age of the swine with an additional two pounds for each subsequent month of age thereof, or its market value immediately before slaughter, whichever is the less,

(c) in the case of any other swine weighing one hundred pounds or over, be its value as meat.

(2) In assessing the value of a swine under the provisions of the last preceding subsection no account shall be taken of the fact that at that time the swine was, or was suspected of being, affected with atrophic rhinitis.

(3) There shall be deducted from the compensation payable under the provisions of subsection (1) of this section in respect of any swine the carcass of which is sold at a price approved by the Board, the amount received for that carcass.

3. Notwithstanding the provisions of section one of this Ordinance no compensation shall be payable under that section if it is found by the Board (from whose decision an appeal shall lie to the Royal Court) that the owner of a slaughtered swine is, by reason of his negligence or default, responsible for that swine becoming affected with atrophic rhinitis.

4. (1) If where a swine is ordered by the Board to be slaughtered, the Board and the owner of the swine do not agree as to the value of such swine, 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 swine.

(2) If such owner shall fail to inform the Board in writing within such period as the Board may specify to him of the name and address of the valuer appointed by him, a valuer shall be appointed by the

States Committee for Agriculture and Fisheries which valuer shall then for the purposes of this Ordinance be deemed to be the valuer appointed by the owner.

(3) The valuers so appointed shall, before commencing their valuation, nominate an umpire who shall assess the value of the swine if the valuers disagree; the decision of the valuers or of the umpire, as the case may be, shall be final.

5. Payment of compensation under the provisions of this Ordinance shall be full satisfaction of the value of the swine slaughtered as aforesaid and of all expenses incurred by the owner of the swine in carrying out his duties under this Ordinance, including, if any, the cost of and incidental to a valuation.

6. Any sums required by the Board for the purposes of section eight of the 1954 Ordinance shall be paid out of monies provided by the States.

7. The cost of any cleansing or disinfection carried out by the Board under the provisions of section nine of the 1954 Ordinance shall be paid for out of monies provided by the States save that where such cost results from or is increased by any wilful act or neglect on the part of the owner of the swine or carcasses concerned the Board may recover the amount of such cost or increase from the owner as a civil debt.

8. The provisions of this Ordinance shall have effect in the Islands of Guernsey, Herm and Jethou.

9. This Ordinance shall be construed as one with the 1954 Ordinance and this Ordinance and that Ordinance may be cited together as the Atrophic Rhinitis Ordinances, 1954.

JAMES E. LE PAGE,
Her Majesty's Greffier.