

PERMANENT ORDINANCES

OF
THE STATES

PROVISIONAL ORDINANCES IN FORCE ON THE 31st DECEMBER, 1949,
WHICH, BY VIRTUE OF PARAGRAPH (3) OF ARTICLE 70 OF THE REFORM
(GUERNSEY) LAW, 1948, BECAME PERMANENT ORDINANCES OF THE
STATES ON THE 1st JANUARY, 1950, AND WHICH HAD NOT BEEN REPEALED
BEFORE THE 15th NOVEMBER, 1951.

COMPILED UNDER THE AUTHORITY OF
THE ROYAL COURT BY
L. M. CAULFEILD-STOKER, H.M. COMPTROLLER.

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ORDINANCES OF THE STATES

Provisional Ordinances of the Royal Court, which, by virtue of paragraph (3) of Article 70 of the Reform (Guernsey) Law, 1948, became permanent Ordinances of the States on the 1st January, 1950.

Ordonnance relative au Beurre Importé, 1933 (Le 18 février 1933)

Attendu que d'après un usage bien établi et reconnu, le beurre guernesiais se vend dans une forme particulière et distinctive, et sur les représentations du Comité des Etats pour l'Agriculture et la Pêche qu'il s'est informé des cas où le beurre importé est vendu dans cette forme même, après avoir été coloré, le tout dans de dessein de lui donner l'apparence de beurre de cette Ile.

La Cour, afin de prévenir la déception qui pourra s'opérer à cause de ce que dessus et autrement, ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne: —

1. (a) In this Ordinance: —

Definitions

“Guernsey Butter” means butter produced from milk or cream obtained from a cow of the Guernsey breed in Guernsey.

“Guernsey Form” means the form in which Guernsey butter is prepared for sale, that is to say, a circular pat, conforming in general contour to the representation figuring in the Schedule to this Ordinance and bearing on one of its plane surfaces an imprint consisting of a design surrounded by the name and address of the producer in a circular outline, and shall include any portion of such circular pat recognisable as such.

(b) This Ordinance shall apply as though the Islands of Herm and Jethou formed part of the Island of Guernsey.

Sale of imported butter

2.—It is forbidden to sell or expose for sale any butter imported into Guernsey unless such butter bears a clearly legible stamped impression of the words “imported butter” or of words indicating its origin, or unless it is wrapped in material bearing in clearly legible print the words “imported butter” or words indicating its origin. Provided that this prohibition shall not extend to butter supplied with and forming part of a meal.

Imported butter or substitutes not to be sold in Guernsey Form

3.—It is forbidden to sell or expose for sale in Guernsey Form or in any form resembling Guernsey Form whether in respect of shape or imprint:—

- (a) any butter imported into Guernsey, other than butter produced in and imported from Jersey, Alderney or Sark which complies with the provisions of the preceding Article, or
- (b) any substance used or intended for use as a substitute for butter, or for any purpose for which butter is or can be used.

Penalty for contravention

4.—Every person who shall act in breach of this Ordinance shall be guilty of an offence and on conviction shall be liable to a fine not exceeding £10. Where an analysis has been obtained in connection with a prosecution under this Ordinance the Court, if it considers the same to have been material to the case, may award costs not exceeding £2 in respect thereof in addition to the costs of the prosecution or otherwise.

Ordinance of 12th May, 1928, repealed

5.—The Ordinance entitled “Ordonnance provisoire relative au Beurre Importé” of the 12th of May, 1928, is hereby repealed provided that any offence committed under that Ordinance before such repeal becomes effective may be prosecuted and punished as if such repeal had not been enacted.

OF THE STATES

Schedule referred to in the foregoing Ordinance



**Ordonnance portant Règlement dans le Commerce
de Bétail (Le 8 avril 1907)**

Attendu qu'il convient de codifier les Ordonnances portant règlement dans le commerce de bétail, et défendant l'importation de la viande, de cochon et du lard venant de la France.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

Importation
de taureaux
interdite

1.—L'importation de taureaux est interdite en cette Ile et dans les îles de Sercq, Herm et Jethou, sous peine de confiscation de tout taureau importé, et en outre d'une amende, à discrétion de Justice, qui n'excédera pas £150 tournois, tant sur l'importateur du taureau et sur toute personne qui aura assisté à son débarquement que sur le maître ou propriétaire du navire d'au bord duquel il aura été débarqué.

* 2.

† 3.

Débarque-
ment de
bêtes à
cornes, etc.

4.—Il est défendu de débarquer des bêtes à cornes, brebis, chèvres, cochons ou autre bétail en cette île ailleurs que dans le Havre de St. Pierre-Port sous peine de confiscation de tout bétail débarqué en contravention à cet article et en outre d'une amende, à discrétion de Justice, qui n'excédera pas £25 stg. tant contre le maître ou le propriétaire du navire d'au bord duquel du bétail aura été débarqué en contravention à cet article, que sur l'importateur de tel bétail et toute personne assistant à son débarquement.

Sercq, Herm
et Jethou

5.—Il est défendu de débarquer dans les îles de Sercq, Herm et Jethou des bêtes à cornes autres que celles de la race de cette île et de l'île d'Auregny sur une pénalité, à discrétion de Justice, qui ne sera pas moindre de £25 stg. et n'excédera pas £100 stg.

* Repealed by "Ordonnance provisoire par rapport à l'importation en cette Ile de Bêtes à Cornes" of the 5th October, 1925.

† New Article substituted by Supplementary Ordinance of the 23rd October, 1937.

‡ 6.

§ 7.

§ 8.

9.—Il est permis de débarquer dans aucune partie du Havre de St. Pierre-Port, sauf sur la Chaussée du Château, des bêtes à cornes arrivant en cette île des autres îles de ce Bailliage sans qu'elles soient placées dans les écuries avec abattoirs sur la Chaussée du Château, pourvu que l'importateur produise au Maître du Port un certificat d'un Magistrat de l'île d'Auregny ou du Sénéchal de l'île de Sercq, suivant le cas, constatant que les dites bêtes sont du produit de la dite île ou de l'île de Guernesey et qu'il n'y a pas de maladie contagieuse parmi le bétail de ladite île, faute de quoi elles seront placées dans les susdites écuries.

Des bêtes
à cornes
arrivant
des autres
îles de ce
Bailliage

Si le Maître du Port le juge à propos il est autorisé à faire conduire les dites bêtes aux appentis de la Chaussée St. Julien et de les y placer pour tel terme qu'il jugera à propos le tout aux frais de l'importateur. Et ne pourra l'importateur emmener les dites bêtes sans la permission du Maître du Port sous peine d'une amende, à discrétion de Justice, qui n'excédera pas £20 sterling.

10.—Le débarquement des bêtes à cornes, brebis, chèvres, cochons, ou autre bétail aura lieu sous la surveillance d'un des employés du Maître du Port.

Surveillance
du débarque-
ment

* 11.

12.—Tout importateur de bêtes à cornes, brebis, chèvres, cochons ou autre bétail, chevaux, mulets ou ânes sera tenu dès leur arrivée en cette île, d'en donner connaissance à l'Inspecteur-Vétérinaire nommé par la Cour Royale, et de déposer, au bureau du Maître du Port, une liste par écrit constatant l'espèce et la quantité dudit bétail. Et ne pourra l'importateur prendre

Connaissance
sera donnée à
l'Inspecteur-
Vétérinaire

‡ This Article was not renewed on the 19th September, 1931.

§ Repealed by "Ordonnance provisoire prohibant l'importation de Bétail en cette Ile" of the 10th July, 1920.

* Repealed by repealing Ordinance of the 21st January, 1935.

possession dudit bétail et l'emmener sans la permission dudit Inspecteur, sur la peine d'une amende, à discrétion de Justice, qui ne sera pas moindre de £14 tournois et n'excédera pas £100 tournois.

L'inspection,
etc.

13.—L'Inspecteur nommé par la Cour Royale pour l'inspection de bétail et la visite de chevaux fera l'inspection des bêtes à cornes, brebis, chèvres, cochons, ou autre bétail débarqués dans cette île ou conduits à l'abattoir public; il fera détenir tout animal qu'il trouvera être malsain ou impropre à la nourriture humaine et en fera sans délai un rapport au Superviseur de la Chaussée. Le Superviseur avertira l'importateur ou le propriétaire que l'animal sera abattu à moins d'être envoyé de cette île.

L'importateur ou le propriétaire pourra appeler devant la Cour Ordinaire dont la décision sera finale.

* 14.

Débarquement de
chevaux
et ânes

15.—Tout bétail ainsi que tous chevaux et ânes apportés dans le Havre de St. Pierre-Port seront débarqués au moyen de boîtes à chevaux anglicé *horse boxes*, ou d'élingues ayant une ventrière en canevas tendue à l'aide de lattes et garnie de cordes pour le devant et le derrière de la bête, chaque corde étant terminée par un œillet en fer le tout sous peine d'une amende de dix chelins stg. tant sur le maître du navire d'au bord duquel une bête sera débarquée en contravention à ce que dessus, que sur l'importateur de la dite bête.

† 16.

Penalités

17.—Les pénalités imposées par la présente Ordonnance seront applicables moitié à Sa Majesté et moitié au délateur.

‡ Cédule.

* Repealed by repealing Ordinance of the 21st January, 1935.

† New Article substituted by Supplementary Ordinance of the 6th October, 1919.

‡ Repealed by "Ordonnance provisoire par rapport à l'Importation en cette Ile de Bêtes à Cornes" of the 5th October, 1925.

**Ordonnance supplémentaire à l'Ordonnance portant
règlement dans le Commerce de Bétail (Le 6 octobre 1919)**

La Cour, ouïes les conclusions du Procureur du Roi a rappelé et rappelle l'article 16 de l'ordonnance portant règlement dans le commerce de bétail passée aux Chefs-Plaids d'après Pâques tenus le 8 avril 1907 et y a substitué l'article suivant lequel sera censé faire partie de la dite Ordonnance.

16.—Il est défendu d'embarquer du bétail pour être débarqué dans un port du Royaume-Uni sur un bateau à vapeur ou autre navire lequel a été dans aucun port d'un des pays mentionnés dans la cédule annexée à la dite Ordonnance moins de vingt et un jours avant l'embarquement du dit bétail et lequel navire a dans les vingt-huit jours auparavant transporté du bétail d'un des dits ports, sous peine d'une amende à discrétion de Justice contre le propriétaire, le maître ou l'agent responsable de tel bateau à vapeur ou autre navire, qui ne sera pas moins de £5 stg. et n'excédera pas £50 stg.

Conditions
d'embarque-
ment

**Ordonnance supplémentaire à l'Ordonnance portant
règlement dans le Commerce de Bétail
(Le 23 octobre 1937)**

VU les représentations faites à la Cour par le Comité des Etats pour l'Agriculture et la Pêche ci-après désigné "Comité":

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle l'Ordonnance provisoire supplémentaire à l'Ordonnance portant règlement dans le Commerce de Bétail passée le 9 décembre 1922 (par laquelle Ordonnance l'Article 3 de l'Ordonnance portant règlement dans le Commerce de Bétail passée aux Chefs Plaids d'après Pâques tenus le 8 avril 1907 fut rappelé et un nouvel Article 3 y fut substitué) et a ordonné et ordonne que l'Article 3 qui ensuit sera censé désormais former partie de la dite Ordonnance passée le 8 avril 1907: —

Importation
de cochons

3. (1) L'importation d'aucun cochon en cette Ile ailleurs que de la Grande Bretagne, de l'Irlande et des Iles d'Auregny, de Sercq, d'Herm et de Jethou est interdite sous peine de confiscation de tout cochon importé en contravention aux dispositions de cet alinéa et d'une amende à discrétion de Justice qui n'excédera pas £20 sterling tant sur l'importateur et sur toute personne qui aurait aidé au débarquement du cochon que sur le maître ou propriétaire du navire ou du bateau duquel tel cochon aura été débarqué.

(2) (i) L'importation d'aucun cochon en cette Ile de la Grande Bretagne et de l'Irlande est interdite à moins que —

- (a) en ce qui concerne l'importation d'aucun verrat ou d'aucune truie pour les besoins de l'élevage seulement, l'importateur n'ait préalablement obtenu la permission par écrit du Comité; et
- (b) en ce qui concerne l'importation d'aucun cochon pour tout autre objet l'importateur n'ait préalablement obtenu la permission de la Cour Royale siégeant en Corps sur une requête à elle présentée à ces fins: et
- (c) les conditions à être observées par rapport à l'importation qui sont narrées dans la permission d'importer ne soient observées.

(ii) La Cour Royale siégeant en Corps et le Comité pourront attacher à toute permission d'importer par eux octroyée respectivement aux fins de cette Ordonnance telles conditions qu'ils trouveront nécessaires et y attacheront les conditions suivantes: —

Que tout cochon importé aux fins de telle permission—

- (a) sera accompagné d'un certificat d'un Chirurgien Vétérinaire ayant examiné le cochon dans les quarante-huit heures qui auront précédé la consignation du cochon

à l'effet que le cochon se trouve en bonne santé:

- (b) sera accompagné d'un certificat du Surintendant de Police du district de provenance du cochon à l'effet que les maladies dites "Foot and Mouth Disease" et "Swine Fever" n'existent pas au lieu de provenance du cochon ni dans un rayon de quinze milles autour de tel lieu:
- (c) sera inspecté lors de son débarquement par le Chirurgien Vétérinaire des Etats aux frais de l'importateur:
- (d) sera sujet à être mis en quarantaine aux frais de l'importateur dans tel lieu et pour telle période que le Comité jugera nécessaire.

(iii) Dans le cas de l'importation d'un cochon de la Grande Bretagne ou de l'Irlande sans la permission de la Cour Royale ou du Comité, selon le cas, ou dans le cas qu'à l'occasion de l'importation d'un cochon de la Grande Bretagne ou de l'Irlande avec la permission de la Cour Royale ou du Comité, les conditions attachées à l'octroi de la permission ou aucune d'elles, ne soient pas observées, le cochon importé sera sujet à être confisqué et l'importateur sera passible d'une amende à discrétion de Justice qui n'excédera pas £20 sterling.

(3) Tout cochon importé d'aucune des Iles d'Auregny, de Sercq, d'Herm ou de Jethou sera inspecté lors de son débarquement par le Chirurgien Vétérinaire des Etats aux frais de l'importateur et sera sujet à être mis en quarantaine aux frais de l'importateur dans tel lieu et pour telle période que le Comité trouvera nécessaire.

(4) Le Comité pourra ordonner l'abatage et la destruction de la carcasse de tout cochon importé en cette Ile qui se trouve dans un état malsain.

(5) Toute personne qui, sans la permission du Maître du Port, emmenera un cochon importé du lieu où il se

trouve avant que tel cochon n'ait été inspecté et trouvé sain par le Chirurgien Vétérinaire des Etats ou qui enlevera d'un lieu de quarantaine tout cochon importé sujet à y rester sera passible d'une amende à discrétion de Justice qui n'excédera pas £20 sterling et sera le cochon ainsi emmené ou enlevé sujet à être confisqué.

(6) Il est défendu d'importer de la France de la viande de cochon ou du lard, sous peine d'une amende contre l'importateur à discrétion de Justice qui n'excédera pas £10 sterling et de la confiscation de la marchandise importée en contravention de cet alinéa.

**Ordonnance par rapport à l'Importation en cette Ile
de Bêtes-à-Cornes, Sabots, Peaux et Abattis de Bétail
(Le 2 novembre 1929)**

La Cour, ouïes les conclusions des Officiers du Roi a rappelé l'Ordonnance provisoire ayant rapport à l'importation de bêtes-à-cornes en cette Ile passée le 12 octobre 1929, et y a substitué l'Ordonnance qui ensuit.

Importation
de Bêtes-à-
cornes,
Sabots, etc.

Il est défendu d'importer en cette Ile des bêtes-à-cornes, sabots et peaux de bétail excepté des autres Iles de ce Bailliage, et des abattis de bétail excepté du Royaume Uni et des autres Iles de ce Bailliage sous peine d'une amende à discrétion de Justice qui n'excédera pas £100 tant contre le Maître ou propriétaire du navire que contre l'importateur, ainsi que de l'abatage de la bête importée et la destruction des sabots, peaux et abattis importés en contravention à ce que dessus.

L'importation de brebis, moutons et chèvres continuera à être réglée par l'Ordonnance passée aux Chefs-Plaids d'après Noël tenus le 18 janvier 1926.

