

ORDER IN COUNCIL

XXIV
1969

ratifying a Projet de Loi

ENTITLED

The Dog Licences (Guernsey) Law, 1969

(Registered on the Records of the Island of Guernsey
on the 16th day of December, 1969.)



1969

ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 16th day of December, 1969, before Sir William Arnold, Kt., C.B.E., Bailiff; present :—Bertram Guy Blampied, Claude Fortescue Nason, Stanley Walter Gavey, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Albert Victor Dorey, Esquire, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier, William Burton Fox, Esquires, Edward James Lainé, Esquire, C.B.E., D.F.C., Edward Martel, Jean Le Pelley and Walter Francis Robin, Esquires, Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 28th day of November, 1969, ratifying a *Projet de Loi* entitled "The Dog Licences (Guernsey) Law, 1969", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

At the Court at Buckingham Palace

The 28th day of November 1969

PRESENT,

The Queen's Most Excellent Majesty

LORD PRESIDENT

LORD DELACOURT-SMITH

MR SECRETARY CALLAGHAN

MR SECRETARY HEALEY

MR GREENWOOD

MR CHANCELLOR OF THE EXCHEQUER

MR STONEHOUSE

MR HOY

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 20th day of November 1969, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1. That, in pursuance of their Resolution of the 30th day of April 1969, the States of Deliberation at a meeting held on the 24th day of September 1969 approved a Bill or “Projet de Loi” entitled “The Dog Licences (Guernsey) Law, 1969” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly

praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or "Projet de Loi" of the States of Guernsey entitled "The Dog Licences (Guernsey) Law, 1969" and to order that the same shall have force of law in the Island of Guernsey.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi."

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty's Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

W. G. Agnew.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

The Dog Licences (Guernsey) Law, 1969

THE STATES, in pursuance of their Resolution of the thirtieth day of April, nineteen hundred and sixty-nine, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

Charge of
dog tax.

1. (1) Subject to the provisions of this Law, there shall be charged in respect of every dog kept in the Island of Guernsey a tax (hereafter in this Law referred to as "dog tax") of ten shillings or such other sum as the States may from time to time by Ordinance prescribe, which shall be paid annually upon a licence to be taken out by the person who keeps the dog.

(2) Where at any time during the period commencing on the first day of July and ending on the thirty-first day of December in any year a licence under this Law is taken out by any person in respect of a dog which he has commenced to keep during that period or which has attained the age of six months during that period, the amount of dog tax which shall be paid upon such licence being taken out shall be five shillings or such other sum as the States may from time to time by Ordinance prescribe.

Exemptions

2. No dog tax shall be chargeable—

(a) in respect of a dog under the age of six months;

(b) in respect of a dog kept and used solely by a blind person for his guidance.

3. A licence under this Law in respect of a dog kept by any person shall be issued by a Constable of the parish in which that person has his ordinary place of residence at the time the licence is issued to that person.

Issue of licences by the Constables.

4. A licence taken out under this Law shall be in force from and including the day on which it is taken out until and including the thirty-first day of December next following the day on which it is taken out.

Duration of licences.

5. (1) The Constables of every parish shall keep a register of all licences issued by them under this Law, specifying the name and place of abode of the person to whom such licence is issued and the number of dogs in respect of which the licence is issued.

Register of licences.

(2) An officer of police may at any convenient time inspect so much of any register kept under this section as relates to the licences issued in the current or preceding year.

6. (1) The Constables of any parish shall stand possessed of any sums received by them in payment of dog tax and such sums shall be applied by the Constables and Douzaine of that parish for the benefit of that parish as the Constables and Douzaine deem fit.

Application of dog tax, etc.

(2) The Constables of any parish shall, during the month of March in each year, cause a statement to be published in La Gazette Officielle on at least one occasion specifying the amount received by them in payment of dog tax during the year ending on the next preceding thirty-first day of December and the purposes for which such amount or any

part thereof has been applied in accordance with the provisions of subsection (1) of this section.

Dog collars.

7. (1) A person who keeps a dog in respect of which dog tax is chargeable under this Law shall ensure that the dog, while on a public highway, is wearing round its neck a collar bearing on it, or having attached to it a disc made of metal or other durable material bearing on it, in clearly legible letters, the initial letters of the Christian names of that person followed by the surname of that person and the distinguishing letter of the parish in which that person has his ordinary place of residence.

(2) For the purposes of subsection (1) of this section, the distinguishing letter of a parish shall be the letter specified in the second column of the Schedule to this Law opposite the reference to that parish in the first column of that Schedule.

Penalties

8. (1) If a person—

- (a) keeps a dog for which a licence under this Law is not in force, not being a dog exempted from dog tax by virtue of section two of this Law;
- (b) keeps a greater number of dogs than he is authorised to keep by virtue of a licence in force under this Law;
- (c) fails or refuses to comply with the provisions of subsection (1) of the last preceding section;

he shall be guilty of an offence and liable, on conviction, to a fine not exceeding five pounds.

(2) If a person who has taken out a licence under this Law fails to produce the licence for inspection by a Constable of the parish in which he has his ordinary place of residence or by an officer of police

within a reasonable time after a request for its production has been made by that Constable or officer, he shall be guilty of an offence and liable, on conviction, to a fine not exceeding five pounds.

(3) In proceedings for an offence under subsection (1) of this section it shall rest on the accused to prove the age of the dog to which the proceedings relate and, where the case requires, to prove when he commenced to keep the dog to which the proceedings relate.

9. (1) In this Law—

- (a) the expression “officer of police” means a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;
- (b) the expression “public highway” means any road, street, lane, way or place which is public or to which the public has access.

Interpretation.

(2) A person in whose custody, charge or possession, or in whose house or premises, a dog shall be found or seen shall, unless the contrary is proved, be deemed for the purposes of this Law to be the person who keeps that dog.

10. The Law entitled “Loi sur les Chiens” registered on the fifth day of September, nineteen hundred and twenty-two(a), is hereby repealed.

Repeal.

11. (1) This Law may be cited as the Dog Licences (Guernsey) Law, 1969.

Citation and commencement.

(2) This Law shall come into force on the first day of January, nineteen hundred and seventy.

(a) Ordres en Conseil Vol. VI, p. 468.

SCHEDULE . . . Section seven

Parish	Distinguishing letter
Saint Peter Port	A
Saint Sampson	B
The Vale	C
The Castel	D
Saint Saviour	E
Saint Peter-in-the-Wood	F
Torteval	G
The Forest	H
Saint Martin	I
Saint Andrew	K

R. H. VIDELO,
Her Majesty's Greffier