

Island of Guernsey

Ordinance of the States **XXXVII**

1968

Made 30th October, 1968
Came into Operation 30th October, 1968

The Public Health (Amendment) Ordinance, 1968

THE STATES, in exercise of the powers now vested in them under section four of the Law entitled "Loi relative à la Santé Publique, 1934"^(a), registered on the seventeenth day of March, 1934, and of all other powers thereunto them enabling, hereby order:—

1. The Public Health Ordinance, 1936^(b), as amended, is hereby further amended as follows, that is to say:—

Amendment
of Ordinance
of 1936.

- (a) in section one of Article IV thereof, the words from and including the words "In any case in which the evacuation of any premises" to the end of that section are hereby repealed;
- (b) immediately after section one of Article IV thereof there is hereby inserted the following additional section designated "1A"—

(a) Ordres en Conseil Vol. IX, p. 386.

(b) Recueil d'Ordonnances Tome VIII, p. 316.

“ 1A. (1) Where the evacuation of any premises is required under this Ordinance, notice in writing to that effect shall be served by the Sanitary Authority—

- (a) in the case where such premises are not in the actual occupation of the owner thereof, on both the owner and occupier of such premises;
- (b) in any other case, on the owner of such premises.

(2) If the premises in respect of which a notice has been served on any person under subsection (1) of this section are not evacuated within the time specified in the notice or are re-occupied before the expiration of the period specified in the notice, then the Sanitary Authority may take eviction proceedings against that person:

Provided that such proceedings shall not be taken by the Sanitary Authority against that person if he is not the owner of those premises and eviction proceedings, or the execution of a judgment in pursuance of eviction proceedings, at the instance of the owner of those premises are or is still pending.

(3) The Sanitary Authority shall cite the owner of any premises in respect of which a notice has been served under subsection (1) of this section on any other person, being the occupier of those premises, to appear as a party to eviction proceedings taken by the Sanitary Authority against the occupier of those premises in pursuance of the provisions

of the last preceding subsection and the owner and occupier shall be entitled to show cause why an eviction order shall not be granted.

(4) The award of costs in any eviction proceedings taken by the Sanitary Authority in pursuance of the provisions of subsection (2) of this section shall be in the discretion of the Court.

(5) Any person who causes or permits any other person to enter into occupation of any premises at any time after the service on the owner of those premises of a notice under subsection (1) of this section in respect of those premises shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds.”;

- (c) in subsection (a) of section two of Article IX thereof, the words from and including the words “empowered to require” to the end of that subsection are hereby repealed and the following words are hereby substituted therefor—

“empowered, by notice in writing signed by him and served on the owner or occupier of the premises or on the person to whom the utensils belong, as the case may be, to require all such steps to be taken in respect of the premises or of the utensils and the contents thereof as, in his opinion, may be necessary in order to safeguard health.”;

- (d) subsection (b) of section two of Article IX thereof is hereby repealed.

Citation and
extent.

2. (1) This Ordinance may be cited as the Public Health (Amendment) Ordinance, 1968, and this Ordinance and the Public Health Ordinances, 1936 to 1967, may be cited together as the Public Health Ordinances, 1936 to 1968.

(2) This Ordinance shall have effect in the Islands of Guernsey, Herm and Jethou.

R. H. VIDELO,

Her Majesty's Greffier.

**Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey**

PRICE 6D.