**Ordonnance relative à l'Importation de Brebis, Moutons
et Chèvres dans cette Ile (Le 18 janvier 1926)**

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:

Il est défendu d'importer dans cette Ile des brebis, moutons et chèvres excepté avec la permission de la Cour Royale laquelle, sur une requête à elle présentée, pourra en autoriser l'importation sous telles conditions qu'elle trouvera nécessaires, le tout sous peine d'une amende à discrétion de Justice qui n'excédera pas £100 stg. tant contre le Maître ou propriétaire du navire que contre l'importateur, ainsi que de l'abatage de la bête importée en contravention à ce que dessus.

Sont et demeurent rappelées l'Ordonnance supplémentaire à l'Ordonnance provisoire ayant rapport à l'Importation en cette Ile de Bêtes à Cornes et à l'emballage de marchandises du 10 novembre 1923 passée le premier novembre 1924 et la section de l'Ordonnance par rapport à l'Importation en cette Ile de Bêtes à Cornes passée aux Chefs Plaids d'après la Saint Michel tenus le 5 octobre 1925 qui déclare que l'importation de chèvres, moutons et brebis sera réglée aux fins des dispositions de la dite Ordonnance du premier novembre 1924.

*** Ordonnance relative à l'Importation de Carcasses de Bétail (le 19 février 1927)**

Sur les représentations du Comité des Etats pour l'Agriculture que l'importation de carcasses (le mot "carcasse" étant ci-après défini par cette Ordonnance) du Continent de l'Europe pourra occasionner l'introduction de maladie parmi le bétail.

La Cour, ouïes les conclusions des Officiers du Roi a adopté les réglemens suivants rédigés en Anglais.

ARTICLE I

In this Ordinance "carcase" means the carcase of any cattle, sheep, pigs or goats, and includes meat, hides, skins, hair, bones, bone meal, hoofs, hoof meal, horns, horn meal, offal, blood, dried blood and blood meal, or

* Title changed by the "Ordonnance relative à l'Importation de la Grande Bretagne, de l'Irlande du Nord, de l'Eire, et de l'Ile de Jersey, de Produits de Carcasses de Bétail, etc. (1939)" of the 5th December, 1939.

any other part of a carcase, separately or otherwise or any portion thereof.

ARTICLE II

Parts of
a carcase
which
may be
imported

The landing in this Island of a carcase or part of a carcase as defined by this Ordinance brought from any country other than Great Britain, *Ireland or the other Channel Islands is hereby prohibited, except horn shavings, steamed bone flour, bone meal, bones, meat meal, horn meal and hoof meal, which may be landed provided that the conditions contained in Articles III and IV of this Ordinance are fulfilled.

ARTICLE III

Importation
of Horn
Shavings

Horn shavings from places other than those mentioned in Article II may be landed in this Island provided that every consignment is accompanied by a certificate signed by a duly authorised officer of the Government of the country of origin, stating:

- (i) The place of origin of the horn shavings;
- (ii) That the material referred to in the certificate has been submitted to the action of formaldehyde gas; that in the preparation of the formaldehyde gas there was used one pound of potassium permanganate to one pound of formalin (containing not less than 40 per cent. of formaldehyde solution) for every 1,000 cubic feet of space fumigated; that all apertures of the chamber in which the fumigation took place were completely sealed so as to prevent the escape of gas; and that the chamber remained unopened at least ten hours. The certificate should state that the process has been adopted.
- (iii) That after treatment every precaution was taken to prevent the re-infection of the sterilised product;

* For "Ireland" the words "Northern Ireland, Eire" were substituted on the 5th December, 1939.

- (iv) That the sterilised product was packed at the factory in new bags, and
- (v) That before the sterilised product was loaded into any vehicle, vessel or barge at a Continental port for conveyance direct to this Island, the said vehicle, vessel or barge was disinfected with a disinfectant solution equal in disinfective efficiency to a 5 per cent. solution of standard phenol.

ARTICLE IV

Steamed bone flour, bone meal, bones, meat meal, horn meal and hoof meal from places other than those mentioned in Article II may be landed in this Island provided that every importation be accompanied by a certificate of a duly authorised officer of the Government of the country of origin stating:

- (i) The factory of origin;
- (ii) That the material referred to in the certificate has been subject to one of the following methods of sterilisation (stating which method was adopted) namely:—
 - (a) subjection to a dry heat of 140° C. for not less than three hours, or
 - (b) subjection to a moist heat under steam pressure of not less than twenty pounds per square inch of fifteen minutes, or
 - (c) treatment of the bones, after they are broken, with the vapour of benzine boiling between 95° C. and 115° C. for not less than four hours, live steam to be thereafter admitted for an hour.
- (iii) That after treatment, every precaution was taken to prevent the re-infection of the sterilised product;
- (iv) That the sterilised product was packed at the factory in new bags, and

Importation
of Steamed
Bone Flour,
etc.

- (v) That before the sterilised product was loaded into any vehicle, vessel or barge at a Continental port for conveyance direct to this Island, the said vehicle, vessel or barge was disinfected with a disinfectant solution equal in disinfective efficiency to a 5 per cent. solution of standard phenol.

ARTICLE V

Penalty for
contravention
of Ordinance

If any carcase or part of a carcase is landed in this Island in contravention of this Ordinance, or if any of the products mentioned in Articles III and IV of this Ordinance are landed in this Island without the conditions prescribed in those Articles being fulfilled, the owner, the importer and all persons causing, directing or permitting the landing and the owner and Master of the vessel from which the goods are landed, shall each according to and in respect of his own acts or defaults be deemed guilty of an offence and be liable on summary conviction to a fine not exceeding £20.

**Ordonnance relative à l'Importation de la Grande Bretagne,
de l'Irlande du Nord, de l'Eire et de l'Île de Jersey de
Produits de Carcasses de Bétail, etc. (1939)
(Le 5 décembre 1939)**

SUR les représentations du Comité pour l'Agriculture et la Pêche et ouïes les conclusions des Officiers du Roi, LA COUR a ordonné et ordonne comme suit, savoir:—

Amendment
of 1927
Ordinance

1.—The Ordinance (No. V of 1927) dated the 19th day of February, 1927, and entitled “Ordonnance relative à l'Importation de Carcasses de Bétail” shall henceforth be styled “Ordonnance relative à l'Importation d'ailleurs que la Grande Bretagne, l'Irlande du Nord, l'Eire et les Iles de la Manche, de Carcasses, et de Produits de Carcasses, de Bétail (1927)” and may be cited as “The Importation Restrictions (Carcases and Animal Products) (Countries other than Great Britain, Northern Ireland,

Eire and the Channel Islands) Ordinance, 1927” and in Article II of that Ordinance, for the word “Ireland” there shall be substituted “Northern Ireland, Eire”.

2.—It is forbidden to land in this Island any of the products specified in the First Schedule to this Ordinance which are produced in or brought from Great Britain, Northern Ireland or Eire, until a declaration in writing, in the form contained in the Second Schedule to this Ordinance, and signed by the Manager or other responsible member of the staff of the factory or establishment from which the goods were consigned has been produced to the States Supervisor (which expression in this Ordinance includes the person for the time being acting as States Supervisor) or to his authorised representative.

Declaration
must be
produced

3.—It is forbidden to land in this Island any of the products specified in the First Schedule to this Ordinance which are produced in or brought from the Island of Jersey until a declaration in writing, in the form contained in the Third Schedule to this Ordinance, and signed by the Manager or other responsible member of the staff or establishment from which the goods were consigned has been produced to the States Supervisor or to his authorised representative.

Importation
from Jersey

4.—If any of the products aforesaid are landed in this Island in contravention of this Ordinance, the owner, the importer and all persons causing, directing or permitting the landing, and the owner and master of the vessel from which the goods are landed, shall each according to, and in respect of, his own acts or defaults be deemed guilty of an offence and be liable on conviction to a fine not exceeding £20, and the goods so landed shall be held by the States Supervisor who may order the same to be replaced on the vessel for conveyance from the Island or, if the Court shall so order, such goods shall be confiscated and destroyed or otherwise disposed of, at the cost of such person or persons as the Court may order. The owner and master of the vessel shall be severally bound

Penalty for
contravention

on such penalty as aforesaid to reshipe them and convey them from the Island without cost to the States if the States Supervisor shall so order.

Ordinances
repealed

5.—The provisional Ordinances entitled respectively “ Ordonnance provisoire supplémentaire à l’Ordonnance provisoire relative à l’Importation de Carcasses de Bétail du 19 février 1927 ” dated the 4th day of July, 1931 (No. XXII of 1931) and “ Ordonnance provisoire supplémentaire (Importation de Carcasses de Bétail) (Sacs d’Occasion), 1939 ”, dated the 4th day of November, 1939 (No. LIII of 1939) are hereby repealed.

Provided that such repeal shall not affect any penalty, forfeiture or punishment incurred in respect of any contravention of either of such repealed Ordinances nor any investigation or legal proceedings in respect of any such penalty, forfeiture or punishment, and any such investigation, or legal proceedings may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if those Ordinances had not been repealed.

6.—This Ordinance may be cited as “ The Importation Restrictions (Animal Products) (Great Britain, Northern Ireland, Eire and Jersey) Ordinance, 1939 ”.

ARTICLES 2 AND 3.

FIRST SCHEDULE

Hair, Bones, Bone Meal, Bone Flour, Meat Meal, Hoofs, Horns, Meal or Shavings of Hoofs and/or Horns, Tankage, Blood, Dried Blood, Blood Meal and similar fertilisers and meals of animal origin, and compound fertilisers and meals containing any of the above.

ARTICLE 2.

SECOND SCHEDULE

FORM OF DECLARATION

1. (Precise description of the goods in the consignment.)
2. (Name and address of the factory or establishment from which the goods are consigned, giving full details.)
3. (Port of lading.)
4. (Name and full address of consignee.)
5. (Supplementary remarks, if any.)

I, the undersigned, _____ of the factory
 or establishment of _____ known as

and situate at

do hereby declare on their behalf that the requirements
 of the Ministry * _____ of Agriculture
 Department _____
 and Fisheries of _____ as to sterilisation
 and treatment have been complied with in respect of the
 goods referred to above, and that the said goods were
 packed and despatched —

(a) in new bags *: or

(b) in bags which, before the said goods were
 packed therein and since the previous use of
 those bags for any purpose, have been effectively
 disinfected with a disinfectant solution equal
 in disinfective efficiency to a 5 per cent. solution
 of standard phenol.*

Dated this

Signature

Address

* Delete inapplicable words.

ARTICLE 3.

THIRD SCHEDULE

FORM OF DECLARATION

1. (Precise description of the goods in the consignment.)
2. (Name and address of the factory or establishment from which the goods are consigned, giving full details.)
3. (Name and full address of consignee.)
4. (Supplementary remarks, if any.)

I, the undersigned, _____ of the factory
 or establishment of _____ known as
 _____ and situate at
 _____ in the Island of Jersey, do hereby declare on their behalf
 that the goods referred to above were packed and
 despatched —

(a) in new bags *: or

(b) in bags which, before the said goods were
 packed therein and since the previous use of
 those bags for any purpose, have been effectively
 disinfected with a disinfectant solution equal
 in disinfective efficiency to a 5 per cent. solution
 of standard phenol.*

Dated this

Signature

Address

* Delete inapplicable words.

**Ordonnance (1933) supplémentaire à l'Ordonnance
relative à la Destruction de Carcasses de Bétail
(Le 2 décembre 1933)**

Vu la délibération des Etats du 29 novembre 1933 approuvant la recommandation du Conseil Administratif des Etats à l'effet que les frais de la destruction d'un animal ou la carcasse d'un animal par la Société dite "Guernsey Railway Company Limited" ainsi qu'ils sont prescrits par Ordonnance soient réduits par moitié.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

L'Article 2 de l'Ordonnance relative à la Destruction de Carcasses de Bétail du 5 octobre 1931 aura effet comme si:

- (a) dans l'alinéa (a) du dit article les mots "sept chelins six pennis" fussent substitués aux mots "quinze chelins" qui s'y trouvent, et
- (b) dans l'alinéa (b) du dit article les mots "trois chelins neuf pennis" fussent substitués aux mots "sept chelins six pennis" qui s'y trouvent.

**Ordonnance dite "The Importation and Export of Bovine
Semen and Artificial Insemination by Means of Imported
Bovine Semen (Prohibition) Ordinance, 1945".
(Le 15 décembre 1945).**

LA COUR, sur les représentations du Comité des Etats dit "States Committee for Agriculture and Fisheries" et ouïes les conclusions du Procureur du Roi, a ordonné et ordonne comme suit, savoir: —

1.—The importation into, and the exportation from, ^{Importation and} this Island of bovine semen and the artificial insemination ^{Exportation} in this Island of any bovine animal by means of imported ^{of Bovine} bovine semen, are hereby prohibited. ^{Semen} ^{Prohibited}

2.—Any person who imports or attempts to import ^{Penalty} bovine semen, or knowingly assists in the importation or attempted importation thereof, into this Island, or

who, in this Island, knowingly accepts delivery of any part of any consignment thereof imported into this Island, or procures or attempts to procure the artificial insemination of any bovine animal by means of imported bovine semen, or who exports or attempts to export bovine semen or knowingly assists in the exportation or attempted exportation thereof, from this Island, shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding Five hundred pounds.

Power
to seize
consignments

3.—The States Supervisor and any official acting under his authority and any officer of police is hereby empowered to seize any consignment of bovine semen imported into, or which is or appears to be intended to be exported from, this Island and, subject to the retention thereof for the purposes of evidence in any prosecution under this Ordinance, the States Supervisor shall cause the same to be destroyed.

The Export of Cattle Ordinance, 1948
(17th April, 1948)

THE COURT, in pursuance of the Resolution of the States of the 31st day of March, 1948, and having heard His Majesty's Procureur thereon, hereby orders:—

Definitions

1. In this Ordinance the following expressions shall have the meanings hereby respectively assigned to them—

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

“the island” means the Island of Guernsey.

Export of
bovine
animals

* 2. (1) From and after the 1st day of April, 1948, the export of bovine animals from the island shall be permitted only in respect of such particular classes of animal, in such numbers and for such periods in any calendar year as the States may from time to time by Resolution appoint, or may, prior to the date of the

* Amended by The Export of Cattle (Amendment) Ordinance, 1949.

passing of this Ordinance, have appointed, and subject to such conditions as the Committee may from time to time impose.

(2) No bovine animal may be exported unless a Licence in writing in that behalf shall previously have been obtained from the Committee. ^{Licences necessary}

(3) For the removal of doubt it is hereby declared that for the purposes of this section the expression "export" shall not include the export from the island of bovine animals brought into the island solely in transit between either of the islands of Alderney or Sark and some place outside the Bailiwick of Guernsey. ^{"Export" defined}

3. Any person attempting to export, exporting or causing to be exported or knowingly assisting in the export of a bovine animal contrary to the provisions of this Ordinance or of any States Resolution or in breach of any condition imposed by any Licence granted for the export of a bovine animal shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred pounds in respect of each such animal or to imprisonment with or without hard labour for a term not exceeding six months or to both such fine and such imprisonment. ^{Penalty}

**The Slaughter of Animals (Use of Humane Killers)
Ordinance, 1948. (18th June, 1948).**

THE COURT, on the representations of the States Board of Administration and of the Guernsey Society for the Prevention of Cruelty to Animals, and having heard His Majesty's Comptroller thereon, hereby orders:—

1. In this Ordinance the following expressions shall have the meanings hereby respectively assigned to them:— ^{Definitions}

- "Board" means the States Board of Administration:
- "licence" means a licence issued by the Board, authorising the holder to slaughter scheduled animals:

“licensed slaughterer” means a person who is in possession of a valid licence:

“scheduled animal” means an animal of a breed and above the age specified in the schedule to this Ordinance.

Penalty for unlicensed slaughterer

2. Any person other than a licensed slaughterer who slaughters a scheduled animal shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty pounds.

Penalty for use of improper humane killer

3. Any person who slaughters a scheduled animal otherwise than by the proper use of a humane killer of a type approved by the States Veterinary Officer shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds and to the suspension or cancellation of his licence, if any.

