

ORDINANCE

OF THE STATES OF DELIBERATION

ENTITLED

The Export of Produce (Control of Export and Delivery for Export) Ordinance, 1956 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Recueil d'Ordonnances Tome XI, p. 231; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016).

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ARRANGEMENT OF SECTIONS

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3. Regulations by Department.
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SCHEDULE Ordinances Repealed.

(Made on 16th May, 1956.)

The Export of Produce (Control of Export and Delivery for Export) Ordinance, 1956

THE STATES, on the representations of the States Committee for Horticulture, hereby order: –

Definitions.

1. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"**[the Committee]**" means the States [Committee for Home Affairs],

"**export**" means export by way of trade and "**exported**" shall be construed accordingly,

"**the Island**" means the Islands of Guernsey, Herm and Jethou,

"**preserved**" means treated by drying, tinning, bottling, cooking, pickling or deep-freezing,

"**produce**" means fruit, vegetables, tomatoes, potatoes, mushrooms, roots, flowers, ferns, herbs, foliage, or any other agricultural or horticultural produce grown in the Island, but does not include any such produce which is preserved.

NOTES

In section 1, the words in the first and second pairs of square brackets in the definition of the expression "the Committee" were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016,

respectively section 5(1), Schedule 3, paragraph 7 and section 2, Schedule 1, paragraph 6(a), with effect from 1st May, 2016.¹

*The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for Home Affairs and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 6(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.*²

Prohibition of export except from harbour or airport.

2. A person shall not, save under special or general authority in writing in that behalf of [the Committee], export, cause to be exported or attempt to export produce from the Island otherwise than from the Harbour of St. Peter Port or the States Airport and otherwise than in accordance with the provisions of any regulation made by [the Committee] under section three of this Ordinance.

NOTE

In section 2, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

Regulations by [Committee].

3. [The Committee] may, from time to time, by regulation –
- (a) prescribe the hours during which, and the conditions subject to which, produce or categories of produce may be delivered for export to the Harbour of St. Peter Port or the States Airport or any other place duly authorised for that purpose,
 - (b) control, whether by absolute prohibition or partial

restriction, the movement, on the quays or jetties of the said Harbour or within the precincts of the said Airport or of any other place duly authorised for the export of produce, of any vehicles carrying produce for export which arrive at a time other than during the hours prescribed under paragraph (a) of this subsection.

NOTES

In section 3, and the marginal note thereto, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 7, with effect from 1st May, 2016.

The following Regulations have been made under section 3:

Export of Produce (Control of Export and Delivery for Export) (No. 20) Regulations, 1960;

Export of Produce (Control of Export and Delivery for Export) (No. 6) Regulations, 1963.

Offences.

4. Any person who contravenes any of the provisions of this Ordinance or of any regulation made thereunder shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 1 on the uniform scale].

NOTE

In section 4, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Repeals.

5. The Ordinances set out in the first column of the Schedule to this Ordinance are hereby repealed to the extent set out in the second column of that

Schedule.

Commencement.

6. This Ordinance shall come into force on the 21st day of May, 1956.

SCHEDULE

Section 5

Ordinances Repealed

<i>First Column</i>	<i>Second Column</i>
<p>Ordinance entitled "Ordonnance relative à l'Inspection des Produits du Sol (autres que les Tomates) exportés de cette Île", of the 24th day of February, 1934</p>	<p>Article II.</p>
<p>Ordinance entitled "Ordonnance portant amendement à l'Ordonnance relative à l'Exportation de Fruits et autres produits", of the 26th day of February, 1938.</p>	<p>The Whole Ordinance.</p>
<p>The Export of Tomatoes (Packing and Grading) Ordinance, 1953.</p>	<p>Section 6.</p>

NOTE

The Ordonnance relative à l'Inspection des Produits du Sol (autres que les Tomates) exportés de cette Île, 1934 has since been repealed by the Export of Produce (Other than Tomatoes) (Packing and Grading) Ordinance, 1956, section 12, Schedule, with effect from 11th June, 1956. The Export of Produce (Other than Tomatoes) (Packing and Grading) Ordinance, 1956 has since been repealed by the European Communities (Food and Feed Controls) (Guernsey) Ordinance, 2016, section 92, Schedule 11, with effect from 3rd October, 2019.

The Export of Tomatoes (Packing and Grading) Ordinance, 1953 has since

been repealed by the Export of Tomatoes (Packing and Grading) Ordinance, 1961, section 10, Second Schedule, with effect from 20th March, 1961. The Export of Tomatoes (Packing and Grading) Ordinance, 1961 has since been repealed by the Export of Tomatoes (Packing and Grading) Ordinance, 1980, section 13, Second Schedule, with effect from 7th April, 1980. The Export of Tomatoes (Packing and Grading) Ordinance, 1980 has since been repealed by the European Communities (Food and Feed Controls) (Guernsey) Ordinance, 2016, section 92, Schedule 11, with effect from 3rd October, 2019.

¹ The words "Committee for Home Affairs" were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 3(a), with effect from 6th May, 2004.

² The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Ordinance were previously transferred to and vested in them, respectively, from the Board of Administration and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 3(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.