

(Made on the 20th July, 1949.)

(No.
XXVII—
1949)

The Fowl Pest Amendment Ordinance, 1949.

THE STATES, in pursuance of their Resolution of the 13th day of April, 1949, hereby order—

1. The Fowl Pest Ordinance, 1949, shall be amended as follows—

(1) After section 9 thereof, there shall be inserted the following new sections—

“ 10. (1) Where the Board directs the slaughter and disposal of any poultry or the disposal of any poultry carcase, such

Cost of
Slaughter,
etc. and
compensa-
tion.

slaughter or disposal shall be carried out at the expense of the States.

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(2) The cost of any disinfection carried out under and in accordance with the provisions of this Ordinance 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 owner of the poultry concerned, or of his servants or agents, the Board may recover, as a civil debt, from such owner the amount of such increase.

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

(2) The compensation payable shall represent the market value of the poultry so slaughtered, and no deduction shall be made from such value on the grounds that the poultry slaughtered were, or were suspected of being, affected with fowl pest:

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

(3) (a) 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.

(b) If such owner shall fail to inform the Board in writing within such

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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 States Committee for Agriculture and Fisheries, who shall then for the purposes of this Ordinance be deemed to be the valuer appointed by the owner.

(c) If the valuers so appointed disagree, they shall nominate an umpire, who shall assess the value of the poultry. The decision of the valuers or of the umpire, as the case may be, shall be final.

(d) 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, on the application of either of the valuers.

(4) 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 Ordinance, including the costs, if any, of and incidental to a valuation."

(5)*

Re-
numbering
ss. 10 and 11.

(2) The sections of the Fowl Pest Ordinance, 1949, now numbered 10 and 11 shall respectively be re-numbered 12 and 13.

Commence-
ment.

2. The sections hereby inserted in the Fowl Pest Ordinance, 1949, shall be deemed to have come into force on the 14th day of April, 1949.

Citation.

3. This Ordinance and the Fowl Pest Ordinance, 1949, may be cited together as the Fowl Pest Ordinances, 1949.

* Sub-section (5) added by the Fowl Pest Amendment Ordinance, 1950.