Conditions for issue of Licences

4. The Board shall not issue a licence to any person unless that person shall previously have satisfied the Board:—

- (a) That he has made adequate arrangements to be at all material times in possession of a humane killer;
- (b) That the humane killer is of a type approved by the States Veterinary Officer; and
- (c) That he is competent to use that humane killer.

Register

5. The Board shall compile and maintain a register of licensed slaughterers.

Exceptions

6. The provisions of this Ordinance shall not apply in the case of a scheduled animal slaughtered in order to spare it from unnecessary suffering.

Licences to be additional to other licences

7. The licence required under the provisions of this Ordinance shall be in addition to and not in substitution for any licence required by the provisions of the Slaughter of Livestock Ordinance 1946, or any enactment amending or replacing that Ordinance.

Herm and Jethou included

8. The provisions of this Ordinance shall apply to the Islands of Herm and Jethou.

SCHEDULE

Horses	One week.
Ponies	One week.
Donkeys	One week.
Mules	One week.
Pigs	Six weeks.
Goats	Six weeks.
Sheep	Six weeks.

**Ordonnance ayant rapport à l'établissement de Machines à Vapeur et à l'Exploitation de Carrières, supplémentaire à l'Ordonnance relative aux Routes, Rues et Chemins.
(Le 12 novembre 1921)**

La Cour, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle l'Article 29 de l'Ordonnance ayant rapport aux Routes, Rues et Chemins, passée le 25 janvier 1840, et y a substitué l'Article suivant lequel sera censé former partie de la dite Ordonnance.

Article XXIX

Il est défendu de construire, établir, ouvrir ou travailler de nouveau après avoir discontinué de ce faire pendant an et jour dans aucune partie de l'Ile, aucune Briqueterie, Tuilerie, Fourneau à Chaux, Distillerie, Fonderie, Manufacture à Savon ou Chandelles, Manufacture travaillée par le moyen d'une Machine à Vapeur, Moulin à Vent ou autre Usine, ou aucune Carrière pour l'exploitation de la pierre, par l'usage d'explosifs, sans avoir préalablement obtenu permission de la Cour Royale composée du Président et de sept Jurés pour le moins. Tout individu désirant obtenir permission donnera connaissance publique par le moyen d'une affiche publiée deux dimanches consécutifs au porche de l'Eglise de la paroisse où les lieux sont situés, et par le moyen d'une annonce publiée deux samedis consécutifs dans la *Gazette Officielle* française de cette Ile, du jour et de l'heure ^{Etablissement de Machines à Vapeur, etc.}

où il se proposera de s'adresser à la Cour à cet effet, afin que s'il s'y trouve des opposants ils soient à même de se présenter devant la Cour Royale pour faire valoir leur opposition. Il sera aussi tenu de faire examiner les lieux par un des Connétables de la paroisse qui pourra y appeler des experts, et lequel Connétable en fera son rapport à la Cour. Le tout sur la peine d'une amende qui ne sera pas moindre de Cinq livres sterling et n'excédera pas Dix livres sterling en outre la démolition de l'objet construit en contravention au présent Article.

Sont exceptés des provisions de cette Ordonnance les carrières que étaient en exploitation jusqu'à la fin de l'année 1914; et dont l'exploitation fut suspendue en conséquence de la guerre.

Ordonnance relative au Dépôt d'Immondices dans les Carrières. (Le 6 décembre 1924)

Attendu que le Comité Sanitaire des Etats a représenté à la Cour que dépôt d'Immondices et de matières animales et végétales dans les carrières cause de mauvaises odeurs, et est en conséquence nuisible à la santé;

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

Substances
nuisibles
dans les
carrières

Il est défendu de jeter ou de déposer dans les carrières, soit ordures, immondices, saletés, matières animales et végétales ou autres substances nuisibles, sauf avec la permission par écrit et sous la direction du Comité Sanitaire de la paroisse, sous peine d'une amende à discrétion de Justice qui n'excédera pas £10 sterling.

Amendes

Les amendes seront applicables moitié à Sa Majesté et moitié au délateur.

Ordonnance contenant des Règlements pour la Sureté des Employés dans les Carrières. (Le 15 novembre 1930).

Sur les représentations faites par le Comité des Etats dit "States Insurance Authority" recommandant l'adoption de certaines mesures de précaution dans le but d'éviter les accidents dans les carrières: —

La Cour, ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne: —

Part 1

**THE LIFTING AND LOWERING OF PERSONS
IN AND ABOUT A QUARRY.**

1. The use of a box cart for carrying a person or persons to higher or lower levels or across or over any part of a quarry or other place by suspension is strictly forbidden. ^{Use of box carts}

2. When a Quarry Box or a Horse Box is used for carrying a person or persons to higher or lower levels or across or over any part of a quarry or other place by suspension the following Regulations shall apply: — ^{Use of Quarry Boxes or Horse Boxes}

(1) The quarry box or horse box as the case may be and all chains, cables, hooks, rings and other attachments and gear employed therewith shall be of sufficient strength for such use.

(2) As soon as the quarry box or horse box containing a person or persons has been raised clear of the ground the lifting shall be stopped and shall not proceed until a careful examination by the person in charge has been made of every hook and other attachment taking the strain and which ought to take the strain, and it has been ascertained that the load is securely fastened and suspended and the strain is properly distributed.

(3) No quarry material or any other thing shall be carried except such things as the persons themselves were severally carrying on entering the box.

(4) In the case of a quarry box the following Regulations shall also apply: —

(a) A strong iron or wooden bar shall be securely fastened across the open end or open side of the quarry box and shall be parallel with and at least 18 inches above the floor of the box.

- (b) The number of persons shall not exceed one person for every four square feet of clear floor space.
 - (c) The number of persons who may be carried under these Regulations with the word "persons" there following shall be legibly painted on the exterior of each of two adjacent sides of the box, and each figure and letter shall have the height and width of two inches and one and one-quarter inches respectively.
- (5) In the case of a horse box the following Regulations shall also apply:—
- (a) The sides and ends of the box shall be at least 4 feet 6 inches in height.
 - (b) The number of persons carried shall not exceed the number that can be reasonably accommodated standing on the floor of the box.

Part II

THE USE OF LADDERS

3. Every ladder intended for use in or about a Quarry shall be securely fixed and strong and sound throughout and shall be so maintained.

4. It is forbidden while ascending or descending a ladder in or about a quarry to carry any hammer or other tool or implement or any other thing held in the hand or under the arm or resting on the shoulder or on the head. Every person acting in contravention of this section shall be liable on conviction to a fine not exceeding £7.

Penalty for
contravention
of
Regulations

5. Every contravention of these Regulations shall be an offence and except as otherwise herein provided the Manager of a quarry where such an offence is committed shall be liable on summary conviction to a fine not exceeding £50.

Ordonnance supplémentaire à l'Ordonnance contenant des Règlements pour la Sureté des Employés dans les Carrières, du 15 novembre 1930. (Le 7 mars 1931).

La Cour, ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne: —

1. When attaching a fuse to a detonator it is forbidden to use the teeth for the purpose of making or securing such attachment, on penalty of a fine not exceeding £5. Attaching fuses to detonators

2. For the purpose of securing the attachment of a fuse to a detonator, the manager of a quarry shall supply pliers suitable for the purpose and shall render the same available on all occasions when required for such purpose, on penalty of a fine not exceeding £10. Pliers to be supplied

Ordonnance portant règlement pour la perception de l'Impôt sur Cidre importé dans l'Ile. (Le 7 février 1931).

Vu l'Ordre de Sa Majesté en Conseil en date du 27 novembre 1930. enregistré sur les records de cette Ile le 20 décembre 1930 autorisant la levée d'un Impôt de trois pennis par gallon sur le Cidre importé dans l'Ile.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

1. Il est défendu de débarquer, ou d'apporter dans le dessein de débarquer du Cidre en cette Ile ailleurs que dans le Havre de Saint Pierre-Port sous peine de confiscation de tout Cidre apporté ou débarqué en contravention à cet Article, et en outre d'une amende, à discrétion de Justice, qui n'excédera pas £100 sterling, sur le maître ou propriétaire du navire d'au bord duquel tel Cidre aura été débarqué ou apporté dans le dessein de débarquer en contravention à cet Article, comme aussi sous peine d'une amende, à discrétion de Justice, qui n'excédera pas £50 sterling, sur toute personne aidant ou assistant à tel débarquement. Débarquement de Cidre

Transborde-
ment de
Cidre

2. Il est défendu de transborder du Cidre dans cette Ile ailleurs que dans la Rade ou le Havre de St. Pierre-Port, sous peine de confiscation de tout Cidre transbordé en contravention à cet Article, et, en outre, d'une amende, à discrétion de Justice, qui n'excédera pas £100 sterling, sur le maître ou le propriétaire du navire d'au bord duquel tel Cidre aura été transbordé en contravention à cet Article, comme aussi d'une amende, à discrétion de Justice, qui n'excédera pas £50 sterling, sur toute personne aidant ou assistant à tel transbordement.

Décharge-
ment de
Cidre

3. Il est défendu de décharger ou de transborder du Cidre entre les six heures du soir et les sept heures du matin, sans une permission spéciale du Maître de Port du Havre de Saint Pierre-Port, sous peine de confiscation de tout Cidre débarqué en contravention à cet Article, et, en outre, d'une amende, à discrétion de Justice, qui n'excédera pas £100 sterling sur le maître ou propriétaire du navire d'au bord duquel tel Cidre aura été débarqué en contravention à cet article comme aussi sous peine d'une amende, à discrétion de Justice, qui n'excédera pas £50 sterling, sur toute personne aidant ou assistant à tel débarquement.

Débarque-
ment de
Cidre dans les
Iles de Sercq,
d'Herm,
ou de Jethou

4. Il est défendu de débarquer ou d'apporter dans le dessein de débarquer du Cidre dans les Iles de Sercq, d'Herm ou de Jethou, ou dans les dépendances des dites Iles, à moins que le Cidre n'ait été chargé dans le Havre de Saint Pierre-Port, sous peine de confiscation de tout Cidre apporté ou débarqué en contravention à cet Article, et, en outre, d'une amende, à discrétion de Justice, qui n'excédera pas £100 sterling, sur le maître ou le propriétaire du navire d'au bord duquel tel Cidre aura été débarqué en contravention à cet Article, comme aussi sous peine d'une amende, à discrétion de Justice, qui n'excédera pas £50 sterling, sur toute personne aidant ou assistant à tel débarquement.

Règlements
à observer
par maîtres
de navires

5. Tout maître de navire qui apportera en cette Ile du Cidre sera tenu, dans les vingt-quatre heures de son arrivée et avant d'en débarquer aucune partie, de déposer

au Bureau du Receveur de l'Impôt une notification, par écrit, sous son seing, datée du jour qu'elle sera remise, énonçant :

Le nombre, les marques et l'espèce des futailles, bouteilles, jarres ou autres vaisseaux qui contiennent le Cidre;

Le nom du navire qui l'a apporté;

Le lieu où le dit Cidre aura été chargé;

Les noms des personnes à qui le dit Cidre appartient ou est consigné.

Et dans le cas que le dit Cidre soit apporté au bord de tel navire pour être transbordé, les marques, les nombres et l'espèce des futailles ou autres vaisseaux contenant tel Cidre seront constatés dans la dite notification; le tout sur la peine d'une amende, à discrétion de Justice, contre le dit maître ou le propriétaire de tel navire qui n'excédera pas £50 sterling.

6. Tout maître ou agent responsable de navire au bord duquel du Cidre sera chargé d'au bord d'un autre navire, sans que le dit Cidre ait été débarqué, sera tenu de déposer au Bureau du Receveur de l'Impôt une notification, par écrit, sous son seing, des marques, nombre et espèce des futailles ou autres vaisseaux contenant tel Cidre, ainsi que du nom du navire d'au bord duquel ils ont été pris, et de celui sur lequel ils sont chargés, et ce avant le départ de ce dernier; le tout sur la peine d'une amende, à discrétion de Justice, contre le maître, le propriétaire ou l'agent de tel navire, qui n'excédera pas £20 sterling.

7. Le propriétaire ou le consignataire de Cidre importé en cette Ile sera tenu, avant le débarquement d'aucune partie du dit Cidre, de déposer au Bureau du Receveur de l'Impôt une notification, sous son seing, datée du jour qu'elle sera remise, et énonçant:—

Le nombre, les marques et l'espèce des futailles, bouteilles, jarres ou autres vaisseaux qui contiennent le Cidre.

La quantité en gallons de la consignation.

Le lieu d'où le Cidre a été expédié.

Le tout sous peine d'une amende, à discrétion de Justice, contre le dit propriétaire ou consignataire, qui n'excédera pas £50 sterling.

Lorsque le propriétaire ou le consignataire de Cidre, ayant omis de faire à temps la déclaration susdite, alléguera qu'il n'a pu la remettre, vu qu'il ignorait l'arrivée du dit Cidre avant son débarquement, le Receveur de l'Impôt ne poursuivra pas le paiement de cette amende, s'il est satisfait que le retard a eu lieu sans faute de la part du dit propriétaire ou consignataire.

Devoirs
du maître
ou agent
responsable

8. Tout maître ou agent responsable de navire, qui apportera en cette Ile du Cidre, sera tenu de prévenir le Receveur de l'Impôt, lors du débarquement du dit Cidre et avant que le dit Cidre ait été transporté en magasin, sur la peine d'une amende, à discrétion de Justice, qui ne sera pas moindre de dix chelins sterling et n'excédera pas £2 sterling.

Examen
et jaugeage

9. Le Receveur de l'Impôt pourra faire examiner et jauger tout Cidre arrivant en cette Ile, et toute personne résistant à l'autorité du dit Receveur ou mettant aucun empêchement à l'examen et au jaugeage du dit Cidre, sera passible d'une amende, à discrétion de Justice, qui n'excédera pas £20 sterling.

Taussement
de l'Impôt

Il est défendu de prendre possession de tout Cidre débarqué avant que le montant de l'Impôt dû sur le dit Cidre n'ait été taussé par le Receveur de l'Impôt ou ses agents, sous peine d'une amende, à discrétion de Justice, qui n'excédera pas £50 sterling.

Personne
prenant
possession
par
ignorance

Lorsqu'une personne, ayant pris possession de Cidre ainsi débarqué alléguera qu'elle ignorait la nature de la marchandise et que l'emballage était d'une forme qui n'en révélait pas le contenu, le Receveur de l'Impôt ne poursuivra pas le paiement de cette amende s'il est persuadé que la prise en possession a eu lieu sans faute de la dite personne.

Paiement
de l'Impôt

10. Tout propriétaire ou consignataire de Cidre importé en cette Ile sera tenu de payer au Receveur de l'Impôt avant livraison, trois pennis par gallon pour tout Cidre

introduit en cette Ile, sous peine d'une amende (outre le paiement des dits droits) laquelle ne sera pas moins de 10s. sterling et n'excédera pas £2 sterling; bien entendu que le dit propriétaire ou consignataire aura la faculté, au lieu de payer le dit Impôt et de prendre possession du dit Cidre, de le déposer dans un des magasins des Etats au dire du Receveur de l'Impôt. L'Impôt sera payé sur le nombre d'anglicé "English Standard Gallons," que les vaisseaux contiennent.

La mise en magasin sera faite aux frais et risques des dits propriétaires ou consignataires et le dit Cidre demeurera à leurs frais et risques pendant qu'il sera dans les magasins des Etats. Il sera payé pour emmagasinage, comme suit:—

3d. par semaine pour chaque fut contenant au delà de 60 gallons.

2d. par semaine pour chaque fut contenant au delà de 30 gallons et n'excédera pas 60 gallons.

1d. par semaine pour chaque fut n'excédant pas 30 gallons de capacité.

$\frac{1}{2}$ d. par semaine pour chaque douzaine de bouteilles.

11. Le Cidre retiré des magasins des Etats et exporté hors de cette Ile en quantités de quatre gallons et demi et au-delà (a) étant cargaison destinée pour tout port hors de l'Ile ou (b) pour l'approvisionnement de navires destinés pour tout port hors du Bailliage pour l'usage de leurs équipages et passagers, sera exempté du paiement de l'Impôt, et le remboursement de l'Impôt payé aura lieu sur telle exportation de Cidre en quantités de quatre gallons et demi et au-delà pourvu que la partie demandant la dite exemption dépose au Bureau du Receveur de l'Impôt, entre les neuf heures du matin et les trois heures de l'après-midi du jour précédant l'embarquement du Cidre, une notification, par écrit, sous son seing, datée du jour qu'elle sera remise, énonçant:—

(a) Le nombre, les marques et l'espèce des futailles, bouteilles, jarres ou autres vaisseaux qui contiennent le Cidre;

(b) La quantité en gallons de tel Cidre;

(c) Le nom du navire au bord duquel il se propose d'embarquer le dit Cidre.

