

Island of  Guernsey

Ordinance of the States **XXII**
1962

Made 31st October, 1962.

Came into Operation .. 31st October, 1962.

The Poultry Diseases Ordinance, 1962

THE STATES, in pursuance of their Resolution of the fourth day of April, nineteen hundred and sixty-two, and on the representations of the States Committee for Agriculture, hereby order:—

PART I

Poultry Diseases

1. (1) Every person having in his possession or under his charge any poultry which are affected or are suspected by him of being affected with a notifiable disease shall immediately notify the States Veterinary Officer and shall—

Requirements where poultry affected with a notifiable disease.

- (a) prevent the access of other poultry to the premises on which the affected or suspected poultry are, and
- (b) detain on the premises all poultry, carcasses of poultry and poultry eggs intended for hatching.

(2) The restrictions imposed by the preceding subsection shall remain in operation as respects any premises until notice in writing to the contrary is given to such person by the States Veterinary Officer.

Powers of
States
Veterinary
Officer.

2. (1) The States Veterinary Officer may, in any case where he suspects that a notifiable disease exists on any premises, enter upon and inspect such premises and any poultry and any carcasses of poultry on those premises and may keep under inspection those premises or those poultry or carcasses of poultry for any period which he may think fit.

(2) Before entering upon any such premises the States Veterinary Officer shall put on suitable boots and overall clothing which are capable of being disinfected and immediately before leaving such premises shall thoroughly disinfect his boots, overall clothing and hands.

States
Veterinary
Officer
may take
samples.

3. The States Veterinary Officer may take such samples of any poultry or carcasses of poultry affected or suspected by him of being affected with a notifiable disease as he may consider necessary for the purposes of examination.

States
Veterinary
Officer
to inform
Board of
affected
poultry.

4. The States Veterinary Officer shall, immediately after carrying out an inspection in accordance with the provisions of section two of this Ordinance, inform the Board of any poultry and any carcasses of poultry found to be or suspected by him of being affected with a notifiable disease.

5. (1) On receipt of notification from the States Veterinary Officer that a notifiable disease exists or is suspected to exist on any premises, the Board may declare the premises or any part thereof to be an Infected Place and for as long as such declaration is in force the following provisions of this section shall apply in relation to the Infected Place:—

Power of Board to declare Infected Place and consequences thereof.

- (a) no live poultry shall be moved into or out of the Infected Place;
- (b) no carcasses of poultry, foodstuffs, litter, droppings, shed washings, utensils, food bags, crates, hurdles, poultry appliances or any other thing whatsoever shall be moved out of the Infected Place unless a licence in that behalf has been granted by the Board;
- (c) no eggs intended for hatching shall be moved out of the Infected Place;
- (d) any person entering any part of the Infected Place shall wear suitable boots and overall clothing which are capable of being disinfected and immediately before leaving such Infected Place shall thoroughly disinfect his boots, overall clothing and his hands and, when not in use, such boots and clothing shall be kept in such place as the States Veterinary Officer shall direct;
- (e) any person attending any affected poultry or poultry suspected of being affected with a notifiable disease shall not attend poultry not so affected or not so suspected unless a licence in that behalf has been granted by the Board;
- (f) the Board may direct that the Infected Place or any part thereof and any vehicle, utensil, appliance or any other thing whatsoever

thereon or used in connection therewith shall be disinfected to the satisfaction of the States Veterinary Officer;

- (g) the person in whose possession or under whose charge any poultry or carcasses of poultry are shall, to the best of his ability, give to the Board or to the States Veterinary Officer any information concerning the poultry or the carcasses as the Board or that Officer may reasonably require.

(2) Any licence granted by the Board under the provisions of the last preceding subsection may be granted subject to such conditions as the Board may think fit and any such licence may, from time to time, be varied or revoked by the Board.

(3) The cost of any disinfection carried out under and in accordance with the provisions of this section shall be borne by the States save that where such cost has been increased by any wilful act or neglect on the part of the occupier of the Infected Place or the owner of the vehicle, utensil, appliance or other thing whatsoever thereon or used in connection therewith, or of his servant or agent, the Board may recover from such occupier or owner, as the case may be, the amount of such increase.

Revocation
of declara-
tion.

6. A declaration that any premises are an Infected Place may be revoked by the Board after an inspection by, and on the advice of, the States Veterinary Officer.

Restriction
on keeping
poultry on
Infected
Place.

7. A person shall not keep poultry in his possession or under his charge on any premises which have been declared to be an Infected Place for a period of at least twenty-eight days after the declaration that the premises are an Infected Place has been revoked or

after the date of the completion of the disinfection of those premises in pursuance of the provisions of section five of this Ordinance, whichever is the later, unless a licence in that behalf has been granted to him by the Board.

8. Every person having in his possession or under his charge any poultry shall supply to the Committee such information as it may reasonably request for the purposes of assessing the state of health and the incidence of disease amongst poultry.

Supply of information to Committee.

