

ORDER IN COUNCIL

ratifying a Projet de Loi

ENTITLED

The Noxious Weeds (Guernsey) Law, 1952.

(Registered on the Records of the Island of Guernsey
on the 16th day of August, 1952.)



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1952.

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1952**

ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 16th day of August, 1952, before Henry James Casey, Esquire, M.B.E., M.C., Lieutenant-Bailiff ; present : Ernest de Garis, Esquire, O.B.E., Sir John Leale, Arthur Falla, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., William Robert Freake Clark, Walter John Gavey, Ernest Francis Lainé, Bertram Bartlett, Esquires, Donald Carey Brock, Esquire, C.B.E., Osmond Priaulx and Stephen James Falla, Esquires, Jurats.

The Lieutenant-Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 18th day of July, 1952, ratifying a *Projet de Loi* entitled "The Noxious Weeds (Guernsey) Law, 1952", —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 18th day of July, 1952.

PRESENT,

The Queen's Most Excellent Majesty

LORD PRESIDENT.

MR. MACMILLAN.

MR. PEAKE.

MR. LENNOX-BOYD.

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 30th day of June, 1952, 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 February, 1952, the States of Deliberation at a meeting held on the 16th day of April, 1952, approved a Bill or “Projet de Loi” entitled “The Noxious Weeds (Guernsey) Law, 1952” 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

Noxious Weeds (Guernsey) Law, 1952 ” and to order that the same shall have the 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.

F. J. FERNAU.

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

PROJET DE LOI

ENTITLED

The Noxious Weeds (Guernsey) Law, 1952.

THE STATES, in pursuance of their Resolution of the 27th day of February, 1952, 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.

1. An occupier of land shall not permit the existence thereon of a noxious weed which is in flower or in seed.

2. (1) A person authorised in that behalf by the Committee may enter upon any land on which there is in flower or in seed any noxious weed and may take such action thereon as he may deem necessary to prevent the spread of seed therefrom.

(2) Any expense incurred by or on behalf of the Committee under the last preceding subsection may be recovered by the Committee as a civil debt from the occupier of the land in relation to which the expense was incurred.

(3) Any person authorised in that behalf by the Committee may enter upon and inspect any land (other than a building) for the purpose of ascertaining whether there are noxious weeds in flower or in seed thereon.

(4) Any person entering on land under the provisions of this section shall, if so required, produce to the occupier thereof or to any person authorised by the occupier to require such production, a written authorisation under this section, signed by the President of the Committee.

(5) The Committee shall give not less than twenty-four hours notice of any intended entry on land under this section. Such notice shall be in writing and delivered to the occupier of the land or, if after reasonable inquiry he cannot be found, shall be left on the land.

3. The States may from time to time pass such Ordinances as they may deem necessary for the due execution of this Law or for the amendment of the Schedule thereto.

4. Any person contravening a provision of this Law or of any Ordinance passed thereunder or who obstructs or attempts to obstruct any person duly authorised under section two of this Law in the execution of his duties shall be guilty of an offence and liable on conviction for a first offence to a fine not exceeding ten pounds and for a second or subsequent offence to a fine not exceeding fifty pounds.

5. In this Law the expression "the Committee" means the States Committee for Agriculture and Fisheries and the expression "noxious weed" means any of the weeds set out in the Schedule to this Law.

6. The Loi relative aux Mauvaises Herbes, registered on the Records of this Island on the 16th day of July, 1927, is hereby repealed.

SCHEDULE

Common Nettle (patois—ortie).

Common Ragwort (patois—mèque).

Cow Parsnip (patois—quesse).

Docks of all kinds.

Hemlock Water Dropwort (patois—pain-faie).

Thistles:

 Spear Thistle (patois—chardon béni).

 Creeping or Field Thistle (patois—mauvais
 létron).

 Marsh Thistle (patois—mauvais chardon).

JAMES E. LE PAGE,

Her Majesty's Greffier.