Le remboursement de l'Impôt payé aura lieu aussi à l'égard du Cidre tiré hors des magasins particuliers et exporté aux fins des alinéas (a) ou (b) sujet aux conditions ci-dessus, et en outre après que la partie demandant tel remboursement aura fait et signé une déclaration par écrit au Receveur de l'Impôt à l'effet que l'Impôt exigé par cette Ordonnance a été payé sur tel cidre. Pourvu que la dite déclaration ne sera plus exigée après le 30 juin 1931.

Celui qui fera une fausse déclaration à l'effet que dessus sera passible sur conviction d'une amende à discrétion de Justice qui n'excédera pas £50 stg., sauf à lui de prouver qu'il avait bonne et suffisante raison de croire que ce qu'il avait déclaré était vrai.

L'Impôt sur le Cidre retiré des magasins des Etats pour être consommé dans l'Ile sera payé par le propriétaire lorsqu'il en prendra possession.

Exemption
ou
rembourse-
ment accordé

12. Il est défendu de remettre à terre aucun Cidre pour lequel une exemption ou un remboursement auront été accordés suivant l'Article 11 de cette Ordonnance, sur la peine de confiscation de tout Cidre remis à terre en contravention à cet Article et d'une amende, à discrétion de Justice, qui n'excédera pas £100 sterling sur le maître ou propriétaire du navire d'au bord duquel tel Cidre aura été remis à terre en contravention à cet Article, comme aussi sur la peine d'une amende, à discrétion de Justice, qui n'excédera pas £50 sterling, sur toute personne aidant ou assistant à tel débarquement.

Définitions

13. Le mot " navire " employé dans cette présente Ordonnance, s'appliquera à tout vaisseau, barque, bateau ou autre bâtiment de mer. Les mots " Receveur de l'Impôt," employés dans cette présente Ordonnance, s'appliqueront au Superviseur et à toute personne employée par les Etats de cette Ile à le recette de l'Impôt sur le Cidre.

14. Seront les susdites amendes et les confiscations Amendes applicables moitié à Sa Majesté, et moitié au délateur.

Ordonnance relative aux Communes du Valle
(Le 25 juin 1932)

Sur la requête du Comité des Communes du Valle, présentant l'avis des Habitants du Clos du Valle constaté à une assemblée des dits Habitants tenue le 3 mars 1931, que les Ordonnances présentement en force par rapport aux Communes du Valle ne conviennent plus aux besoins du temps présent et qu'il serait dans l'intérêt général de soumettre les Communes tant comme lieu d'agrément public que comme lieu où des droits communaux s'exercent, à un contrôle plus effectif, la Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

1.—Dans cette Ordonnance

Définitions

(1) " Conseil " signifie le Conseil constitué en vertu de cette Ordonnance.

(2) " Habitant " signifie celui qui, ayant résidé dans le Clos du Valle pour un agrégat de pas moins de trois quarts d'une période de douze mois calendriers, a depuis résidé dans le Clos sans que ses absences d'icelui ont excédé un agrégat d'un quart d'aucune période de douze mois.

2.—(1) Le contrôle et la surveillance des Communes du Valle sont confiés à un Conseil qui sera appelé le Conseil des Communes du Valle et qui sera composé de cinq conseillers étant habitants du Clos du Valle dont deux pour le moins seront Douzeniers de la paroisse.

(2) Tout conseiller sera élu par les habitants à une assemblée des habitants dûment convoquée par le Conseil. Le terme de gestion d'un Conseiller sera de cinq ans et il sera toujours rééligible. Le Conseil élira son Président, Vice-Président, Trésorier et Secrétaire. Pourvu que les membres actuels du Comité de surveillance des Communes constitué en vertu de l'Ordonnance relative aux Communes

du Valle du 4 octobre 1875 formeront le Conseil constitué en vertu de cette présente Ordonnance et resteront en charge jusqu'à la fin de leurs termes de gestion respectivement, ainsi que tels termes furent réglés par la dite Ordonnance du 4 octobre 1875. Pourvu aussi que lorsqu'un Douzenier Conseiller cessera d'être Douzenier il cessera d'être Conseiller.

(3) Dans les séances du Conseil, trois Conseillers formeront un quorum. Celui qui préside à une séance ne votera que dans le cas qu'il y a égalité des voix des autres conseillers, dans lequel cas il aura une voix prépondérante.

(4) Dans le cas où la place d'un Conseiller deviendrait vacante par son décès, sa résignation ou autrement avant l'expiration de son terme de gestion, le Conseil nommera un Habitant pour le remplacer et ce jusqu'à l'expiration du terme de gestion du Conseiller ainsi remplacé. Un Conseiller qui sans cause valable s'absentera de trois assemblées consécutives du Conseil sera censé avoir résigné sa charge.

Les
assemblées
des habitants

3.—(1) Les assemblées des habitants seront convoquées et présidées par le Président ou, dans son absence par le Vice-Président du Conseil, ou, dans l'absence du Président et du Vice-Président, par le plus ancien en charge des Conseillers présents. Celui qui préside à une assemblée ne votera qu'après qu'une égalité des voix aura été constatée dans lequel cas il aura une voix prépondérante seulement.

Toute proposition dûment faite et secondée sera mise aux voix et les décisions de l'assemblée seront prises à la pluralité absolue des voix données.

L'avis de l'assemblée sera constaté par la levée de mains. Néanmoins si avant qu'une proposition ait été mise aux voix un nombre des habitants présents représentant pas moins d'un dixième des habitants présents demandent le scrutin secret le Président de l'assemblée sera tenu de se conformer à la dite demande. Dans tel cas le scrutin secret sera tenu soit séance tenante soit à une date ultérieure ainsi qu'il sera décidé par

l'assemblée qui, le cas échéant, fixera la date à laquelle l'assemblée sera ajournée.

La déclaration du Président sur les voix données, qu'une proposition a été adoptée ou a été rejetée sera finale.

(2) Toute assemblée des habitants autre qu'une assemblée ajournée sera convoquée au moyen d'une annonce insérée dans la *Gazette Officielle* de cette Ile et affichée au porche de l'Eglise de la paroisse du Valle le dimanche ensuivant, qui sera le dimanche avant le jour de l'assemblée. L'Annonce sera aussi insérée au moins une fois dans chacun des journaux quotidiens de cette Ile, au moins deux jours avant le jour de l'assemblée.

4.—En général, les fonctions du Conseil seront de ^{Fonctions} régler et surveiller l'usage des Communes tant comme ^{du Conseil} lieu où s'exercent des droits communaux de pâturage que comme lieu public d'agrément, de récréation et de divertissement et ce de manière à assurer autant que possible à tous et un chacun la facilité de se prévaloir des avantages et aménités du lieu aux fins que dessus et d'empêcher tout usage qui serait nuisible aux intérêts généraux. Le Conseil aura aussi les fonctions et pouvoirs qui lui sont ci-après attribués à ces fins. Pourra aussi le Conseil de temps en temps faire des règlements généraux ou spéciaux concernant le dit usage des Communes. Tous règlements ainsi faits seront soumis à la Cour Royale pour sa sanction après avoir été publiés dans la partie Officielle de la *Gazette Officielle* de cette Ile avec avertissement du jour et heure fixés pour telle soumission le tout dans une livraison de la dite *Gazette* émise avant tel jour. En recevant la sanction de la Cour Royale avec tels amendements que la Cour pourra y apporter, ils auront la force d'une Ordonnance de la Cour Royale et seront censés être supplémentaires aux dispositions de cette Ordonnance, mais seront sujets à rappel par la Cour le cas échéant. Les règlements qui n'auront pas reçu la sanction de la Cour Royale n'auront aucun effet.

LE PÂTURAGE DES ANIMAUX

**Droit de
pâture
les animaux**

5.—Le droit de pâturer les animaux sur les Communes est restreint aux habitants lesquels ne pourront y faire pâturer que des animaux qui leur appartiennent.

Paiements

6.—(1) Il sera payé au Conseil

Deux chelins par semestre d'avance pour chaque grande bête et neuf pennis par semestre d'avance pour chaque bête à laine ou biche, mise à paître sur les Communes, les dits semestres commençant le vingt-cinq mars et le vingt-neuf septembre de chaque année. Dans cet article " grande bête " signifie bête de l'espèce bovine ou chevaline, mulet et âne de n'importe quel âge.

(2) Tout propriétaire de bêtes sera tenu de donner au Conseil huit jours avant le commencement d'un semestre une liste spécifiant le nombre de grandes bêtes et de bercail et biches qu'il se propose de garder sur les Communes pour le semestre prochain.

(3) Un propriétaire de bêtes qui n'aura point donné la liste prescrite dans l'alinéa précédent, ou qui possède des bêtes en plus grand nombre que ce qui est spécifié dans la liste donnée, pourra les mettre à pâturer dans le courant d'un semestre après avoir fait les paiements requis par l'alinéa (1) de cet Article pour tel semestre.

(4) Tout propriétaire de bêtes sera passible d'une amende qui n'excédera pas £1 sterling par chaque bête mise à pâturer au delà du nombre pour lequel il aura payé.

**Surveillance
de bêtes**

*7.—

Tout propriétaire de brebis qui seront mises ou trouvées sur les Communes sera tenu de les garder ou les faire garder continuellement sous surveillance de jour et de nuit, le tout sous peine d'une amende pour chaque contravention à discrétion de Justice qui n'excédera pas deux livres sterling.

* New sentence substituted by supplementary Ordinance of 31st January, 1942.

8.—Il est défendu de mettre des boucs à pâturer sur les Communes. Il est aussi défendu de mettre des brebis à pâturer sur les Communes à moins qu'elles ne soient marquées de telle manière qu'elles puissent être identifiées. Il est également défendu de mettre des biches à pâturer sur les dites Communes à moins qu'elles ne soient fichées de jour et de nuit et gardées sous surveillance depuis le soleil couché jusqu'au soleil levé et à moins qu'elles ne portent un disc numéroté. Les marques d'identification des brebis et les discs des biches seront réglés au dire du Conseil. Tout contrevenant à cet article sera passible d'une amende qui n'excédera pas une livre sterling pour chaque bête mise à pâturer en contravention à ce que dessus.

9.—Les propriétaires de terres bordant les Communes sont tenus de garder les dites terres en bonne défense afin d'empêcher les bêtes et le bercail de sortir des Communes, sur la peine de perdre leur droit à toute réclamation pour le dommage causé par les bêtes et le bercail mis à pâturer sur les Communes, et en outre d'une amende à discrétion de Justice qui n'excédera pas deux livres sterling.

10.—Il est défendu de garder de la volaille sur les Communes dans les mois de juin, juillet, août ou septembre, sur la peine d'une amende contre le propriétaire qui n'excédera pas cinq chelins pour chaque tête de volaille qui y sera trouvée dans aucun des dits mois.

11.—Le propriétaire de toute grande bête, pièce de bercail ou biche, trouvée hors des Communes d'où elle aurait erré sera passible à une amende n'excédant pas cinq chelins par grande bête ou par pièce de bercail, ou biche ainsi trouvée.

LES JEUX ET DIVERTISSEMENTS

12.—Le Conseil est autorisé à permettre tous jeux et divertissements sur les Communes et ce sous telles conditions qu'il jugera à propos. Il pourra exiger

paiement de tous ceux qui se livrent aux jeux et divertissements. Il pourra aussi prohiber tous jeux et divertissements. Dans l'exercice de ses fonctions, le Conseil pourra aussi:—

- (a) s'entretenir tant avec les préposés des clubs et associations agissant pour et au nom des membres permanents ou temporaires d'iceux qui se seront formés pour l'avancement et l'organisation de jeux et divertissements, qu'avec des individus dans le but de faciliter la conduite de tels jeux et divertissements en leur assignant temporairement ou à terme des sites ou espaces pour être appropriés à la conduite des jeux et divertissements, et pour l'érection de tentes, estrades, tribunes et baraques. et pour le dépôt de tout appareil de jeu.
- (b) permettre (sujet à telles conditions que le Conseil pourra imposer) le fauchage de l'herbe, l'établissement de tapis verts (anglicé "greens") et les travaux et le dépôt de fumier et autre matériel requis pour leur maintien, l'enforcement de trous. l'enlèvement de gazon, les travaux de nivelage. de drainage, et d'irrigation, la construction de banquettes (anglicé "bunkers") et autres travaux accessoires au jeu de golf ou à d'autres jeux et divertissements, et l'emploi des véhicules nécessaires à tels travaux.
- (c) enclore ou permettre d'enclore de temps à autre temporairement des espaces pour occasions ou objets spéciaux.
- (d) ériger ou permettre l'érection d'un ou de plusieurs abris.
- (e) ériger des écritaux sur les dites Communes désignés à prévenir l'infraction de cette Ordonnance ou des règlements du Conseil.

Tentes ou
baraques

13.—(1) Pour chaque tente ou baraque qui sera érigée sur les Communes avec la permission du Conseil il sera payé au Conseil cinq chelins par jour sauf que dans le cas d'une tente ou baraque occupée pour la vente des

boissons alcooliques au profit de l'occupant, il sera payé une livre sterling par jour.

(2) En d'autres cas de permissions et assignations octroyées par le Conseil aux fins de l'article 12 de cette Ordonnance il sera payé au Conseil telles sommes soit une fois payées soit périodiquement que le Conseil règlera selon le cas.

14.—Toutes permissions et assignations octroyées par le Conseil porteront obligations de la part de ceux auxquels elles seront accordées de rétablir de manière convenable au dire du Conseil et sans délai à l'expiration de telles permissions ou assignations toutes parties du gazon des Communes qui pourront être dérangées en conséquence des jeux ou divertissements qui y ont eu lieu. Dans le cas que celui qui, étant tenu à tel rétablissement refusera ou négligera de le faire le Conseil pourra le faire aux frais du défaillant et le poursuivre par toute voie de droit comme en recouvrement de dette pour le paiement des frais de rétablissement ainsi encourus. Tout procès intenté par le Conseil à ces fins sera jugé sommairement et sans appel.

15.—Ceux que se livrent aux jeux et divertissements sur les Communes sans la permission du Conseil et sans en avoir payé au Conseil le prix fixé par le Conseil* seront coupables d'une offense et seront passibles sur conviction à une amende contre chaque délinquant à discrétion de Justice mais n'excédant pas £1 sterling pour la première offense et n'excédant pas £5 sterling pour chaque offense subséquente. Seront néanmoins exempts des dispositions de cet article:—

- (a) Celui qui étant membre d'un club ou association se livre à un jeu ou divertissement pour lequel permission du Conseil a été obtenue et paiement rendu au nom de tel Club ou telle association;
- (b) Les parties de pique-nique pourvu que leurs réunions se tiennent aux endroits approuvés par le Conseil afin d'éviter obstruction à autrui.

* Addition made by Ordinance of 28th August, 1948.

Sera aussi exempt des dispositions de cet article à l'égard de paiement seulement.

- (c) Tout habitant, pourvu que cette exemption n'aura pas effet de donner droit d'entrée à aucun enclos ou aucune enceinte en occupation à l'occasion d'un jeu ou divertissement.*

ARTICLES GENERAUX

Les sommes
reçues par
le Conseil

16.—Les sommes reçues par le Conseil en vertu de cette Ordonnance seront appliquées:—

- (1) au paiement des redevances fiscales auxquelles les Communes peuvent être assujetties.
- (2) au maintien et à l'amélioration des Communes et des rues y traversant.
- (3) aux frais d'annonces, loyers, salaires, frais d'administration et d'entretien des Communes, et tous autres frais encourus par le Conseil dans l'exercice de ses fonctions.

Comptes
du Conseil

17.—Les comptes du Conseil seront passés d'an en an devant une assemblée des habitants, après avoir été soumis à l'audition d'un auditeur ou des auditeurs nommé par les habitants à une assemblée antérieure.

Les comptes courants du Comité en gestion lors de la passation de cette Ordonnance seront continués par le Conseil et seront censés former partie des comptes du Conseil qui seront sujets à l'audition prescrite par cet article.

