



# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 14th day of March, 1978, before Sir John Loveridge, Kt., C.B.E., Bailiff; present:—Claude Fortescue Nason, Esquire, Stanley Walter Gavey, Esquire, O.B.E., D'Arcy George Le Tissier, Richard Alan Kinnersly, Esquires, Harry Wall Poat, Esquire, D.S.O., M.C., A.D.C., Richard Brook Sutcliffe, Richard Oliver Symons, Albert Richard McCartney Straw, Esquires, Frederick William Winslow Chandler, Esquire, D.S.O., D.F.C. and Lionel Walter Sarre, Esquire, M.B.E., K.P.M., Jurats.*

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 9th day of February, 1978, ratifying a *Projet de Loi* entitled "The Duty on Goods (Additional) (Horticultural Containers) (Amendment) (Guernsey) Law, 1978", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller 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 9th day of February 1978

PRESENT,

### The Queen's Most Excellent Majesty in Council

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 3rd day of February 1978 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 27th day of April 1977, the States of Deliberation at a meeting held on the said 27th day of April 1977 approved a Bill or “Projet de Loi” entitled “The Duty on Goods (Additional) (Horticultural Containers) (Amendment) (Guernsey) Law, 1978”, 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 Duty on Goods (Additional) (Horticultural Containers) (Amendment) (Guernsey) Law, 1978”, and

to order that the same shall have force of law in the Island of Guernsey.’

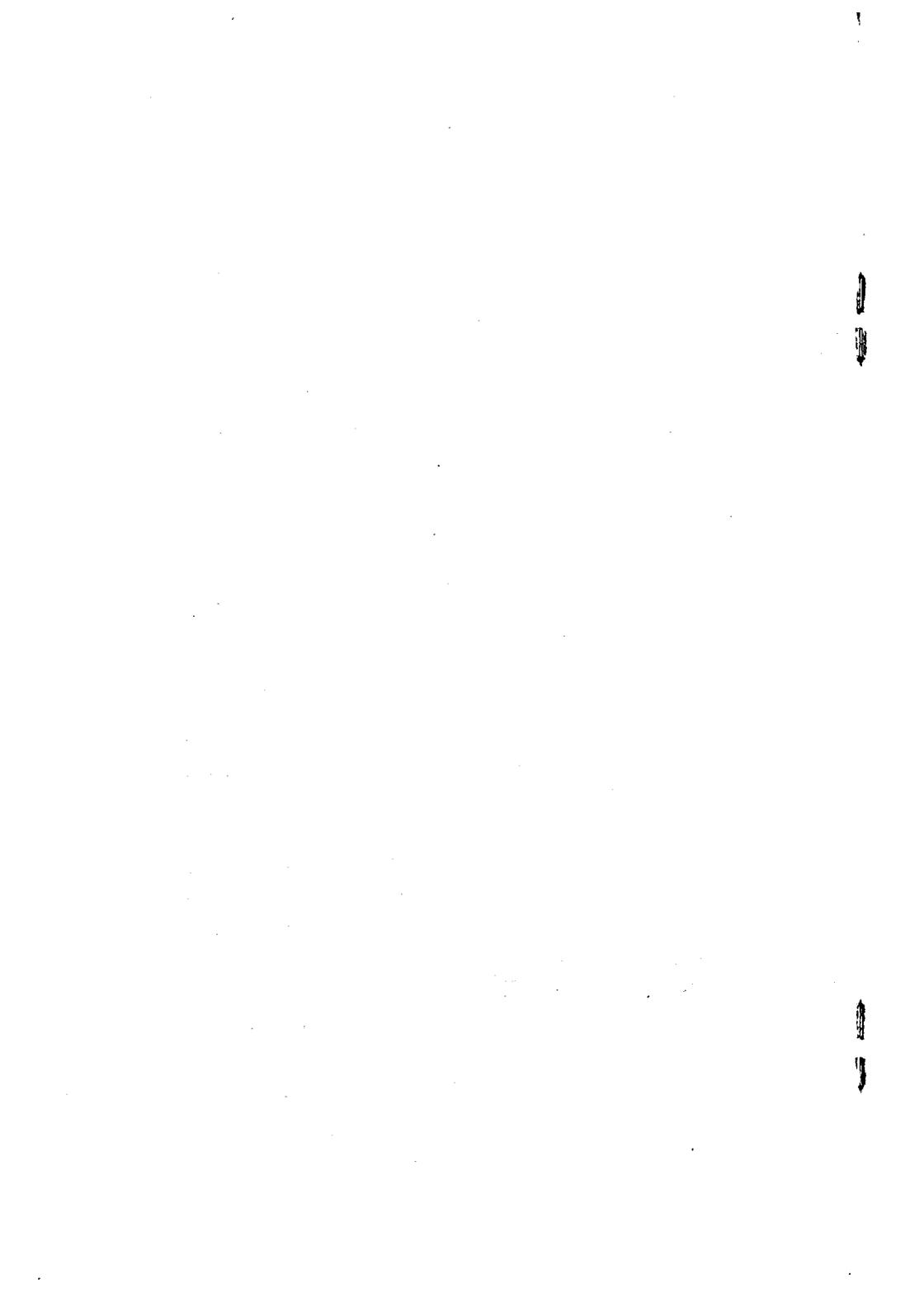
THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer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

