

ALDERNEY STATUTORY INSTRUMENT

No. 6 - 2012

**Import (Control) (Alderney) (Amendment No. 3) Order,
2012**

Made

18th December, 2012

Coming into force

19th December, 2012

**THE STATES OF ALDERNEY POLICY AND FINANCE
COMMITTEE**, in pursuance of the powers conferred upon it by Article 1 of the
Import and Export (Control) (Alderney) Law, 1946^a, **HEREBY ORDERS:-**

Amendments to Order of 2010.

1. Schedule 8 to the Import (Control) (Alderney) Order, 2010^b is amended as follows.

2. Immediately after paragraph 17, insert the following paragraph –

"18. Any of the following –

(a) *Chalara fraxinea* T. Kowalski, including its teleomorph *Hymenoscyphus pseudoalbidus*,

(b) any tree or wood infected with *Chalara fraxinea* T.

^a Ordres en Conseil Vol. XII, p. 367; as amended by Order in Council No. XXI of 2003; and Order in Council No. XIV of 2007.

^b A.S.I. No. 3 of 2010; as amended by A.S.I. No. 4 of 2010, A.S.I. No. 1 of 2012 and A.S.I. No. 3 of 2012.

Kowalski, including its teleomorph *Hymenoscyphus pseudoalbidus*,

- (c) any tree or wood (including wood which has not kept its natural round surface) of *Fraxinus* L.

3. In the "Interpretation" part, immediately after the definition of "**any product of animal origin**", insert the following definition –

"**tree**" means a living tree or any living part thereof at any stage of its growth, including any tissue culture of such tree or living part of such tree or any raw fruit or seed of a tree, of a genus or species some or all of the forms or varieties of which are grown in any of the British Islands for the production of wood and includes, where the context so admits, any soil or other growing medium, packing material or container associated therewith."

Interpretation.

4. (1) In this Order, a reference to any enactment is a reference to the enactment as from time to time amended, re-enacted (with or without modification), extended or applied.

(2) The provisions of the Interpretation (Guernsey) Law, 1948^c apply to the interpretation of this Order throughout the Island of Alderney as they apply to the interpretation of an enactment in force in the Island of Guernsey.

Expiry.

5. Unless renewed by a further Order of the States of Alderney Policy

^c Ordres en Conseil Vol. XIII, p. 355.

and Finance Committee, this Order ceases to have effect on the anniversary of the date on which it comes into force.

Citation.

6. This Order may be cited as the Import (Control) (Alderney) (Amendment No. 3) Order, 2012.

Commencement.

7. This Order comes into force on the 19th December, 2012.

Dated this 18th day of December 2012



John Beaman

Chairman, Alderney Policy & Finance Committee

for and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Order)

The objective of this Order is to introduce emergency measures to prevent the introduction and spread of *Chalara fraxinea* T Kowalski, including its teleomorph *Hymenoscyphus pseudoalbidus*. The fungus has recently been identified in the United Kingdom. It causes dieback and has the potential to kill many ash trees should it become established in the Island.

To achieve this objective, this Order amends Schedule 8 to the Import (Control) (Alderney) Order, 2010 ("**the principal Order**") to prohibit unlicensed importation of the following –

- (a) *Chalara fraxinea* T. Kowalski, including its teleomorph *Hymenoscyphus pseudoalbidus*,
- (b) any tree or wood infected with *Chalara fraxinea* T. Kowalski, including its teleomorph *Hymenoscyphus pseudoalbidus*, and
- (c) any tree or wood (including wood which has not kept its natural round surface) of *Fraxinus* L.

Once this Order comes into force, any person wishing to import any of the above into Alderney will need to obtain an import licence from the States of Alderney Policy and Finance Committee. Such a licence will be granted only if appropriate.

This Order will come into force on 19th December, 2012, and will expire after one year unless renewed by a further Order.