Le Conseil succédera à l'actif et passif et aux droits d'actions du dit Comité.

Pénalités

18.—Sera censé coupable d'une offense et sera passible sur conviction à une amende n'excédant pas £1 sterling pour la première offense et n'excédant pas £10 sterling pour une offense subséquente

- (a) celui qui agira en contravention à aucun règlement général ou spécial fait par le Conseil et sanctionné par la Cour Royale,

* Addition made by Ordinance of 28th August. 1948.

- (b) celui qui avec intention, molestera un animal mis à pâture sur les Communes, et
- (c) celui qui, sans la permission du Conseil
- (1) circulera des charrettes ou autres véhicules sur les Communes, ailleurs que sur les chemins charretiers ou qui stationnera des charrettes ou autres véhicules sur les Communes de manière à gêner autrui ou à causer une obstruction.
 - (2) se conduira de manière que par ce qu'il fait ou par son refus de faire ce qu'on lui demande, il met obstacle ou empêchement à un jeu ou divertissement en état de progrès.
 - (3) coupera ou autrement endommagera le gazon des Communes ou autres choses y croissant.
 - (4) enlèvera du gazon ou sable des Communes.
 - (5) jettera ou déposera sur les Communes des tas de fumier, des pierres, des décombres ou autres encombrements, ou y érigera ou posera aucun appareil de jeu ou autre chose quelconque. Et pourra la Cour ordonner que tous frais d'enlèvement, de nettoyage ou de rétablissement encourus par le Conseil en conséquence d'une infraction de cet article soient payés par le délinquant en outre toute amende qui pourra être infligée.

Pourvu que rien dans cet article n'aura effet de déroger aux droits de fouaillage, de déposer et sécher le varech aux lieux accoutumés et autres droits communaux.

19.—Celui qui se croit lésé par aucune décision Appels discrétionnaire du Conseil pourra en appeler à la Cour Royale en séance ordinaire dont la décision sera finale.

20.—Le Conseil permettra l'usage des Communes par les Forces Navales, Militaires et Aériennes de Sa Majesté, la Milice Royale de cette Ile et par le Corps dit "Officers' Training Corps" du Collège Elisabeth de cette Ile sur toute réquisition à cet effet de la part de l'Officier Commandant en Chef en cette Ile.

Les Forces
Navales,
Militaire, etc.

Ordonnances 21.—Sont et seront rappelées les Ordonnances
rappelées suivantes: —

- (1) L'Ordonnance relative aux Communes du Valle passée le 4 octobre 1875.
- (2) L'Ordonnance Provisoire Supplémentaire à l'Ordonnance relative aux Communes du Valle passée le 21 janvier 1918.
- (3) L'Ordonnance Provisoire relative aux Communes du Valle passée le 4 septembre 1920.

Pourvu que toute infraction d'icelles commises avant ce rappel pourra être poursuivie et punie par les pénalités y prescrites, et l'exécution de toute obligation et de tout engagement contractés sous l'empire des dites Ordonnances pourra être poursuivie par toute voie de droit. le tout comme si les dites Ordonnances n'avaient pas été rappelées.

**Ordonnance de 1942 supplémentaire à l'Ordonnance
relative aux COMMUNES DU VALLE
(Le 31 janvier 1942)**

LA COUR ayant pris en considération une requête d'un nombre de personnes qui gardent des bêtes à pâturer sur les Communes du Valle, et ouïes les conclusions de l'Avocat Général, a ordonné et ordonne: —

QUE dans l'Article 7 de l'Ordonnance relative aux Communes du Valle passée le 25 juin 1932 les dispositions suivantes seront substituées à celles contenues dans l'Ordonnance provisoire supplémentaire à l'Ordonnance relative aux Communes du Valle passée le 17 mai 1941 — laquelle est présentement rappelée tout en confirmant le rappel y contenu de la partie ayant référence aux grandes bêtes du susdit Article 7 de la dite Ordonnance de 1932, savoir: —

Le pâturage
des grandes
bêtes

Toute personne qui mettra une grande bête à pâturer sur les Communes sera tenue de la garder ATTACHEE A UN PIEU de manière convenable le jour et la nuit pendant tout le temps que telle

bête s'y trouvera — ce pieu sera placé de telle façon que lorsque la corde ou chaîne sera tendue de toute sa longueur l'animal ne pourra pas atteindre une route publique se trouvant sous l'administration du Comité des Voies Publiques — telle corde ou chaîne devant être d'une longueur n'excédant pas 25 pieds.

**Ordonnance de 1948 relative aux Communes du Valle
(28th August, 1948)**

THE COURT, on the representations of the Council known as the "Conseil des Communes du Valle", and having heard His Majesty's Comptroller thereon, hereby orders:—

1. The Regulations made by the "Conseil des Communes du Valle" and contained in the Schedule to this Ordinance are hereby approved.

SCHEDULE

1. In Article 15 of the Ordinance entitled "Ordonnance relative aux Communes du Valle" made on the 25th June, 1932, (No. XI of 1932), after the words "le prix fixé par le Conseil", there shall be inserted a comma and the words "ou, à l'égard du jeu de golf, le prix fixé par le Comité des Etats dit "the States Tourist Committee" et sanctionné par le Conseil,".

2. At the end of the final paragraph of the said Article 15 there shall be added, after the word "divertissement", a comma and the words "et pourvu aussi que, en ce qui concerne le jeu de golf, l'exemption à l'égard de paiement accordée par cet Article n'aura pas effet".

Ordonnance relative à la Crémation (Le 12 octobre 1929)

Vu l'article III de la loi relative à la Crémation sanctionnée par Ordre de Sa Majesté en Conseil en date du 14 août 1928 enregistré sur les Records de cette Ile le 1er septembre 1928, qui autorise la Cour

Royale à faire des règlements par Ordonnance pour les objets mentionnés dans le dit article de la dite loi;

La Cour, ouïes les conclusions des Officiers du Roi, a adopté les règlements suivants rédigés en anglais, lesquels auront force de Loi en cette Ile.

Definition The expression "the Committee" used in this Ordinance means the States Board of Administration appointed by the States as a Committee in pursuance of Article III of the law entitled "Loi relative à la Crémation (1928)" or the person acting under the authority of such Board.

Crematorium regulations 1.—Every crematorium shall be
 (a) maintained in good working order;
 (b) provided with a sufficient number of attendants;
 and
 (c) kept constantly in a clean and orderly condition.

Inspection 2.—Every crematorium shall be open to inspection at any reasonable time by any person or persons appointed for that purpose by the Royal Court.

Written directions to contrary 3.—It shall not be lawful to cremate the remains of any person who is known to have left a written direction to the contrary.

Unidentified human remains 4.—It shall not be lawful to cremate human remains which have not been identified.

Death of deceased must have been registered 5.—No cremation shall be allowed until the death of the deceased has been duly registered at the office of the Registrar in conformity with the law relating to certificates of death and burials and unless a certificate has been issued by one of the Law Officers of the Crown in conformity with Form F hereto to the effect that all the formalities required by law have been duly fulfilled.

Applications for cremation 6.—No cremation shall be allowed to take place unless application therefor be made, and the particulars stated in the application be confirmed by declaration in accordance with Form A in the schedule hereto.

The application must be signed and the declaration made by an executor or by the nearest surviving relative of the deceased, or, if made by any other person, must

show a satisfactory reason why the application is not made by an executor or by the nearest surviving relative.

Where a deceased person has left a husband or wife surviving, such husband or wife shall for the purposes of this Ordinance be deemed to be the nearest surviving relative.

7.—Except as hereafter provided, no cremation shall be allowed to take place unless Further regulations

- (a) a certificate in Form B be given by a Medical practitioner authorised to practice in this Island who has attended the deceased during his last illness and who can certify definitely as to the cause of death, and a confirmatory medical certificate in Form C be given by the Medical Officer of Health, or his Deputy, or in cases where the Medical Officer of Health or his deputy has attended the deceased, by a medical practitioner, authorised to practice in this Island; or
- (b) a post-mortem examination has been made by a medical practitioner authorised to practice in this Island, expert in pathology appointed by one of the Law Officers of the Crown (or in the case of emergency appointed by the Medical Officer of Health). The medical practitioner shall be assisted by the Medical Officer of Health and a certificate shall be given by them in Form D; or
- (c) an inquest has been held and a certificate has been given by the Magistrate in Form E.

8.—The duties of the Law Officer of the Crown shall be as follows:— Duties of the Law Officer of the Crown

(1) He shall not allow any cremation to take place if it appears that the deceased left a written direction to the contrary.

(2) He shall not (except where an inquest has been held and certificate given by the Magistrate in Form E) allow any cremation to take place unless he is satisfied that the death of the deceased has been duly registered by the production of a

certificate of registry of death on one of the forms provided by the Registrar for production in cases of burial.

(3) He shall, before allowing the cremation, examine the application and certificates and ascertain that they are such as are required by this Ordinance and that the inquiry made by the persons giving the certificates has been adequate. He may make any inquiry with regard to the application and certificates that he may think necessary.

(4) He shall not allow the cremation unless he is satisfied that the application is made by an executor or by the nearest surviving relative of the deceased, or if made by any other person, that the fact that the executor or nearest relative has not made the application is sufficiently explained, and that the person making the application is a proper person to do so.

(5) He shall not allow the cremation unless he is satisfied that the fact and cause of death have been definitely ascertained; and in particular, if the cause of death assigned in the Medical certificates be such as, regard being had to all the circumstances, might be due to poison, to violence, to any illegal operation, or to privation or neglect, he shall not allow the cremation unless a post-mortem examination be held, and if a post-mortem fails to reveal the cause of death, shall decline to allow the cremation unless an inquest be held and a certificate be given by the Magistrate in Form E.

(6) If it appears that death was due to poison, to violence, to any illegal operation, or to privation or neglect, or if there are any suspicious circumstances whatsoever, whether revealed in the certificates or otherwise coming to his knowledge, he shall decline to allow the cremation unless an inquest be held and a certificate given by the Magistrate in Form E.

(7) If it is intended to hold an inquest on the body he shall not allow the cremation to take place until the inquest has been held, or until the Magistrate has given permission to dispose of the body.

(8) He may in any case decline to allow the cremation without stating any reason.

In the case of the remains of a person who has died in any place out of the Island, the Law Officer of the Crown may accept a declaration containing the particulars prescribed in Form A if it be made before any person having authority in that place to administer an oath or to take a declaration; and he may accept certificates in Forms B, C and D, if they be signed by any Medical practitioners who are shown to his satisfaction to possess qualifications substantially equivalent to those prescribed in the case of certificates under this Ordinance.

Provided that nothing herein contained shall affect the fulfilment of the provisions of the law relating to the certificates of death and to burials (1907).

9.—The remains of a deceased person who has been buried shall not be cremated without the sanction of the Court and subject to such conditions as the Court may impose.

Remains of
deceased
person who
has been
buried

10.—In the case of a body washed ashore or found at sea which cannot be identified, the Law Officer of the Crown may dispense with any of the requirements of regulations 3, 4, 5, 6, 7 and 8.

Bodies
not identified

11.—Notwithstanding the foregoing regulations, the Law Officer of the Crown may permit the cremation of the remains of a still-born child if it be certified to be still-born by a medical practitioner authorised to practice in this Island after examination of the body, and if the Medical Officer of Health, after such enquiries as he may think necessary, declares in writing that he is satisfied that it was still-born and that there is no reason for further examination.

Still-born
children

Disposition
of ashes

12.—After the cremation of the remains of a deceased person, the ashes shall be given into the charge of the person who applied for the cremation if he so desires. If not, they shall be retained by the Committee and in the absence of any special arrangement for their burial or preservation, they shall be decently interred in a burial ground or scattered on the land reserved for the burial or scattering of ashes. In the case of ashes left temporarily in the charge of the Committee and not removed within a reasonable time, a fortnight's notice by the Committee shall be given to the person who applied for the cremation before the remains are interred or scattered.

Records

13.—The Committee shall immediately after a cremation has taken place make a record thereof and shall deliver the same dated and signed by its authorized officer at the Office of the Registrar of Deaths within 24 hours of the cremation. The record shall be made by entries in Form G in the schedule hereto except the entry in the last column, which the Committee shall make at the office of the Registrar of Deaths as soon as the remains of the deceased have been handed to the relatives or otherwise disposed of. The Registrar shall keep a register of all cremations in Form G.

Particulars
to be
preserved by
Registrar
of Deaths

14.—All applications, certificates, declarations and other documents relating to any cremation shall be marked with a number corresponding to the number in the register, shall be filed in order and shall be forwarded to and carefully preserved by the Registrar of Deaths.

During the hours at which the office of the Greffe is open all such registers and documents shall be open to inspection by the Medical Officer of Health or by any person appointed for that purpose by one of the Law Officers of the Crown.

Fees and
charges

15.—The fees and charges payable in respect of a cremation shall be in accordance with a tariff prepared by the Committee and approved by the States of Deliberation.

FORM A

APPLICATION FOR CREMATION, WITH STATUTORY
DECLARATION

I (name of applicant)
(address)
(occupation)

apply to the

to undertake the cremation of the remains of

(name of deceased)

(address)

(occupation)

(age) (sex)

(whether married, widow, widower, or unmarried)

The true answers to the questions set out below are
as follows: —

1.—Are you an executor
or the nearest surviving
relative of the deceased?

2.—If not, state

(a) your relationship to
the deceased (a)

(b) the reason why the
application is made (b)
by you and not by
an executor or any
nearer relative.

3.—Did the deceased leave
any written directions as to
the mode of disposal of his
or her remains? If so, what?

4.—Have the near rela-
tives of the deceased been
informed of the proposed
cremation?

5.—Has any near relative
of the deceased expressed

any objection to the proposed cremation? If so, on what ground?

6.—What was the date and hour of the death of deceased?

7.—What was the place where deceased died? (Give address and say whether own residence, lodgings, hotel, hospital, nursing home, etc.)

8.—Do you know, or have you any reason to suspect, that the death of the deceased was due, directly or indirectly to

(a) violence;

(b) poison;

(c) privation or neglect?

9.—Do you know any reason whatever for supposing that an examination of the remains of the deceased may be desirable?

10.—Give name and address of the ordinary medical attendant of the deceased.

11.—Give names and addresses of the medical practitioners who attended deceased during his last illness.

I do hereby solemnly and sincerely declare that all the particulars stated above are true, and that to the best of my knowledge and belief no material particular has been omitted.

(Signature)

Declared at
day of

the
before me,

(Signature)

FORM B

CERTIFICATE OF MEDICAL ATTENDANT

I am informed that application is about to be made for the cremation of the remains of

(name of deceased)

(address)

(occupation)

Having attended the deceased before death, and seen and identified the body after death, I give the following answers to the questions set out below:—

1.—On what date, and at what hour did he or she die?

2.—What was the place where the deceased died? (Give address and say whether own residence, lodgings, hotel, hospital, nursing home, etc.)

3.—Are you a relative of the deceased? If so, state the relationship.

4.—Have you, so far as you are aware, any pecuniary interest in the death of the deceased?

5.—Were you the ordinary medical attendant of the deceased? If so, for how long?

6.—Did you attend the deceased during his or her last illness? If so, for how long?

7.—When did you last see the deceased alive? (Say how many days or hours before death.)

8.—How soon after death did you see the body, and what examination of it did you make?

9.—What was the cause of death?

Primary
Secondary

(Specify the disease, injury, etc., and if possible distinguish the primary from the secondary cause as in the death certificate.)

What was its duration in years, months, or days?

9a.—Was there any other cause which contributed to or accelerated death? If so, state it, and if more than one other cause, state them all.

10.—What was the mode of death? (Say whether syncope, coma, exhaustion, convulsions, etc.)

What was its duration in days, hours, or minutes?

11.—State how far the answers to the last two questions are the result of your own observations, or are based on statements made by others. If on statements made by others, say by whom.

12.—Did the deceased undergo any operation during the final illness or within a year before death? If so, what was its nature, and who performed it?

13.—By whom was the deceased nursed during his or her last illness? (Give names, and say whether professional nurse, relative, etc. If the illness was a long one, this question should be answered with reference to the period of four weeks before the death.)

14.—Who were the persons (if any) present at the moment of death?

15.—In view of the knowledge of the deceased's habits and constitution do you feel any doubt whatever as to the character of the disease or the cause of death?

