

**Ordonnance relative au Contrôle de l'Utilisation  
de la Terre (1940).  
(Le 16 mars 1940).**

LA COUR, vu les Délibérations des Etats en date du 16 février 1940 et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir: —

**Definitions**

1.—In this Ordinance, the following expressions have the meanings hereinunder assigned to them respectively:

“Agricultural Committee” means the States (Emergency Purposes) Agricultural and Fisheries Committee;

“agricultural land” means any grass land or arable land other than —

- (i) land covered with glass and borders adjacent to glasshouses;
- (ii) land forming part of or adjacent to or used in connection with a glasshouse property and which is habitually or principally utilised for the replacement of soil in glasshouses;
- (iii) land planted in bulbs or utilised for the growing of flowers at or after the date of the commencement of this Ordinance;
- (iv) land which though not planted in bulbs nor utilised for the growing of flowers is
  - (a) the subject of an application to the Horticultural Committee still pending for a licence to plant the same in bulbs or utilise the same for the growing of flowers; or
  - (b) land as regards which such a licence as is last hereinbefore mentioned has been granted;
- (v) land forming part of any pleasure park, playing field or recreation ground; or
- (vi) any flower garden or lawn attached to or occupied in conjunction with an hotel, boarding house, hospital, school or dwelling-house;

“Horticultural Committee” means the States Committee for Horticulture.

2.—(1) The Agricultural Committee, in relation to any Powers of the Agricultural and Horticultural Committees  
agricultural land, and the Horticultural Committee, in relation to land, other than land covered with glass, and which, by reason of one or other of the exceptions (i) and (ii) contained in the foregoing definition of agricultural land, does not come within that definition, may give such directions with respect to the cultivation, management or use of that land as the Agricultural Committee, in the case of agricultural land, and the Horticultural Committee, in the case of such other land as is in this sub-section hereinbefore mentioned, thinks necessary or expedient for the purpose of increasing or maintaining the production of articles essential to the life of the community.

(2) Such directions may be given generally by notice Directions published in *La Gazette Officielle* or in relation to any particular land by notice addressed by the Committee through the post to the occupier of that land at the ordinary business or residential address of that occupier.

(3) If the occupier of any agricultural land fails to Failure to comply with directions an offence  
comply with any directions applicable to him which are published as aforesaid or with any directions addressed to him as aforesaid, he shall be guilty of an offence under this Ordinance and shall be liable, on conviction, to a fine not exceeding £100.

3.—(1) Except under and in accordance with the terms An offence to plant bulbs or grow flowers without a licence  
of a licence issued under the authority of the Horticultural Committee, it shall be an offence under this Section to plant bulbs or to grow flowers.

Provided that the provisions of this Section shall not a licence  
prevent the planting of bulbs or the growing of flowers —

(a) under glass; or

(b) otherwise than for the purposes of profit;  
without the licence of the Horticultural Committee.

(2) If any person shall commit an offence under this Penalty  
Section he shall be liable on conviction to a fine not exceeding £100.

Applications for licences

4.—Application for a licence under the last foregoing Section shall be made in such form as the Horticultural Committee may prescribe and shall contain such particulars as the Horticultural Committee may require.

Agricultural Committee may require particulars concerning crops, etc.

5.—(1) The Agricultural Committee may from time to time require occupiers of agricultural land and of land in relation to which, under the provisions of paragraph (3) of Section 6 of this Ordinance, directions have been given by the Agricultural Committee, to furnish to the Agricultural Committee, in such form and within such period as that Committee may prescribe, such particulars in relation to the carrying out of such directions and concerning the crops then sown, planted or growing in that land or grown therein during the then last preceding twelve calendar months as that Committee may require and that Committee may from time to time require such occupiers as aforesaid and other persons to furnish to that Committee, in such form and within such period as that Committee may prescribe, such particulars concerning the stocks of seed and other agricultural products of the soil held by such occupiers and persons as the Committee may prescribe.

