

Island of  Guernsey

Ordinance of the States. **XXIII**

**1955**

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Made .. .. 12th October, 1955.

Coming into Operation .. 17th October, 1955.

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**The Swine Fever Ordinance, 1955.**

THE STATES, in pursuance of their resolution of the 14th day of September, 1955, hereby order—

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

“ Board ” means the States Board of Administration;

“ swine dealer ” means a person who buys and sells swine, but a person shall not be a swine dealer by reason only that he sells for slaughter swine which he has purchased and fed for that purpose;

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

“ Swine ” includes carcases of swine.

2. (1) Every owner of, or any person having in his charge, any swine which are affected or suspected of

being affected with swine fever shall immediately notify the States Veterinary Officer or a member of the Island Police and shall:—

(a) prevent the access of other swine or of any person (other than the States Veterinary Officer and the person attending the swine) to the premises on which the affected or suspected swine are; and

(b) detain on the premises all swine thereon.

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

3. (1) The States Veterinary Officer may, if he suspects that swine fever exists on any premises, enter upon and inspect such premises and any swine on those premises and may keep under inspection any suspected premises or swine, other than carcasses of swine, for any period which he may think fit.

(2) Before entering 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.

4. The States Veterinary Officer shall, immediately after carrying out an inspection in accordance with the provisions of the last foregoing section, inform the Board of any swine found to be, or suspected of being, affected.

5. (1) On receipt of notification from the States Veterinary Officer that swine fever 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 any such premises shall, for as long as such declaration is in force, be subject to the following restrictions:—

- (a) no swine shall be moved into or out of the Infected Place unless a licence in that behalf has been granted by the Board;
- (b) no dung, animal feeding-stuffs, litter, utensil, pen, hurdle, vehicle or other thing shall be moved out of the Infected Place unless a licence in that behalf has been granted by the Board;
- (c) swine on an Infected Place shall not be allowed by the owner or person in charge thereof to stray from or out of the Infected Place;
- (d) notice of the death of any swine on the Infected Place shall be given immediately to the States Veterinary Officer by the person in charge thereof;
- (e) no person other than the States Veterinary Officer or the person attending the swine shall enter any part of an Infected Place unless authorised by and in accordance with a written permit obtained from the Board;
- (f) any person entering any part of the Infected Place shall wear suitable overall clothing and boots which are capable of being disinfected and shall, before leaving such place, thoroughly disinfect such clothing and boots and his hands; when not in use such clothing and boots shall be left in such place as the States Veterinary Officer shall direct;
- (g) any person other than the States Veterinary Officer attending swine on an Infected Place

shall not attend swine on any other premises;  
and

- (h) the owner of such swine, or the person in whose charge such swine are, shall, to the best of his ability, give to the Board or to the States Veterinary Officer any information concerning the swine which the Board or that Officer may require.

(2) Any licence granted by the Board may be granted subject to such conditions as the Board think fit and any such licence may be renewed, varied or revoked by the Board.

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.

7. It shall be an offence under this Ordinance—

- (a) for any person knowingly, without the permission of the Board, to bring swine infected or suspected of being infected with swine fever into a public place or a place to which the public have access or into any place where such swine may come into contact with other swine;
- (b) for any person in charge of swine to fail to take all reasonable precautions to prevent them obtaining access to swine infected or suspected of being infected with swine fever;
- (c) for any person being in control of a place where swine, infected or suspected of being infected with swine fever, are or have been while so infected or suspected to fail to take reasonable precautions to prevent access of swine to that place.

8. (1) The Board may cause to be slaughtered for purposes of diagnosis:—

- (a) any swine suspected of being affected with swine fever;
- (b) any swine which are or have been in contact with swine affected with swine fever, or which appear to the Board to have been exposed to the infection of that disease.

(2) The Board may cause to be disposed of, in such manner as it shall direct, the carcase of any swine affected with or suspected of being affected with swine fever.

9. It shall be an offence to dig up or cause to be dug up, without the written permission of the Board, the carcase of any swine, the burial of which has been directed under this Ordinance.

10. The Board may cause to be cleansed and disinfected, under the supervision of the States Veterinary Officer, any Infected Place and any utensil, pen, hurdle, vehicle or other thing used for or about or for the transport of any swine affected or suspected of being affected with swine fever.

11. Subject to his having complied with the provisions of this Ordinance, compensation shall be payable to the owner of any swine slaughtered in accordance with such provisions.