16.—Do you know, or have you any reason to suspect, that the death of the deceased was due, directly or indirectly, to

(a) violence;

(b) poison;

(c) privation or neglect?

17.—Have you any reason whatever to suppose a further examination of the body to be desirable?

18.—Have you given the certificate required for registration of death?

I hereby certify that the answers given above are true and accurate to the best of my knowledge and belief, that there is no circumstance known to me which can give rise to any suspicion that the death was due wholly or in part to any other cause than

(disease)

(accident)

and that there is no circumstance of any sort known to me which makes it undesirable that the body should be cremated.

(Signature)

(Address)

(Date)

(Registered qualifications)

FORM C

CONFIRMATORY MEDICAL CERTIFICATE BY M.O.H.

I have examined the foregoing medical certificate, and have made personal inquiry as stated in my answers to the questions below:—

- 1.—Have you seen the body of the deceased?
- 2.—Have you carefully examined the body externally?
- 3.—Have you made a post-mortem examination?
- 4.—Have you seen and questioned the medical practitioner who gave the above certificate?
- 5.—Have you seen and questioned any other medical practitioner who attended the deceased?

6.—Have you seen and questioned any person who nursed the deceased during his last illness, or who was present at the death?

7.—Have you seen and questioned any of the relatives of the deceased?

8.—Have you seen and questioned any other person?

(In the answers to questions 5, 6, 7, and 8, give names and addresses of persons seen and say whether you saw them alone.)

I am satisfied that the cause of death was
and certify that I know of
no circumstance which can give rise to any suspicion
that death was due wholly or in part to any other cause
than (disease)
(accident)
and that there is no circumstance of any sort known to
me which makes it undesirable that the body should
be cremated.

(Signature)

(Address)

(Date)

(Registered qualifications)

FORM D*

* New Form D substituted by amending Ordinance of 16th November, 1929.

ORDINANCES

FORM E

MAGISTRATE'S CERTIFICATE

I certify that I held an inquest on the body of
and that my verdict was as follows: —

Medical evidence given by

I am satisfied from the evidence that the cause of
death was and that
no circumstance exists which could render necessary any
further examination of the remains or any analysis of
any part of the body.

(Date)

Magistrate.

FORM F

AUTHORITY TO CREMATE

Whereas application has been made for the cremation
of the remains of

(name)

(address)

(occupation)

And whereas I have satisfied myself that all the
requirements of the law relating to Cremation (1928),
and of the Ordinance made in pursuance of that law,
have been complied with, that the cause of death has
been definitely ascertained, and that there exists no
reason for any further enquiry or examination:

I hereby authorise the Superintendent of the
Crematorium at to
cremate the said remains.

H.M.'s Procureur.

or

H.M.'s Comptroller.

(Date)

L'Article 9 de l'Ordonnance relative aux Chimistes et Pharmaciens et au débit de Poisons rendue permanente le 18 janvier 1932 aura effet comme si l'alinéa suivant y fut ajouté: —

Toute Chimiste et Pharmacien sera tenu lorsque requis de ce faire, de produire tel livre et de le soumettre à l'inspection de l'Inspecteur des Drogues nommé par la Cour Royale, de l'Inspecteur de la Police Salariée de cette Ile ou d'un membre de la dite Police Salariée agissant sous les ordres du dit Inspecteur de Police.

Ordonnance supplémentaire à l'Ordonnance relative aux Chimistes et Pharmaciens et au Débit de Poisons
(Le 12 octobre 1935)

LA COUR, en accordant la prière de la Requête de Monsieur Bertram Bartlett en date du 28 septembre 1935 après avoir entendu l'agissant Officier Médical de Santé des Etats, et ouïes les conclusions du Procureur du Roi, a rappelé l'Ordonnance Provisoire supplémentaire à l'Ordonnance relative aux Chimistes et Pharmaciens et au Débit de Poisons passée le 5 mai 1934 et a ordonné et ordonne comme suit, savoir: —

1.—A compter de ce jour et date, l'Ordonnance relative aux Chimistes et Pharmaciens et au Débit de Poisons rendue permanente aux Chefs Plaids d'après Noël, 1931, tenus le 18 janvier 1932 aura effet comme si le deuxième alinéa de l'Article 1 de la dite Ordonnance et la liste des articles qui ensuit furent rayés, et que la liste de désignations en anglais de produits médicaux et chimiques et les dispositions y relatives qui paraissent ci-dessous y furent substitués, lesquelles liste et dispositions dernièrement mentionnées seront censées former partie de la dite Ordonnance.

(ii) Sujet aux dispositions qui ensuivent aucun des produits médicaux et chimiques dont les désignations anglaises sont ci-dessous contenues ne sera compris pour les besoins de cette Ordonnance sous la désignation de médicament, savoir: —

Inspection
des livres

La liste
de
désignations

Produits
non compris
sous la
désignation
de
médicaments

- | | |
|--------------------------------|------------------------------|
| 1. Basilicon Ointment. | 4. Petroleum Jelly. |
| 2. Boric Ointment. | 5. Sulphur Ointment. |
| 3. Cocoanut Oil. | 6. Zinc Ointment. |
| 7. Bicarbonate of Soda. | 15. Health Salts. |
| 8. Camphorated Oil. | 16. Magnesia Salts (Mag. |
| 9. Carbonate of Am-
monia. | Carb. and Mag. Ox.
only). |
| 10. Citric Acid. | 17. Seidlitz Powders. |
| 11. Cod-liver Oil. | 18. Senna Leaves. |
| 12. Cream of Tartar. | 19. Sulphur. |
| 13. Epsom Salts. | 20. Tartaric Acid. |
| 14. Glauber Salts. | |
| 21. Alum. | 27. Eucalyptus Oil. |
| 22. Balsam of Aniseed. | 28. Fullers Earth. |
| 23. Borax. | 28. Glycerine. |
| 24. Boric Powder. | 30. Saltpetre. |
| 25. Castor Oil. | 31. Syrup of Figs. |
| 26. Cod-liver Oil and
Malt. | |

Déclaration
du
fabricant

(iii) Tout emballage extérieur dans lequel aucun de tels produits, à l'exception du soufre "Sulphur," est importé en cette Ile consigné autrement qu'à un Département du Gouvernement de Sa Majesté ou à un médecin, chirurgien, chirurgien vétérinaire, dentiste ou pharmacien autorisé à exercer sa profession en cette Ile ou à un hôpital établi en cette Ile sera accompagné d'une déclaration du fabricant de tel produit à l'effet que la pureté et la qualité de tel produit ou de ses constituants ne sont pas inférieures à celles indiquées dans le registre dit "British Pharmacopoeia" en ce qui concerne tel produit. Et sera le Superviseur des Etats autorisé à retenir tout emballage contenant aucun de tels produits et les produits y contenus dans l'absence d'une telle déclaration et ce jusqu'à ce que telle déclaration par rapport à tels produits lui soit livrée.

(iv) L'Officier Médical de Santé des Etats est autorisé à prendre des échantillons d'aucun de tels produits avant qu'il soit livré au consignataire (que l'emballage le contenant soit accompagné d'une telle déclaration ou non) et de faire assujettir tels échantillons à telle analyse ou épreuve qu'il jugera convenable et, dans le cas qu'il soit trouvé que les échantillons ainsi pris d'un tel produit ne sont pas de la pureté ou qualité ci-dessus spécifiées, d'ordonner que tel produit soit confisqué et détruit.

(v) Le Superviseur des Etats retiendra tout produit dont un échantillon a été pris comme dessus jusqu'à ce que le résultat de l'analyse ou l'épreuve lui soit communiqué par l'Officier Médical de Santé.

(vi) Toute bouteille, boîte, paquet ou autre réceptacle contenant aucun de tels produits lors de la vente portera la désignation anglaise de tel produit en lettres dont chacune sera d'une hauteur d'au moins un seizième de pouce.

(vii) Les produits ci-dessus numérotés 7 à 20 inclusive-ment ne seront vendus comme remède humain qu'en bouteilles, boîtes, paquets ou autres réceptacles fermés.

(viii) Nul de tels produits vendu comme remède humain ne sera d'une qualité ni d'une pureté inférieurs à la qualité ou pureté de tel produit indiquées dans le registre dit "British Pharmacopoeia."

(ix) "Balsam of Aniseed" ne contiendra aucun médicament.

"Camphorated Oil" ne sera vendue qu'en bouteilles qui pourront être distinguées facilement par le toucher de bouteilles employées ordinairement pour la médecine et sera étiqueté "FOR EXTERNAL USE ONLY" en lettres dont chacune sera d'une hauteur d'au moins un huitième de pouce.

2.—En ce qui concerne une infraction d'aucun des Articles, 5, 6, 7, 8 et 9 de l'Ordonnance ci-dessus spécifiée qui sera commise après ce présent jour et date, le maximum de l'amende qui pourra être infligée sera de la

somme de £100 sterling au lieu de la somme de £20 sterling, telle amende étant applicable de la manière indiquée dans l'Article 10 de la dite Ordonnance.

**Ordonnance autorisant la nomination par le Magistrat
d'un Tuteur Spécial à soutenir ou défendre Procès
relatif à l'entretien d'un Enfant Illégitime
(Le 25 octobre 1930)**

Attendu que par l'Article X. de la Loi relative à l'Entretien des Enfants Illégitimes, 1927, la Cour Royale est autorisée à passer toutes et telles Ordonnances qui pourront être censées nécessaires pour la mise en exécution de la dite Loi.

Attendu qu'il arrive souvent que dans un procès qui doit être intenté en vertu de la susdite loi l'une ou l'autre des parties est mineure, et est soit orphelin de père, et non pourvue d'un Tuteur, soit dépourvue de l'assistance de son père à cause d'absence, d'incapacité ou autrement, par suite de quoi il y a retardement du procès jusqu'à ce qu'un Tuteur soit nommé par la Cour Royale et des frais sont ainsi occasionnés à des personnes qui en plusieurs instances ne sont pas à même de les supporter.

La Cour, afin d'y porter remède, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

Pouvoir au
Magistrat
de nommer
un Tuteur
Spécial

1.—(1) Dans tout procès devant le Magistrat en vertu de la susdite Loi, s'il parait que soit la partie portant plainte soit celui contre lequel la plainte est faite est une personne d'âge mineur qui est orphelin de père, et non pourvu d'un Tuteur, ou qui ne peut pas obtenir l'assistance de son père à cause d'absence, d'incapacité ou autrement, il sera de la compétence du Magistrat de nommer et assermenter avec ou sans l'assistance d'un Conseil de Famille, et dans l'absence de ce dernier, sur la recommandation d'un des Officiers du Roi soit un Tuteur Spécial à tel mineur orphelin, soit un Curateur aux Biens Spécial au père de tel mineur ainsi dépourvu d'assistance à l'effet de représenter tel mineur en toutes poursuites intentées ou à être intentées en vertu de la dite Loi.

(2) Pourra aussi le Magistrat nommer un Tuteur Spécial <sup>Enfants-
Illégitimes</sup> à un enfant illégitime pour faire, agir, et postuler pour lui dans le cas prévu par l'Article IV. de la dite Loi.

2.—Un Tuteur Spécial ou Curateur aux Biens Spécial <sup>Pouvoirs
et devoirs</sup> nommé par le Magistrat en vertu de cette Ordonnance aura les mêmes pouvoirs et devoirs qu'il aurait eu s'il avait été nommé au même effet par la Cour Royale.

**Ordonnance relative aux Lieux d'Enterrement et à la
disposition des restes mortels des êtres humains
et à l'exhumation d'iceux
(Le 12 octobre 1929)**

Attendu que la salubrité publique demande que des cimetières ne soient établis que dans des endroits qui y sont adaptés.

Vu l'article 7 de la "Loi relative aux Certificats de Décès et aux Enterrements" sanctionnée par un Ordre de Sa Majesté en Conseil du 11 février 1907, enregistré sur les Records de cette Ile le 2 mars 1907, qui déclare qu'il sera loisible à la Cour Royale de passer de temps en temps des Ordonnances pour régler la conduite des enterrements.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

1.—Nul cimetière ni lieu de sépulture ne sera à l'avenir <sup>Règlements
pour
l'établissement
de Cimetières</sup> établi dans cette Ile sans la permission de la Cour Royale siégeant en corps.

2.—Tout individu qui se propose de s'adresser à la Cour pour sa permission aux fins de l'article 1 sera tenu d'en donner connaissance par écrit aux Connétables et Douzeniers de la paroisse dans laquelle est situé l'endroit où il se propose d'établir le cimetière ou lieu de sépulture et aussi à l'Officier de Santé quinze jours au moins avant le jour de sa demande, et de soumettre aux dits Connétables et Douzeniers un plan suivant échelle d'un pouce pour chaque 20 pieds, et sera de plus tenu de donner connaissance publique au moyen d'une annonce publiée

trois dimanches consécutifs dans le cadre de l'église de la paroisse où est situé le dit endroit, et trois samedis consécutifs dans la partie officielle de la *Gazette* autorisée pour les annonces officielles du jour et de l'heure auxquels il se propose de faire la dite demande à la Cour, faute de quoi sa demande ne pourra être prise en considération.

Devoirs
des
Connétables

3.—Après avoir reçu connaissance par écrit les Connétables visiteront les lieux et en feront leur rapport à la Douzaine, et, lors de la demande devant la Cour ils présenteront en personne le dit plan et un rapport par écrit des dits Connétables et Douzeniers, contenant :—

- 1°. la description, la conformation et l'arpentage de l'endroit proposé;
- 2°. la distance de l'endroit proposé de maisons habitées, ou d'écoles, de puits, de sources et de courants d'eau;
- 3°. leurs objections à la demande s'il y en a.

Enterrement
d'un mort

4.—Il est défendu d'enterrer un mort ailleurs que dans les cimetières des églises des paroisses de cette Ile, dans les cimetières actuellement usités, ou dans les cimetières ou autres lieux de sépulture approuvés par la Cour Royale.

Disposition
d'un mort

5.—Il est défendu sans la permission de la Cour Royale siégeant en Cour Ordinaire de faire disposition d'un mort autrement que par enterrement ou par la crémation [et ce en se conformant aux dispositions de la Loi relative à la Crémation sanctionnée par Ordre de Sa Majesté en Conseil enregistré le premier septembre 1928 et de l'Ordonnance provisoire relative à la Crémation passée le 12 octobre 1929 ou des lois et Ordonnances relatives à la Crémation qui pour le temps seront en force].

Exhumation
d'un mort

6.—Sauf le cas de l'exhumation et transfert d'un mort ou des restes humains d'un lieu consacré de sépulture à un autre en vertu d'une Faculté accordée à ces fins par l'Autorité Ecclésiastique, il est défendu sans la permission de la Cour Royale siégeant en corps, d'exhumer ou de déplacer un mort ou des restes humains après enterrement dans un lieu de sépulture. La permission que la Cour

Royale pourra accorder sera sujette à telles conditions qu'elle imposera et lesquelles seront observées.

7.—Toute personne trouvée coupable d'avoir enfreint Pénalité aucune des dispositions de cette Ordonnance sera passible d'une amende qui n'excédera pas £100 sterling.

8.—Est et demeurera rappelée l'Ordonnance relative Ordonnance aux Lieux d'Enterrement passée aux Chefs Plaids d'après ^{rappelée} Pâques tenus le 4 avril 1910.

**Ordonnance ayant rapport aux Immeubles occupés
par le Conseil des Eaux des Etats
(Le 24 octobre 1931)**

Sur les représentations du Conseil des Eaux des Etats que l'entrée illicite de personnes sur les immeubles occupés par le dit Conseil, pourrait être préjudiciable à la sureté tant du public que de telles personnes elles mêmes, la Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

Il est défendu, sauf à ceux y ayant droit, de s'introduire ^{Prohibition} ou d'aller dans ou sur aucun immeuble occupé par le ^{d'entrée sans} Conseil des Eaux des Etats sans obtenir la permission ^{permission} du dit Conseil ou d'un préposé du dit Conseil. Toute personne qui agira en contravention à cette Ordonnance sera censée avoir commis une offense et sera passible sur conviction à une amende à discrétion de Justice mais n'excédant pas £2 pour la première offense et n'excédant pas £5 pour une offense subséquente.

