

**Ordonnance relative aux Insectes Destructifs et
aux Fléaux, 1936.
(Le 15 février 1936)**

Sur les représentations faites à la Cour par le Conseil Administratif des Etats et le Comité des Etats pour l'Horticulture qu'il est expédient que les dispositions en force en cette Ile et les Iles de Serk, d'Herm et de Jethou par rapport aux Insectes Destructifs et aux Fléaux ne soient pas moins effectives comme mesures de protection que celles y ayant rapport en Angleterre:

LA COUR, ouïes les conclusions des Officiers du Roi, a, par voie des règlements rédigés en anglais qui ensuivent, ordonné et ordonne: —

DEFINITIONS.

1.—In these Regulations, unless the context otherwise requires: —

“ Board ” means the Board of Administration of the States of the Island of Guernsey.

“ Crop ” means plant or any part thereof.

“ Insect ” includes bacteria and other vegetable or animal organisms and any agent causative of a transmissible crop disease.

“ Inspector ” means an Inspector appointed by the Board after consultation with the States Committee for Horticulture.

“ Islands ” means the Islands of Guernsey, Sark, Herm and Jethou.

“ Non-indigenous species ” means a species or kind which is destructive to agricultural or horticultural crops or to trees or bushes, and which at the date of the commencement of these Regulations was not established in the Islands.

“ Plant ” includes tree and shrub and the fruit, seeds, tubers, bulbs, corms, rhizomes, roots, layers, cuttings or other parts of a plant.

POWERS OF ENTRY.

2.—An Inspector, upon production if so required of his appointment or authority, may enter any premises on which he has reason to believe that an insect of a non-indigenous species is kept or that there is any plant attacked by any such insect and may examine such insect and take samples of any plant on such premises.

ADOPTION OF PRECAUTIONARY MEASURES.

3.—(1) An Inspector may at any time and from time to time, by notice served on the occupier of premises on which he has reason to believe that there is an insect of a non-indigenous species, require him to adopt such measures for prevention of the spread of the insect as are specified in the notice. Any such notice may require an occupier to take such steps to destroy any such insect as may be specified therein.

(2) A notice under this Article may prescribe the time within which the adoption of any measure thereby prescribed shall be completed.

RESTRICTIONS ON KEEPING CERTAIN INSECTS.

4.—The keeping, sale or release, in any stage of its existence, of any insect of a non-indigenous species, is hereby prohibited.

SERVICE OF NOTICES, ETC.

5.—For the purpose of these Regulations a notice shall be deemed to be served on any person if it is delivered to him personally or left for him at his last known place of abode or business or sent through the post in a letter addressed to him there; and a notice purporting to be signed by an Inspector shall be *prima facie* evidence that it was signed by him.

INFORMATION TO BE GIVEN AS TO DISEASED PLANTS OR PARTS THEREOF.

6.—Every person who has or has had in his possession or under his charge, any insect of a non-indigenous species or any plant which is attacked by any such insect, and every person who as auctioneer, salesman, or otherwise has sold or offered for sale any such insect or plant shall, if so required in writing by the Board or an Inspector, give to the Board or Inspector all such information as he possesses as to the persons in whose possession or under whose charge the insect or plant is or has been: provided that any information given under this Article shall not be available as evidence against the person giving the same in any prosecution under these Regulations, except in respect of an alleged failure to comply with this Article.

OFFENCES.

7.—Every person shall be liable on conviction to a penalty not exceeding Fifty pounds, or in respect of a second or subsequent offence to a penalty not exceeding One hundred pounds, who does any act in contravention of these Regulations or the terms or conditions of any notice served thereunder, or fails to do any act which he is required to do by these Regulations or any such notice, or who wilfully obstructs or impedes an Inspector in the exercise of his powers under these Regulations.

APPLICATION OF THE REGULATIONS.

8.—These Regulations shall apply throughout the Islands.

9.—These Regulations shall come into operation on the twenty-fourth day of February, 1936.

SHORT TITLE.

10.—This Ordinance may be cited as the Destructive Insects and Pests Ordinance of 1936.