*N. E. Leigh.*



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

## PROJET DE LOI

ENTITLED

### **The Duty on Goods (Additional) (Horticultural Containers) (Amendment) (Guernsey) Law, 1978**

THE STATES, in pursuance of their Resolution of the twenty-seventh day of April, nineteen hundred and seventy-seven, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in this Island.

1. The Duty on Goods (Additional) (Horticultural Containers) Law, 1959(a), as amended(b), is hereby further amended as follows:—

Amend-  
ments to Law  
of 1959.

(a) in section one A thereof, immediately after the words “section one of this Law applies”, there are inserted the words “or of any duty charged as respects any container to which section one B of this Law applies”;

(b) by the insertion immediately after section one A thereof of the following section—

“Levy of  
duty on  
containers  
manu-  
factured  
from local  
materials.

1B (1) Where a person manufactures a container which is used or, in the opinion of the Chief Revenue Officer, is to be used for the export of horticultural produce and such

(a) Ordres en Conseil Vol. XVIII, p. 95.

(b) Ordres en Conseil Vol. XX, p. 92.

container is manufactured wholly or mainly from one or more of the materials set out in paragraph (b) of subsection (2) of section one of this Law, which materials have been grown or produced in this Island, duty shall be charged upon such containers at the rates for the time being prescribed in respect of containers of the like nature to which section one of this Law applies.

(2) The States may, from time to time, by Ordinance provide for all or any of the following matters—

- (a) the charging, levying and securing the payment of duty charged under the provisions of subsection (1) of this section;
- (b) for the detention of containers or materials to which the said subsection (1) applies;
- (c) the refunding of such duty or exemption therefrom;
- (d) the registration of persons who manufacture containers from materials grown or produced in this Island and for the furnishing of information by such persons;

- (e) entry into, and inspection of, premises for any purpose connected with the exercise of any power conferred by the provisions of any such Ordinance;
- (f) such incidental and supplementary matters for which the States deem it necessary or expedient for the purposes of any such Ordinance to provide.

(3) Save as expressly provided by that Ordinance, any person who contravenes or attempts to contravene or fails to comply with any of the provisions of any Ordinance made under the last preceding subsection shall be guilty of an offence against that Ordinance.

(4) The States may, from time to time, by Ordinance prescribe the penalties which shall be incurred by any person guilty of an offence under any Ordinance made under the provisions of the last preceding subsection and different penalties may be so prescribed for different offences so however that no penalty so prescribed shall exceed a fine of one hundred pounds in respect of any one offence.”.

Citation and  
collective  
title.

2. (1) This Law may be cited as the Duty on Goods (Additional) (Horticultural Containers) (Amendment) (Guernsey) Law, 1978.

(2) This Law and the Duty on Goods (Additional) (Horticultural Containers) Laws, 1959 and 1965, may be cited together as the Duty on Goods (Additional) (Horticultural Containers) Laws, 1959 to 1978.

Commence-  
ment.

3. This Law shall be deemed to have come into force on the first day of May, nineteen hundred and seventy-seven.

R. H. VIDELO,  
Her Majesty's Greffier.