**Ordonnance approuvant un Règlement fait par le Conseil
des Eaux par rapport à la Conservation d'Eau
(Le 7 mai 1938)**

LA COUR, ouïes les conclusions des Officiers du Roi, a approuvé le Règlement suivant fait par le Conseil des Eaux et a ordonné et ordonne que toute contravention du dit Règlement sera une offense qui rendra le contrevenant passible d'une amende à discrétion de Justice qui n'excédera pas £5 sterling.

Bye-Law made by the States Water Board and submitted to the Royal Court for sanction on the 7th day of May, 1938. under the provisions of Article 30 of the Law entitled "Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux Habitants de la dite Ile" registered on the Records of the Island of Guernsey on the 7th day of May, 1927.

Use of a hose
forbidden
at specified
times

As regards water supplied by the States Water Board, it is forbidden, during such period or periods as may from time to time be specified in a notice signed by the President of that Board and published in three consecutive issues of two daily newspapers published in this Island in the English language, to use a hose —

- (a) in connection with the cleaning of —
 - (i) any vehicle; or
 - (ii) any shop front;
- (b) in connection with the watering of —
 - (i) any domestic garden; or
 - (ii) any lawn used wholly or principally in connection with any private dwelling;
- (c) for any other domestic purpose.

E. T. WHEADON,

President,

May 4th, 1938.

States' Water Board.

Ordinance sanctioning the Byelaws made by the States Water Board for the prevention of Waste, Undue Consumption, Misuse or Contamination of Water, 1948.
(11th September, 1948)

THE COURT, upon the representations of the States Water Board, in pursuance of the powers thereunto enabling it in that behalf contained in Article 30 of the Law entitled "Loi ayant rapport à la Fourniture d'Eau par les Etats de cette Ile aux habitants de la dite Ile", registered upon the Records of this Island of Guernsey on the 7th day of May, 1927, and having heard His

Majesty's Comptroller thereon, hereby sanctions the byelaws set out in the Schedule hereto (which said byelaws were made by the States Water Board on the 27th day of August, 1948), and hereby orders:—

1. The Ordinance entitled “Ordonnance provisoire approuvant un règlement fait par le Conseil des Eaux tendant à la Conservation d'Eau et à en empêcher la Contamination”, (No. XXXIX of 1938), is hereby repealed. Ordinance
XXXIX, 1938,
repealed

2. This Ordinance may be cited as “The Waterworks Citation Byelaws Ordinance, 1948”; this Ordinance and the Ordinance entitled “Ordonnance approuvant un Règlement fait par le Conseil des Eaux par rapport à la Conservation d'Eau”, (No. XX of 1938), may together be cited as “The Waterworks Byelaws Ordinances, 1938 and 1948”.

SCHEDULE

1. In these byelaws, unless the context otherwise Definitions requires —

- “the Board” means the “States Water Board”;
- “British Standard” means a standard or specification issued by the British Standards Institution;
- “Capacity” in relation to a storage cistern means the capacity of the cistern measured up to the water-line;
- “Corrosion-resisting alloy” means an alloy which is highly resistant to corrosion by the water supplied by the Board and has a tensile strength of not less than eleven tons per square inch of sectional area;
- “Cylinder” means a cylindrical closed vessel capable of containing water under pressure greater than atmospheric pressure;
- “Distributing pipe” means any pipe conveying water supplied by the Board from a storage cistern or from a hot water apparatus supplied from a feed cistern, and under pressure from such cistern;

- “ Feed Cistern ” means any storage cistern used for supplying cold water to a hot water apparatus;
- “ House ” means a dwelling-house, whether a private dwelling-house or not, and includes any part of a building if that part is occupied as a separate dwelling-house;
- “ Service pipe ” means so much of any pipe for supplying water from a main of the Board to any premises as is subject to water pressure from that main, or would be so subject but for the closing of some tap;
- “ Stop tap ” includes stopcock, stopvalve and any other device for stopping the flow of water in a line of pipes at will;
- “ Storage cistern ” means any cistern, other than a flushing cistern, having a free water surface under atmospheric pressure from which water supplied by the Board is delivered for use otherwise than through a draw-off tap fixed to the cistern;
- “ Tank ” means a non-cylindrical closed vessel capable of containing water under pressure greater than atmospheric pressure;
- “ Temporary purpose ” in relation to the use of any pipe means building, demolition or constructional work during such period as the work is in progress or any other temporary purpose during a period not exceeding one month or such longer period as the Board may approve in any particular case;
- “ Warning pipe ” means an overflow pipe so fixed that its outlet end is in an exposed and conspicuous position where the discharge of any water therefrom may be readily seen;
- “ Water fittings ” includes pipes (other than mains), taps, cocks, valves, ferrules, meters, cisterns, baths, water-closets, soil pans and other similar apparatus used in connection with the supply and use of water;
- “ Water-line ” in relation to a cistern means the top water level at which the cistern is designed to work.

2. Any requirement in these byelaws that a water fitting shall comply with a British Standard shall extend only to so much of that Standard as relates to the size, nature, materials, strength and workmanship of such fitting and shall be deemed to be satisfied, notwithstanding any departure from such Standard, if that departure does not adversely affect the efficiency or suitability of the fitting in relation to the purposes for which these byelaws are made.

Application of byelaws

3. A person shall not, for the purpose of conveying, delivering, receiving, or using water supplied by the Board

(a) use any water fitting which is of such a nature or is so arranged or connected as to cause or permit, or be likely to cause or permit, waste, undue consumption, misuse, erroneous measurement, or contamination of water, or reverberation in pipes;

(b) use any water fitting which is not in accordance with such of the particular requirements of these byelaws as may be applicable to it; nor

(c) arrange, connect, disconnect, alter or renew any water fitting in contravention of any requirement of these byelaws.

4. These byelaws shall not apply so as to require any person to alter or renew any water fitting lawfully fixed at the date when these byelaws come into force or to provide any addition thereto unless such fitting is so defective or in such condition or position as to cause or be likely to cause waste, undue consumption, misuse, erroneous measurement or contamination of water supplied by the Board, or reverberation in pipes.

5. Where water is

(i) taken by meter,

(ii) discharged openly into a cistern from a point not less than six inches above the overflowing level thereof, and

(iii) conveyed therefrom for use in some industrial or research process,
the following byelaws, other than byelaw 31, shall not apply in relation to any water fitting supplied with water from such cistern and used solely in connection with such process in so far as the nature of that process renders compliance with the said byelaws impracticable.

Pipes of lead and lead alloy

6. Every service pipe, distributing pipe, flushing pipe and warning pipe of lead or lead alloy shall comply, in the case of lead pipes, with British Standard 602: 1939 for lead pipes for other than chemical purposes, and in the case of lead alloy pipes, with British Standard 603: 1941 for lead pipes (B.N.F. ternary alloy No. 2), or with British Standard 1085: 1946 for lead pipes (silver-copper-lead alloy) and shall in any case be of not less than the minimum weight per linear yard specified in the relevant Standard as appropriate for the maximum pressure to which the pipe will be liable to be subjected under working conditions.

7. Every joint in a lead or lead alloy pipe shall be made by means of a watertight wiped soldered joint of the type known as a plumber's joint or some other equally efficient and suitable watertight joint.

8. Every connection between a lead or lead alloy pipe and a pipe of any other metal shall be made by means of a screw-ferrule of corrosion-resisting alloy wiped on to the lead or lead alloy pipe or by means of some other equally efficient and suitable watertight joint.

9. Where any water fitting is connected to a lead or lead alloy pipe by means of a wiped joint not less than one-and-a-quarter inches of such fitting shall be included within the wiped joint.

Pipes of cast iron or asbestos cement

10. Every service pipe or distributing pipe of cast iron (vertically cast), spun cast iron or asbestos cement

shall be of sufficient strength to withstand a test pressure not less than double the pressure to which the pipe will be liable to be subjected under working conditions, and, subject thereto, shall comply with the appropriate British Standard as shown hereunder:—

<i>Material of Pipe</i>	<i>British Standard</i>
Cast iron (vertically cast).	78: 1938 for cast iron pipes (vertically cast) for water, gas and sewage.
Spun cast iron ...	1211: 1945 for centrifugally cast (spun) iron pipes for water, gas and sewage.
Asbestos cement ...	486: 1933 for asbestos cement pressure pipes.

11. (a) Every service pipe or distribution pipe of wrought-iron shall comply with the requirements for pipes of steam (heavy) quality contained in British Standard 788: 1938 for wrought-iron tubes and tubulars.

(b) Every service pipe or distributing pipe of steel shall comply with the requirements for Class 'B' pipes contained in British Standard 1387: 1947 for steel tubes and tubulars.

(c) Every malleable cast iron pipe fitting used in connection with any such wrought-iron or steel pipe shall comply with the relevant requirements of British Standard 143: 1938 or 1256: 1945 for malleable cast iron and cast copper alloy pipe fittings.

(d) Every such wrought-iron or steel pipe and every tubular and every wrought-iron, steel or malleable cast iron pipe fitting used in connection with any such pipe shall be efficiently protected against external corrosion and, unless forming part of a closed circuit

from which water is not drawn, against internal corrosion.

(e) Every such tubular and every such wrought-iron steel and malleable cast iron pipe fitting shall be of sufficient strength to withstand a test pressure of three hundred pounds to the square inch.

12. (a) Every service pipe or distributing pipe of copper connected by means of screw joints shall comply with British Standard 61: Part 1: 1947 for copper tubes (heavy gauge) for general purposes, and every such screw joint shall comply with British Standard 61: Part 2: 1946 for screw threads for copper tubes (copper tube thread and British Standard pipe thread).

(b) Copper-alloy unions and fittings for use with pipes complying with Table 1 of the said Part 1 and screwed in accordance with Table 1 (copper tube thread) of the said Part 2 shall comply respectively with British Standard 66: 1914 for copper alloy three-piece unions and British Standard 99: 1922 for copper alloy pipe fittings.

(c) Cast copper alloy fittings for use with pipes complying with Table 2 of the said Part 1 and screwed in accordance with Table 4 (British Standard pipe thread) of the said Part 2 shall comply with the relevant requirements of British Standards 143: 1938 (taper thread) or 1256: 1945 (parallel thread) for malleable cast iron and cast copper alloy pipe fittings.

(d) Every such copper alloy union and fitting shall be of sufficient strength to withstand a test pressure of three hundred pounds to the square inch.

13. (a) Every service pipe or distributing pipe of copper to be connected by means of capillary fittings or compression fittings or by autogenous or bronze welding, if laid under the ground, shall comply with British Standard 1386: 1947 for copper tubes to be buried underground, and if not laid under the ground, shall comply with British Standard 659: 1944 for light gauge copper tubes.

(b) Every such capillary fitting or compression fitting shall comply with British Standard 864: 1945 for capillary fittings and compression fittings of copper or copper alloy for use with light gauge copper tube, and every such compression fitting on any pipe laid under the ground shall be of Type B.

Pipes of materials not mentioned.

14. Every service pipe or distributing pipe of any material not specifically provided for in these byelaws shall be of suitable material and of sufficient strength to withstand a test pressure not less than double the pressure to which the pipe will be liable to be subjected under working conditions.

Bends or curves in pipes.

15. No bend or curve in any pipe shall be made so as materially to diminish the waterway or alter the internal diameter of the pipe in any part.

Support of pipes.

16. Every pipe shall be adequately supported and shall be so aligned as to avoid air locks.

Protection of pipes.

17. Every pipe laid under the ground shall be reasonably protected from corrosion and risk of injury, and, when not beneath a building, shall, where practicable, be not less than one foot below the surface of the ground:

PROVIDED THAT this byelaw shall not apply to any pipe which is used only for a temporary purpose.

18. No service pipe or distributing pipe shall be laid so as to pass into or through any sewer, drain, or cess-pool, or any manhole connected therewith, or into or through any ashpit or manure pit and, except where unavoidable, shall not be laid through or allowed to

remain in contact with any foul soil or any material of such a nature that it would be likely to cause undue deterioration of such pipe. Where the laying of any such pipe through foul soil or injurious material cannot be avoided the pipe shall be efficiently protected from contact with such soil or material either by being carried through an exterior corrosion-resisting tube or by some other suitable means.

Protection of water fittings.

19. Every water fitting, other than a warning pipe or other overflow pipe, laid or fixed in such a position, whether inside or outside a building, as to render it liable to damage by frost, or injury from other causes, shall be reasonably protected from such damage or injury:

PROVIDED THAT this byelaw shall not apply to any pipe which is used only for a temporary purpose.

Accessibility of water fittings.

20. Every water fitting within a building shall, so far as is reasonably practicable, be so placed as to be readily accessible for examination, repair or replacement:

PROVIDED THAT this byelaw shall not prohibit the enclosing of any pipe in a properly designed chase or duct so constructed that the pipe is reasonably accessible for examination, repair or replacement.

Provision of stop taps.

21. Every person who shall lay or use any service pipe shall permit the Board to fit thereon a stop tap enclosed in a covered box or pit of such size as may be reasonably necessary, and placed in such position as the Board deem most convenient:

PROVIDED THAT a stop tap in private premises shall be placed as near as is reasonably practicable to the street from which the service pipe enters those premises.

22. (1) In addition to any stop tap fitted by the Board in pursuance of the last preceding byelaw, every service pipe supplying water to any building, or to any part of a building the supply to which is separately chargeable, shall be fitted with a stop tap inside, and as near as practicable to the point of entry of such pipe into, the building or part thereof

(2) Where the last mentioned stop tap has an internal diameter of less than two inches it shall comply with the requirements for stop taps contained in British Standard 1010: 1944 for bib, pillar, globe and stop taps.

(3) Where the said stop tap has an internal diameter of more than two inches it shall comply with British Standard 1218: 1945 for sluice valves for waterworks purposes.

(4) Where the said stop tap has an internal diameter of two inches it shall conform with the requirements of one or other of the last two preceding paragraphs.

23. A stop tap shall be fitted on every outlet pipe, other than a warning pipe, from a storage cistern, and as near to the cistern as practicable.

Taps and valves.

24. (1) Every bib, pillar, globe and stop tap of the ordinary screw-down pattern and of a nominal size not exceeding two inches shall comply with British Standard 1010: 1944 for such taps.

(2) Every bib, pillar, globe and stop tap not being of the ordinary screw-down pattern, shall be capable of resisting a pressure of at least three hundred pounds to the square inch, and every valve, spindle, and other internal part and, where the nominal size of the tap does not exceed two inches, the body thereof, shall be made of a corrosion-resisting alloy:

PROVIDED THAT the requirements herein contained with regard to pressure shall not apply to a

control valve on a closed circuit from which water is not drawn.

(3) Every sluice valve of a nominal size of two inches or more shall comply with British Standard 1218: 1945 for sluice valves for waterworks purposes.

25. (1) Every ball tap when fixed to a cistern shall have the size of the orifice, the size of the float and the length of the lever so proportioned to one another that when the float is immersed to an extent not exceeding half its volume, the ball tap shall be watertight against the highest pressure at which it may be required to work.

(2) Every ball tap shall comply with the following requirements:—

(a) every high pressure ball tap shall close against a test pressure of two hundred pounds to the square inch; every low pressure ball tap against a pressure of fifty pounds to the square inch; and every full-way ball tap against a test pressure of ten pounds to the square inch; and every such tap shall have the letters “H.P.,” “L.P.” or “F.W.” respectively, cast or stamped on the body of the fitting;

(b) the valve shall be provided with a washer of good quality rubber or some other equally suitable material enclosed in an internally flanged cap screwed to the piston;

(c) the body and the piston shall be of a corrosion-resisting alloy; the lever shall be of a corrosion-resisting alloy or copper and shall be of sufficient rigidity not to bend permanently under working conditions, and the float shall be of copper or some other equally suitable material;

(d) if the float be a copper sphere its minimum thickness when finished bright shall be not less than twenty-six Standard Wire Gauge in cases where the external diameter of the sphere does not exceed six-and-a-half inches, and not less than twenty-four Standard Wire Gauge in cases where the external diameter of the sphere exceeds six-and-a-half inches;

if the float be of copper of some other shape it shall be of adequate thickness; and the jointing of copper floats shall in any case be effected by means of an efficient, solderless, compression seam, or by brazing.

26. Every ball tap or float-operated valve fitted to a storage cistern shall be securely and rigidly fixed thereto above the water-line, and shall be supported independently of the inlet pipe (unless such inlet pipe is itself rigid and rigidly fixed to the cistern), in such a position that no part of the body of the tap or valve will be submerged when the cistern is charged to its overflowing level.

