

(Enregistré sur les Records le 27 juin 1932.)

AT THE COURT AT BUCKINGHAM PALACE,
The 10th day of June, 1932.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY

MARQUESS OF LONDONDERRY	MAJOR ORMSBY-GORE
EARL OF ONSLOW	SIR FREDERICK PONSONBY
LORD STANMORE	SIR SIDNEY ROWLATT

Loi relative
au Doryphore
anglicé

WHEREAS there was this day read at the Board a
Report from the Right Honourable the Lords of the

Committee of Council for the Affairs of Guernsey and Jersey, dated the 6th day of June, 1932, in the words following, viz. :—

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 "Colorado
 Beetle,"
 1932.

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—(1) That for the reasons set forth in the preamble thereof, the Royal Court on the 7th day of May, 1932, adopted a Bill or Projet de Loi intituled “Loi relative au doryphore (anglicé, ‘Colorado Beetle’), 1932,” and requested the Bailiff to submit the same to the States of Deliberation for their approval ; (2) That on the 25th day of May, 1932, the said Bill or Projet de Loi was duly considered by the States, when a resolution was passed approving the same and authorising the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto ; (3) That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled “Loi relative au doryphore (anglicé, ‘Colorado Beetle’), 1932,” and to order and direct that the same shall have the force of Law within the Island of Guernsey.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of his Privy Council, to approve of and ratify the said

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Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed), be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

“PROJET DE LOI” referred to in the foregoing Order in Council.

LOI RELATIVE AU DORYPHORE (ANGLICÉ, COLORADO BEETLE), 1932.

Cette Loi applicable en cette île et les îles d'Herm et de Jethou.

Le Comité des Etats pour l'Agriculture et la Pêche, s'étant avisé sur les mesures qui doivent être prises pour combattre et éliminer le doryphore, anglicé “Colorado Beetle,” cas échéant que ce fléau viendrait à envahir cette Ile ou les Iles d'Herm ou de Jethou, et ayant fait des recommandations dans la matière.

Vu la nécessité impérieuse de se prémunir contre l'introduction d'une aussi grave menace à l'industrie principale de cette Ile. Les dispositions suivantes rédigées en anglais auront force de loi en cette Ile et en les Iles d'Herm et de Jethou, moyennant la sanction de sa Très Excellente Majesté en Conseil.

Definitions.

1.—In this Law

The masculine shall include the feminine and the singular the plural unless the context requires otherwise.

“ Beetle ” means the Colorado Beetle (*Leptinotarsa decemlineata*).

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“ Committee ” means the States Committee for Agriculture and Fisheries.

“ Inspector ” unless otherwise defined, means every person authorised to perform duties of inspection under this Law.

2.—The Committee shall execute this Law and secure the observance thereof by all persons whom it may concern and shall be vested generally with all necessary powers in that behalf, and in particular with the powers of issuing general and special orders from time to time and of appointing Inspectors who shall be called general Inspectors and the Committee may assign to them duties of inspection generally in the said Islands or in such districts as the Committee shall specify. The Committee may also appoint experts to assist the Committee in the execution of this Law. The Committee may determine the remuneration to be paid to Inspectors and Experts performing duties under this Law and may pay such remuneration and incur such other expenses as may be necessary in the execution of this Law and the moneys required for such remuneration and expenses shall be provided by the States.

The Committee of Agriculture and Fisheries shall execute this Law.

Appointment of Inspectors and Experts.

3.—The Constables shall be Parish Inspectors acting under the authority of the Committee within their several parishes and shall be assisted by Assistant Inspectors to be appointed by them and who shall act under their authority and in such districts as may be assigned to them respectively. The Constables may remove from office and replace an Assistant Inspector at their discretion.

Constables shall be Parish Inspectors.

4.—The Committee shall furnish the Constables of each parish with particulars obtained under the Ordinance of 5th March, 1932, concerning the planting of potatoes in their several parishes and such particulars shall be checked and revised by the constables.

Duties of Constables and Inspectors.

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5.—It shall be the duty of every Inspector to inform himself and make record of the planting of potatoes and of the existence of growing crops of potatoes in every property in his district wherever the same occurs and to inspect the same and for this purpose he shall have power to enter upon premises whether enclosed or unenclosed as often as may be requisite and to interrogate the occupants and other persons. He shall also from time to time as may be requisite or as he may be directed make inspection of all growing crops of potatoes with powers of entry and interrogations as aforesaid in order to ascertain whether they have been effectively sprayed in accordance with the dispositions of this Law, and whether there is any evidence of the existence of the beetle, its eggs, larva or pupa. The Constables in respect of their several parishes shall also make or cause to be made such inspections of premises for the said purposes or any of them as may from time to time be required by the Committee. An expert authorised by the Committee to make inspection and any member of the Committee shall have the same powers as an Inspector. The Constables shall send to the Committee reports in writing on all inspections made by them and under their authority as and when the Committee shall require by general or special direction and every Assistant Inspector shall send or deliver to the Constables of his parish a report in writing on every inspection made by him within 48 hours thereof. General Inspectors and Experts shall report to the Committee as the Committee shall direct. The Constables of each parish shall convene their Assistant Inspectors to meet together at least once in every calendar month during the season of cultivation and a report in writing of the proceedings of every meeting shall be sent by the Constables to the Committee without delay.