9. The Committee may, from time to time, by order vary the list of notifiable diseases specified in the First Schedule to this Ordinance.

Variation of list of notifiable diseases.

10. Any order made by the Committee under the provisions of the last preceding section, shall be laid before a meeting of the States as soon as may be after the making thereof, and if at that meeting or at the next subsequent meeting the States resolve that the order be annulled, the order shall cease to have effect but without prejudice to anything done thereunder or to the making by the Committee of any new order.

Laying of orders before the States.

PART II

Fowl Pest

11. The Board may, if it thinks fit, upon receipt of notification from the States Veterinary Officer in accordance with the provisions of section four of this Ordinance that any poultry or the carcasses of any poultry are or are suspected by him of being affected with fowl pest, order the slaughter of the poultry or the disposal of the carcasses in such manner as the

Power of Board to order slaughter of affected poultry.

Board shall direct which slaughter shall be carried out immediately after the poultry have been valued in accordance with the provisions of section thirteen of this Ordinance.

Cost of slaughter and disposal of carcasses.

12. Where the Board orders the slaughter of any poultry or the disposal of the carcasses of any poultry such slaughter or disposal shall be carried out at the expense of the States.

Compensation.

13. (1) Subject to his having complied with the provisions of this Ordinance, compensation under and in accordance with the provisions of this section shall be paid by the States to the owner of any poultry slaughtered as aforesaid.

(2) The compensation payable, in respect of any poultry slaughtered in accordance with the provisions of this Ordinance, shall be the market value of the poultry so slaughtered, and in assessing the value of any poultry for the purposes of this section, no account shall be taken of the fact that, immediately before slaughter the poultry slaughtered were, or were suspected of being, affected with fowl pest:

PROVIDED that in no case shall a greater sum than one pound and five shillings be payable as compensation for any one bird.

(3) There shall be deducted from the compensation payable in respect of any poultry in accordance with the provisions of the last preceding subsection the value, if any, of the carcase of the poultry received by, or credited to the account of, the owner thereof.

(4) Subject as hereinbefore provided, if, where poultry are ordered by the Board to be slaughtered, the Board and the owner of the poultry do not agree as to the value of such poultry, 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 poultry.

(5) If such owner shall fail to inform the Board in writing within such period as the Board shall specify to him of the name and address of the valuer appointed by him, a valuer shall be appointed by the Committee, who shall then for the purposes of this Ordinance be deemed to be the valuer appointed by the owner.

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

(7) If the valuers disagree as to the nomination of an umpire, such umpire may be nominated by the Royal Court sitting as an Ordinary Court (hereinafter referred to as "the Ordinary Court") on the application of either of the valuers.

(8) Payment of compensation as aforesaid shall be full satisfaction of the value of the poultry so slaughtered and of all expenses incurred by the owner of the poultry in carrying out his duties under this Part of this Ordinance, including the costs, if any, of and incidental to a valuation.

(9) No compensation shall be payable in accordance with the provisions of this section if it is found by the Board, from the decision of which an appeal shall lie to the Ordinary Court, that the owner of the slaughtered poultry is, by reason of his negligence or default, responsible for his poultry becoming infected with fowl pest.

PART III

Miscellaneous

Offences.

14. Any person who contravenes any of the provisions of this Ordinance, other than subsection (2) of section two, section four, section ten and subsection (1) of section thirteen thereof, or of any direction or licence given or granted thereunder, or who fails to comply with any condition attached to any such licence, or any person who gives information which he is required to give for the purposes of this Ordinance which is false in a material particular, or who obstructs or attempts to obstruct the States Veterinary Officer in the execution of his duty under the provisions of this Ordinance, shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds.

Interpretation.

15. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“ the Board ” means the States Board of Administration;

“ the Committee ” means the States Committee for Agriculture;

“ Infected Place ” means any place which has been declared to be an Infected Place by the Board in pursuance of the provisions of section five of this Ordinance;

“ notifiable disease ” means a disease specified in the First Schedule to this Ordinance;

“ poultry ” means domestic fowls, turkeys, geese, ducks, guinea fowls, partridges, pheasants and pigeons;

“States Veterinary Officer” shall include any person authorised by the Board to carry out any special duties in relation to this Ordinance.

16. The Ordinances set out in the Second Schedule Repeals. to this Ordinance are hereby repealed.

17. This Ordinance shall apply to the Islands of Extent. Guernsey, Herm and Jethou.

18. This Ordinance may be cited as the Poultry Citation. Diseases Ordinance, 1962.

FIRST SCHEDULE

Section fifteen

Fowl Pest (Fowl plague and Newcastle Disease)

Avian encephalomyelitis (epidemic tremor)

Chronic respiratory disease

Infectious bronchitis

Infectious synovitis

Virus Hepatitis.

SECOND SCHEDULE

Section sixteen

The Fowl Pest Ordinance, 1949.

The Fowl Pest Amendment Ordinance, 1949.

The Fowl Pest Amendment Ordinance, 1950.

R. H. VIDELO,

Her Majesty's Greffier.