12. (1) The compensation payable under and in accordance with the provisions of the last preceding section shall:—

- (a) in the case of a breeding sow or boar, be forty pounds sterling or its market value immediately before slaughter, whichever is the less;

- (b) in the case of any other swine weighing under one hundred pounds, be the sum of three pounds sterling for the first month of age of the swine with an additional two pounds for each subsequent month of age thereof, or its market value immediately before slaughter, whichever is the less;
- (c) in the case of any other swine, weighing one hundred pounds or over, be its value as meat.

(2) In assessing the value of a swine under the provisions of the last preceding subsection no account shall be taken of the fact that at that time the swine was or was suspected of being affected with swine fever.

(3) There shall be deducted from the compensation payable under the provisions of subsection (1) of this section in respect of any swine the carcase of which is sold at a price approved by the Board, the amount received for that carcase.

13. Notwithstanding the provisions of section eleven of this Ordinance no compensation shall be payable under that section if it is found by the Board (from whose decision an appeal shall lie to the Royal Court) that the owner of a slaughtered swine is, by reason of his negligence or default, responsible for that swine becoming affected with swine fever.

14. (1) If where a swine is ordered by the Board to be slaughtered the Board and the owner of the swine do not agree as to the value of such swine, 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 swine.

(2) If such owner shall fail to inform the Board in writing within such period as the Board may specify

to him of the name and address of the valuer appointed by him, a valuer shall be appointed by the States Committee for Agriculture and Fisheries which valuer shall then for the purposes of this Ordinance be deemed to be the valuer appointed by the owner.

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

15. Payment of compensation under the provisions of this Ordinance shall be full satisfaction of the value of the swine slaughtered as aforesaid and of all expenses incurred by the owner of the swine in carrying out his duties under this Ordinance, including, if any, the cost of and incidental to a valuation.

16. Any sums required by the Board for the purposes of section eight of this Ordinance shall be paid out of monies provided by the States.

17. The cost of any cleansing or disinfection carried out by the Board under the provisions of section ten of this Ordinance shall be paid for out of monies provided by the States save that where such cost results from or is increased by any wilful act or neglect on the part of the owner of the swine concerned, or of his servants or agents, the Board may recover the amount of such cost or increase from the owner as a civil debt.

18. (1) The Board may by order require:—

(a) every swine dealer to keep a register of his transactions;

- (b) every castrator of swine to keep a register of swine castrated;
- (c) every owner of a boar used for the service of sows other than his own to keep a register of sows served.

(2) Any register required by the Board to be kept under the provisions of the last preceding subsection shall be in such form and contain such particulars as the Board may from time to time prescribe, and shall be produced by the owner for inspection at all reasonable times to a person duly authorised by the Board, and that person shall be entitled to make copies of any entries therein.

19. The Board may by order require:—

- (a) that any instrument used by a castrator for the purpose of castrating swine shall forthwith after being used for such purpose and before being again so used for the purpose of castrating swine on other premises be thoroughly washed with soap and water and shall then be disinfected, or otherwise sterilised; and
- (b) that every castrator immediately before leaving any premises upon which he has castrated swine shall thoroughly wash his hands with soap and water and his boots with an approved disinfectant.

20. The Board may by order cause a return to be made to the Board as and when required and in such form as the Board shall prescribe in relation to swine on an Infected Place.

21. (1) The Board may by order:—

- (a) declare any of the Islands of Guernsey,

Herm and Jethou or any part of any of them to be an Infected Area, and such order shall have effect, subject to any exemption in writing granted by the Board, so as to prohibit the movement of any swine out of or into the Infected Area;

(b) prohibit the export of any swine from any of the said Islands.

(2) The States Veterinary Officer shall, if so instructed by the Board, inspect any swine within an Infected Area, and shall submit a report of any such inspection to the Board.

(3) For the purposes of this section any farm or holding which is partly within and partly without an Infected Area shall be deemed to be wholly within that Area, and detached parts of farms or holdings wholly outside an Infected Area shall be deemed to be separate farms or holdings.

22. Any person committing an offence under the provisions of this Ordinance or any person contravening any of the provisions of this Ordinance or of any order or direction or licence given hereunder or any person giving information which he is required to give under the provisions of this Ordinance which is false or misleading in a material particular or obstructing or attempting to obstruct the States Veterinary Officer in the execution of his duty hereunder shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds.

23. The Ordinance entitled 'Ordonnance relative à la Maladie dite "Swine Fever"', made permanent on the fifth day of October, 1931, is hereby repealed.

24. The provisions of this Ordinance shall apply to the Islands of Guernsey, Herm and Jethou.

25. This Ordinance shall come into force on the 17th day of October, 1955.

JAMES E. LE PAGE,

Her Majesty's Greffier.