Duties of
occupants of
land,

6.—(1) Every occupant of land in which potatoes are growing shall spray every potato plant at such

time as the plants have attained in the average a height of not less than six inches nor more than nine inches from the ground surface, and at the expiration of four weeks thereafter he shall again spray the said plants. He shall also spray the said plants at such other times or time as the Committee may order.

(2) The implement or apparatus used for spraying shall be such as shall be approved by the Committee and the liquid to be sprayed shall be of such ingredients in such proportions as the Committee shall prescribe.

(3) The Committee may provide a sprayer and the services of an operator and the liquid for spraying or any of them at such charge, or, in special cases, without charge, as the Committee may in its discretion determine.

7.—(1) Every person who shall discover a beetle suspected to be a Colorado Beetle or the larva or pupa of such beetle at any place in any of the said Islands shall carefully mark the spot of such discovery, and place a specimen of such beetle, larva, or pupa in a closed box, and deliver it immediately, with a description of the place where it was found, to the Constable, or one of the Douzeniers of his parish, or to any member of the Committee, or to the States Office, and such Constable, Douzenier, or member of Committee, or the States Official receiving the same, shall forthwith notify the President of the Committee accordingly.

(2) Upon receipt of such notification the Committee shall cause an inspection by an expert of the land where the discovery was reported to have been made and if satisfied that the beetle exists there, it shall declare the locality within such limits as the Committee shall define, to be an "infested area."

(3) At any time after the existence of an infested area has been declared by the Committee, the Committee may further declare a "zone of protection" in relation to that area. The Committee shall define

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Spraying apparatus.

Provision of sprayer and operator.

Procedure to be followed by every person who shall discover a suspected Colorado Beetle.

Infested areas.

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the " zone of protection " which may extend to such radius from the infested area as the Committee shall deem necessary to secure the localisation and extermination of the beetle.

(4) The Committee may take all such steps as it may deem necessary for the extermination of the beetle in respect of any land comprised within an infested area or a zone of protection and in respect of any crops therein or thereon.

Supervision
of execution
of orders
given by the
Committee.

(5) The Committee may employ or appoint any person or persons to ensure and supervise the execution of all orders given by the Committee and the costs incurred in connection with such employment or appointment shall be borne in whole or in part by the Committee or in whole or in part by the occupant of the land concerned, according as the Committee shall decide.

Costs.

(6) The Committee may require the occupant of the land to execute all orders given by the Committee at the cost in whole or in part of the Committee or at the cost in whole or in part of the occupant of the land, according as the Committee shall decide.

Planting
within an
infested area
in following
season.

(7) The Committee may at any time order that the land or any part thereof comprised within an infested area or a zone of protection shall be planted with potatoes in the following season at the cost in whole or in part, of the Committee, or in whole or in part, of the occupant of the land, according as the Committee shall decide.

Decision of
Committee
concerning
liability for
costs.

(8) In every case where it is incumbent on the Committee to render a decision concerning the liability for costs incurred under Sections 5, 6 or 7 of this Article, and the apportionment of such liability the Committee shall previously consider and record its finding on the question whether and to what extent, if any, the incurring of such costs was attributable to any default, refusal, negligence or lack of care on the part of the occupant of the land or of his servants,

Every decision of the Committee under any of the said Sections 5, 6 and 7 shall be subject to an appeal to the Royal Court in Ordinary Session whose judgment thereon shall be final. The right of appeal shall lapse after the fifth Saturday after the day on which the decision was communicated to the occupant of the land.

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Appeal from decision to Royal Court.

(9) The control under this Article which the Committee is authorised to exercise over any land and crops contained in an infested area or zone of protection shall continue for such length of time as, in the opinion of the Committee, may be necessary to ensure the extermination of the beetle.

Length of control over infested area.

(10) The Committee may make recommendations to the States in respect of such cases where, in the opinion of the Committee, compensation should be granted to interested parties to cover losses incurred by reason of a declaration of an infested area or zone of infection.

Compensation to interested parties.

8.—Every occupant of land shall give to the Committee such information concerning such land and the cultivation thereof as the Committee may from time to time require.

All necessary information regarding infested zones must be given to the Committee. Herm and Jethou part of the parish of St. Peter-Port.

9.—For the purpose of this Law the Islands of Herm and Jethou shall be deemed to be part of the parish of Saint Peter-Port.

10.—The use of any part of a potato plant for packing or other purposes is forbidden. As soon as possible after the digging of potatoes all residues of stalk, root and foliage shall be collected and completely burnt.

Residues of stalk, root and foliage must be collected and burnt as soon as possible after digging.

11.—If any person shall

(a) offer any resistance or opposition to the entry on any premises by any person authorised to enter such premises by virtue of this Law or shall resist, oppose or interfere with such authorised person in the performance of any act or duty which he is authorised to perform therein by virtue of this Law, or

Penalties for resistance to entry on any premises by any authorized person.

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- Refusal or neglect to obey any order applicable.
- Acting in contravention of this Law.
- Fine.
- Royal Court empowered to pass necessary Ordinances.
- (b) refuse or neglect to obey any order applicable to him issued by the Committee or by a Constable or by any expert or other person authorised by the Committee to issue such order under the provisions of this Law, or
- (c) act in any wise in contravention of this Law or abstain from any act therein required to be done by him,
- he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding One Hundred Pounds.
- 12.—The Royal Court shall have power to pass such Ordinances from time to time as it may deem necessary to give effect to and to regulate the execution of this Law and shall also have power by Ordinance to suspend the operation of this Law or of any provision thereof and to restore such operation.
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