

# ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

## **The Potatoes (Wart Disease) Ordinance, 1950 \***

[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 X, p. 83; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Plant Protection (Transfer of Functions) Ordinance, 1957 (Recueil d'Ordonnances Tome XI, p. 305); 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). This Ordinance has been repealed by the Plant Health (Enabling Provisions) (Guernsey) Law, 2014 (No. X of 2014).

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**The Potatoes (Wart Disease) Ordinance, 1950**

ARRANGEMENT OF SECTIONS

1. Repeal.
- 2-3. Potatoes affected with Wart Disease.
4. Penalty.

REPEALED

(Made on 17th May, 1950.)

## The Potatoes (Wart Disease) Ordinance, 1950

**THE STATES**, on the representations of the States Committee for Agriculture and Fisheries, hereby order: –

### **Repeal.**

1. The Ordonnance prohibant l'Importation de Pommes de Terre en cette Île of the 24<sup>th</sup> day of April, 1922, is hereby repealed.

### **Potatoes affected with Wart Disease.**

2. Any person who knows or has reason to believe that potatoes in his possession or under his control are affected with Wart Disease shall immediately inform the States [Committee for Economic Development] (hereinafter in this Ordinance referred to as "**the Committee**") of the whereabouts of the potatoes in question and of his reasons for believing that they are affected with Wart Disease and shall permit any person authorised in that behalf by the Committee to have access to and to remove the potatoes.

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### **NOTES**

*In section 2, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 1(a), with effect from 1st May, 2016.<sup>1</sup>*

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

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3. (1) The Committee may, in respect of any potatoes known or reasonably suspected by them to be affected with Wart Disease, take such steps as may in their opinion be necessary to prevent the spread therefrom of that disease, and may in writing require any person in whose possession or under whose control such potatoes are to dispose of those potatoes in such manner as the Committee may

thereby direct.

(2) Subject to the provisions of the last preceding sub-section, a person shall not knowingly sell or offer for sale any potato affected with Wart Disease.

(3) No person shall plant any potato other than a potato of a variety approved by the Committee as being immune from Wart Disease in any land on which Wart Disease has at any time occurred.

**Penalty.**

4. Any person who fails or neglects to comply with the provisions of this Ordinance or with any requirement or direction of the Committee given thereunder shall be guilty of an offence and liable on conviction to a fine not exceeding [level 1 on the uniform scale].

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**NOTES**

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

*The Ordinance was made and came into operation on 17th May, 1950.*

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<sup>1</sup> These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 10, with effect from 6th May, 2004.

<sup>2</sup> The functions, rights and liabilities of the Commerce and Employment Department and its Minister arising under or by virtue of this Ordinance were previously transferred to and vested in them, respectively, from the Committee for Horticulture and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 10, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the function and powers vested in, and all rights and liabilities enjoyed by, or incumbent on, the Committee for Horticulture under and by virtue of the provisions of this Ordinance were previously transferred to it from the States Committee for Agriculture and Fisheries by the Plant Protection (Transfer of Functions) Ordinance, 1957, section 1, with effect from 23rd January, 1957, subject to the savings in section 2 of the 1957 Ordinance.