

Island of



Alderney

Ordinance of the States

VII
2001

Made 6th June 2001

Coming into force 6th June 2001

THE FOOT AND MOUTH (ENTRY RESTRICTIONS) (ALDERNEY) ORDINANCE, 2001

THE STATES OF ALDERNEY, in exercise of the powers conferred on them by sections 46 and 47 of, and paragraph (a) of Schedule 2 to, the Government of Alderney Law, 1987(a), as amended, hereby order :—

1. The areas of the Island of Alderney outlined with a red dotted line on the map of the Island which for the purposes of identification has been signed by the President of the States on the 6 June 2001 and deposited with the Clerk of the States of Alderney shall be restricted areas for the purposes of this Ordinance. **Restricted areas**
2. (1) No passenger or member of the crew of a ship shall land on the Island of Alderney, except at Braye Harbour via —
Restriction on entry
 - (a) the quay;
 - (b) the pontoon; or
 - (c) Sapper Slipway.
- (2) A person shall not go, on foot or by vehicle or otherwise, onto any land within a restricted area unless he is —
 - (a) the owner of the land;

- (b) the keeper of any livestock for the time being kept on the land;
 - (c) a veterinary surgeon;
 - (d) an officer of police;
 - (e) a member of the emergency services when acting as such in an emergency or suspected emergency;
 - (f) any other person acting under the authority of and in accordance with the conditions of the written permission in that behalf of the Clerk of the States.
- (3) A person shall not, by any act or omission, cause or permit any animal to go, on foot or by vehicle or otherwise, onto any land within a restricted area.
- (4) Subsection (3) does not apply in relation to –
- (a) livestock for the time being kept on the land, or
 - (b) a dog or cat belonging to the keeper of that livestock.

Penalties

3. A person who without reasonable excuse contravenes any provision of section 2 is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the Alderney uniform scale, to imprisonment for a term not exceeding three months, or to both.

Interpretation

4. In this Ordinance, unless the context excludes –
- “**keeper**” in relation to any livestock, means the owner thereof or a person employed in the husbandry thereof
- “**livestock**” means sheep, cattle, goats, pigs, horses and poultry;
- “**owner**” in relation to land, means –
- (a) where the land is the subject of saisie proceedings which have resulted in the making of an interim vesting order, the person in whose favour the order has been made;
 - (b) where the land is not the subject of such saisie proceedings but is the subject of a vested right of usufruct, the usufructuary;
 - (c) where the land is not the subject of such saisie proceedings or vested right of usufruct –
 - (i) where the land is held in trust, the trustees;
 - (ii) where the land is not held in trust, the person in whom there is for the time being vested, whether solely or jointly with another person, the estate of inheritance therein;

and includes, in the case of a leasehold interest, the lessee;

“**restricted area**” has the meaning given by section 1;

“**ship**” means any ship, boat or craft, or any other description of vessel used in navigation, which enters the territorial sea from a place outside the Island of Alderney;

“**territorial sea**” means the territorial sea immediately adjacent to the Island of Alderney; and

“**veterinary surgeon**” means a recognised veterinary surgeon within the meaning of the Veterinary Surgery and Animal Welfare Ordinance, 1987(b) as that Ordinance has effect in the Island of Alderney by virtue of the Veterinary Surgery and Animal Welfare (Alderney) Ordinance, 1994.

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| 5. This Ordinance may be cited as the Foot and Mouth (Entry Restrictions) (Alderney) Ordinance, 2001. | Citation. |
| 6. This Ordinance shall remain in force until the 17 October 2001 or such other date as the States may by Resolution prescribe. | Duration |

(b) An Ordinance of the States of Guernsey; Recueil d'Ordonnances Tome XXIV, p.51

D.V. JENKINS
Clerk of the States