Horticultural Committee may require particulars concerning bulbs or flowers

(2) The Horticultural Committee may from time to time require occupiers of land uncovered by glass to furnish to the Horticultural Committee in such form and within such period as that Committee may prescribe, such particulars concerning such of that land in the occupation of such owners and occupiers as, for the purpose of profit, is planted in bulbs or is utilised for the growing of flowers as the Committee may require and in particular, and without prejudice to the generality of the foregoing, the area of that land, the relative areas thereof in bulbs and utilised for the growing of flowers respectively and the kind or kinds of bulbs and flowers planted or growing therein.

Failure to furnish particulars, etc., an offence

(3) Any requirement of the Agricultural Committee or of the Horticultural Committee under this Section shall be sufficiently made known by publishing the same in *La Gazette Officielle* or by sending the same prepaid through

the post to the ordinary address of the person to whom the same is addressed and, in the case of such publication as aforesaid, if any person, and in the case of the sending of the requirement through the post as aforesaid, if the person to whom the same is addressed, shall fail to furnish a correct return of the required particulars to the Committee requiring the same in the form and within the period prescribed by that Committee, that person shall be guilty of an offence and shall be liable to a fine not exceeding £10 and if any person shall furnish a return of such particulars which he knows to be false in some material respect or recklessly furnish a return of such particulars which is false in some material respect, he shall be guilty of an offence and shall be liable to a fine not exceeding £100.

6.—(1) The Horticultural Committee may, as regards any land uncovered by glass which, for the purpose of profit, is planted in bulbs or is utilised for the growing of flowers, give directions in writing to the occupier thereof to the effect that the whole or such part thereof as shall be specified in such directions shall be cleared of bulbs or flowers, as the case may be. by such date as shall be specified in such directions.

(2) If, after the date specified in any such directions as the date by which any such land shall be cleared of bulbs or flowers, the land is not so cleared, the occupier shall be guilty of an offence under this Ordinance and shall be liable, upon conviction, to a fine not exceeding £100, and the Court, in addition to inflicting a fine, may direct that the offender shall be liable to the Horticultural Committee in a penalty not exceeding £1 in respect of each day or part of a day during which the directions of the Committee continue to be disobeyed and such penalty shall be recoverable by the Horticultural Committee from the offender as a civil debt and, when recovered, shall be credited to the general revenue of the States.

(3) Where the Horticultural Committee gives directions for the clearing of any land of bulbs or flowers, the Horticultural Committee, as regards any such land

Horticultural  
Committee  
may require  
land to be  
cleared of  
bulbs or  
flowers

Penalty  
for not  
carrying out  
directions

Agricultural  
land not  
included in  
the definition

which, by reason of one or other of the exceptions (i) and (ii) contained in the foregoing definition of agricultural land, does not come within that definition, and the Agricultural Committee, as regards any other such land, may at the same time or thereafter in the manner provided by Section 2 of this Ordinance give such directions to the occupier of that land as the Agricultural Committee is authorised by that Section to give in relation to agricultural land.

Failure to comply with directions an offence

(4) If any person to whom directions have been given by the Agricultural Committee under the last foregoing paragraph of this Section fails to comply with such directions he shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding £100.

Power to enter upon land

7.—(1) The Committee, and any official thereunto authorised by the Committee on the production upon reasonable request of his document of authority, shall have power to enter upon land at all reasonable times during the hours of daylight for the purpose of verifying any return of particulars made under the provisions of this Ordinance concerning that land, of ascertaining the extent and nature of the crops which are planted in that land and of ensuring that any directions given by the Committee concerning that land have been or are being complied with.

To obstruct or impede an offence

(2) If any person shall obstruct or impede the Committee or an official thereunto authorised by the Committee in the execution of their or his duties under this Section, that person shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding £10.

Meaning of "the Committee"

(3) In this Section, the expression "the Committee" means, as regards agricultural land and land in relation to which directions have been given by the Agricultural Committee under paragraph (3) of Section 6 of this Ordinance, the Agricultural Committee and, as regards other land subject to the provisions of this Ordinance, the Horticultural Committee.