27. Where a ball tap or float-operated valve is provided with a pipe so arranged as to discharge water into a cistern below its overflowing level, an air hole shall be provided in the outlet chamber of the tap or valve above such level of a size sufficient to prevent siphonage of water back through the tap or valve.

28. No ball tap shall be fitted to a hot water storage cistern.

Prohibition of direct connection of supply system with receptacles used for water other than water supplied by the Board or with water-closets, etc.

29. (1) No service pipe or distributing pipe or cistern used for the reception or conveyance of water supplied by the Board shall be used or so connected that it can be used for the reception or conveyance of any water other than that supplied by the Board:

PROVIDED THAT where the water supplied from the Board's mains to any cistern is discharged into the air not less than six inches above the top edge thereof this byelaw shall not apply to such cistern or to any distributing pipe leading therefrom.

(2) For the purpose of this byelaw water supplied by the Board shall, after being used for any purpose, be deemed to be water not so supplied.

30. No pipe, other than a flushing pipe leading from a flushing apparatus, shall deliver water to the pan of any water-closet or to any urinal.

31. No service pipe shall be connected to a distributing pipe, nor to a pump delivery pipe unless in the latter case such connection will not be liable to cause waste, undue consumption, misuse, erroneous measurement or contamination of water. or reverberation in pipes.

Cisterns.

32. Every storage cistern shall be watertight, of adequate strength, properly supported and shall be constructed of slate, ceramic ware, asbestos cement, lead, galvanised iron or steel, copper or of a corrosion-resisting alloy or some other equally suitable material, or of wood lined with lead weighing not less than five pounds per square foot or with copper of not less than twenty-two Standard Wire Gauge or with some other equally suitable material.

33. Every storage cistern of mild steel and having a capacity not exceeding one thousand gallons shall comply with the requirements for grade A cisterns contained in British Standard 417: 1944 for galvanised mild steel cisterns, tanks and cylinders.

34. No storage cistern used in connection with a supply of water for domestic purposes shall be placed in such a position as to render the water therein liable to contamination, and every such cistern shall be suitably covered, but not so as to be air-tight, and shall be so placed and fitted that the interior thereof can be readily inspected and cleansed.

35. The inlet pipe of every flushing cistern or range of flushing cisterns, not being automatic flushing cisterns, and of every storage cistern or range of storage cisterns, shall be fitted with a ball tap, a float-operated valve or some other effective means of controlling the inflow of water so designed as to prevent overflow.

36. (1) Every storage cistern not used as a feed cistern shall have a capacity of not less than twenty-five gallons. and if used both as a feed cistern and as a storage cistern for other purposes, shall have a capacity of not less than fifty gallons.

(2) Every feed cistern supplying cold water to a hot water cylinder or tank not forming part of a self-contained water heating apparatus, shall have a capacity of not less than twenty-five gallons.

37. Every cold water storage cistern of a capacity not exceeding one thousand gallons shall comply with the following requirements:—

(a) it shall be fitted with an efficient warning pipe and with no other overflow pipe;

(b) the internal diameter of the warning pipe shall be greater than the internal diameter of the inlet pipe and in no case less than three-quarters-of-an-inch; and

(c) the overflowing level of the warning pipe shall be set—

(i) below the top edge of the cistern at a distance of not less than twice the diameter of the warning pipe; and

(ii) above the water-line at a distance of not less than one inch or not less than the internal diameter of the warning pipe, whichever is the greater.

38. Every cold water storage cistern of a capacity exceeding one thousand gallons shall comply with the following requirements:—

(a) it shall be fitted with an efficient overflow pipe, and, if such overflow pipe is not a warning pipe, shall also be fitted with an efficient warning pipe or some other effective device so arranged as to indicate when the water in the cistern reaches a level not less than two inches below the overflowing level of the overflow pipe;

(b) where a warning pipe, but no other overflow pipe is fitted the warning pipe shall comply with the requirements of (b) and (c) of byelaw 37;

(c) where both a warning pipe and an overflow pipe other than a warning pipe are fitted the internal diameter of the warning pipe shall be not less than one inch.

39. No storage cistern shall be buried or sunk in the ground:

PROVIDED THAT this byelaw shall not apply if—

(a) the water to be stored in the cistern is supplied by meter and is discharged into the air not less than six inches above the top edge of the cistern; and

(b) the cistern is fitted with an efficient warning pipe or other effective device as may be required by byelaw 37 or byelaw 38 as the case may be.

Hot water apparatus, etc.

40. Where any boiler, geyser or other hot water apparatus, or any gas producer, gas engine, oil engine or other apparatus in or by which water supplied by the Board is heated is not supplied with cold water from a feed cistern the supply shall be controlled by a bib tap or stop tap and shall not be connected directly to the water contained in the apparatus but shall be discharged into the air above the overflowing level of the apparatus:

PROVIDED THAT this byelaw shall not apply in the case of—

(a) a thermostatically controlled electric storage water heater of a capacity not exceeding three gallons;

(b) a gas geyser or multipoint heater of a capacity not exceeding three gallons fitted with an inlet valve automatically controlling both gas and water so that no gas can be released (otherwise than through a by-pass) by the apparatus unless water is flowing through the geyser or heater, and not fitted with a

packed gland or spindle through which any leakage between the gas and water spaces could occur; if in either case, the apparatus is not thereby subjected to a working pressure higher than that for which it is designed and if every draw-off point is in the open air above the overflowing level of any bath, lavatory basin, sink or other appliance supplied therefrom.

41. No geyser or other hot water apparatus connected to a service pipe shall have any connection on its outlet side with any water fitting containing water supplied otherwise than through the geyser or other hot water apparatus.

42. Where cold water is supplied to any geyser or other hot water apparatus from a feed cistern the outlet from the cistern to such apparatus shall be two inches above the bottom of the cistern, or such greater distance as may be made necessary by the mode of construction of the cistern, and water shall be delivered therefrom to the hot water apparatus only.

43. Where a feed cistern, in addition to supplying cold water to a geyser or other hot water apparatus, is used as a storage cistern for other purposes, any outlet for those other purposes shall be at the same level as the outlet to the hot water apparatus.

44. No mixing valve or combination tap assembly in which hot water and cold water are mixed, other than any such valve or assembly forming part of an electric or gas water heater permitted by byelaw 40 to be connected directly to a service pipe, shall be supplied with cold water directly from a service pipe.

45. Every pipe used for conveying hot water shall be of galvanised steel or galvanised wrought iron, lead, copper or of some corrosion-resisting alloy:

PROVIDED THAT this byelaw shall not prohibit the use of cast iron pipes of not less than two inches internal diameter if suitable provision for their expansion is made, nor the use of non-galvanised

steel or wrought iron pipes if they form part of a closed circuit from which water is not drawn.

46. No tap used for the purpose of drawing hot water shall be fixed at a greater distance (measured along the axis of the pipe by which the tap is supplied) from a hot water apparatus or hot water cistern, cylinder or tank, or from a flow and return system, than the distance appropriate to the largest internal diameter of any part of the said pipe as shown in the following table:—

TABLE.

	<i>Largest internal diameter of pipe</i>	<i>Distance in feet</i>
Not exceeding	$\frac{3}{4}$ inch	40
Exceeding $\frac{3}{4}$ inch but not exceeding	1 inch	25
Exceeding	1 inch	10

47. Every hot water cylinder or tank not forming part of a self-contained water heating apparatus shall be of such a size that it will hold not less than twenty-five gallons, shall be constructed of galvanised mild steel or of copper or of some other equally suitable material and shall be adequately supported:

PROVIDED THAT in the case of a hot water system comprising more than one hot water cylinder or tank at different levels, the requirements of this byelaw as to size shall apply only to the lowest cylinder or tank.

48. Every hot water cylinder or tank of such a size that it will hold not less than twenty-five gallons shall—

(a) if made of mild steel, comply with the requirements for cylinders or tanks, as the case may be, of British Standard 417: 1944 for galvanised mild steel cisterns, tanks and cylinders; and

(b) if made of copper, comply with British Standard 699: 1944 for copper cylinders for domestic purposes (Grades 1, 2 and 3).

49. No tap or other means of drawing water (other than a tap with a removable key for emptying the system for cleaning or repair) shall be connected to any part of a hot water system below the top of the hot water storage cistern, cylinder or tank in such a way that the level of the water in the cistern, cylinder or tank can be lowered more than one-fourth of its depth:

PROVIDED THAT—

(a) in the case of a hot water system in which water is heated only by thermostatically controlled gas or electricity and the storage cistern, cylinder or tank has a capacity of not less than two hundred gallons this byelaw shall apply with the substitution of the fraction “three-fourths” for the fraction “one-fourth”;

(b) in the case of a hot water system comprising more than one hot water cylinder or tank at different levels this byelaw shall apply only to the lowest cylinder or tank;

(c) this byelaw shall not apply in the case of an open vessel in which water is directly heated.

Baths, lavatory basins, sinks, etc.

50. Every inlet to a fixed bath, lavatory basin, or sink shall be distinct from, and unconnected with, any outlet therefrom and every outlet for emptying such bath, lavatory basin, or sink shall be provided with a well-fitting and easily accessible watertight plug or some other equally suitable apparatus.

51. The level of the point of discharge of the hot or cold water to a fixed bath, lavatory basin, or sink shall be above the level of the overflow, or if there be no overflow, of the top edge of the bath, basin or sink.

PROVIDED THAT this byelaw shall not apply to any bidet, sitz-bath, slop or sluicing sink or similar apparatus if every pipe conveying hot or cold water to such apparatus is connected to

- (a) the hot or cold distribution system at a point not less than six feet above the level of any inlet to such apparatus; or
- (b) a storage cistern supplying water to such apparatus only; or
- (c) a flushing cistern.

Flushing apparatus for waterclosets and urinals.

52. Every watercloset and every urinal shall be provided with a flushing cistern or with some other equally efficient and suitable flushing apparatus.

53. Every flushing cistern serving a watercloset shall be so designed as to give a flush of not exceeding three gallons with a permitted variation of plus or minus five per cent. and, subject thereto, shall comply with British Standard 1125: 1945 for w.c. flushing cisterns.

54. Every hand operated flushing cistern serving a urinal shall be so designed as to give a flush of one gallon per stall or per two feet three inches width of slab with a permitted variation of plus or minus five per cent. and, subject thereto, shall comply with British Standard 1125: 1945 for w.c. flushing cisterns.

Taps on service pipes.

55. An efficient draw-off tap in a position convenient for drawing drinking water shall be provided on the service pipe in every house.

Standpipes.

56. Every standpipe which is used by the occupants of more than one house shall be provided with non-concussive self-closing or other suitable waste-preventing tap.

Water-troughs.

57. Every pipe supplying water to a watering-trough for animals shall be fitted with a ball tap or some other effective means of controlling the inflow of water so

designed as to prevent overflow, fixed in a separate compartment and protected by a cover which can be locked by a removable key.

Disconnection of water fittings.

58. Where any water fitting is to be permanently disconnected so much of any pipe which supplies water to that fitting only, and is not required to supply water to any other fitting, shall also be disconnected.

Notices to be given to the Board.

59. Before fixing or altering (otherwise than by way of repair or renewal) any water fitting in connection with any existing supply of water from the Board a person shall give to the Board at least *three days'* notice in writing of his intention so to do.

Penalties.

60. Where any person supplied with water by the Board does or causes or permits to be done anything by contravention of any or all of these byelaws, the Board may, without prejudice to its rights to recover damages from that person in respect of any loss or damage arising out of the contravention which is sustained by the Board, for the purpose of preventing waste or contamination discontinue the supply of water to that person until after the rectification, to the reasonable satisfaction of the Board, of the fitting or arrangement of fitting, fixed, fitted or used in contravention of any one or all of these byelaws.

61. Every person who shall offend against any of these byelaws shall be liable on conviction to a fine not exceeding the sum of *twenty pounds*, and in the case of a continuing offence to a further fine not exceeding *five pounds* for each day during which the offence continues after conviction therefor. All such fines shall be payable to the Crown.

**Ordonnance relative aux Douits et Barrats sous le
contrôle du Conseil des Eaux des Etats.**

(Le 11 juin 1938)

ATTENDU que le devoir de réparer les bords de tout douit et barrat et de curer le lit de tout douit et barrat incombe aux riverains:

VU les représentations du Conseil des Eaux des Etats à l'effet que le libre cours des eaux écoulant dans les douits et barrats contrôlés par le dit Conseil et les douits et barrats y communiquant est en partie retardé et empêché à raison de la non-exécution par des riverains des devoirs qui leur incombent en ce qui concerne tels douits et barrats:

LA COUR, pour à ce remédier, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir:

Streams
controlled
by the
States
Water
Board

1.—Every person who, having the duty of:—

- (a) maintaining in repair any part of the banks: or
- (b) cleaning and keeping clear of obstruction any part of the bed:

of any stream which is a stream controlled by the States Water Board or flowing into a stream so controlled, fails to maintain in repair that part of the banks of that stream or fails to clean or keep clear of obstructions that part of the bed of that stream shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding Ten Pounds or, in the case of a second or subsequent offence, to a fine not exceeding Twenty Pounds.

Powers of
the States
Water
Board

2.—Upon the conviction of any person under the provisions of the preceding section, it shall be lawful for the States Water Board to proceed with the work of maintenance or of cleaning or clearing of obstructions in respect of the failure to perform which that person has been convicted and to recover from that person the reasonable cost of the performance of such work and, for the purpose of the performance thereof, the employees of

the States Water Board shall be entitled, under the supervision of some person bearing the authority in writing in that behalf of the Manager or acting Manager of the States Waterworks Department, upon production of such authority on the reasonable request of any person having an interest in the premises entered, to enter upon private premises whereon any such work as is authorised by this section is to be performed in regard to any stream and such other premises as it is necessary to enter for the purpose of access to that stream.

3.—(a) An official appointed by the States Water Board bearing a general or special authority in writing in that behalf of the Manager or acting Manager of the States Waterworks Department, upon production of such authority on the reasonable request of any person having an interest in the premises entered, shall be entitled on weekdays during the hours of daylight to enter any premises for the purpose of visiting any part of any such stream as is mentioned in Section 1 of this Ordinance in order to ascertain the state of repair of the banks of such stream and the condition of the bed thereof.

Officials of States Water Board entitled to enter premises to ascertain state of stream

(b) Every person shall be liable upon conviction to a fine not exceeding Five Pounds or, in respect of a second or subsequent offence, to a fine not exceeding Ten Pounds, who wilfully obstructs or impedes any official or employee of the States Water Board in the execution of his duty under this Ordinance.

Penalty for obstruction

Ordonnance relative à la maladie dite “ The Foot and Mouth Disease.”
(Le 1er mai 1915)

LA COUR, ouïes les conclusions du Contrôle du Roi, a ordonné et ordonne que toutes les ordonnances faites avant ce jour et date touchant la maladie dite “ Foot and Mouth Disease ” seront rappelées et annulées, et sont les règlements suivants substitués à leur place:—

*** Article 1.**

* Repealed by the Foot and Mouth Disease Ordinance, 1950

Article 2.

Echaudage de cochons Tout cochon abattu dans l'abattoir sera échaudé là, et non-ailleurs.

Article 3.

Les peaux et les sabots des bêtes à cornes, etc. Le préposé de l'abattoir prendra possession des peaux et des sabots des bêtes à cornes, ainsi que des onglons des cochons qui y auront été abattus, et il est défendu à qui que ce soit d'enlever et emporter les dits peaux, sabots et onglons sans la permission du dit préposé.

Article 4.

Pénalité pour infraction Toute personne qui enfreindra un des articles ci-dessus sera passible d'une amende qui ne sera pas moins de Deux livres stg. et n'excédera pas Dix livres sterling.

*** Article 5.****Article 6.**

Inspection des bêtes à cornes, brebis et cochons Les bêtes à cornes, brebis et cochons arrivant en cette île seront inspectés sur le quai lors de leur débarquement, et tout animal atteint de la maladie dite "Foot and Mouth Disease" sera immédiatement abattu de la manière et dans l'endroit approuvé par l'Inspecteur Officiel de bétail ou son remplaçant. Toute personne emmenant un animal du quai avant que le dit animal ait été inspecté sera passible d'une amende qui n'excédera pas £50 stg.

Article 7.

Désinfection des navires Le nettoyage et la désinfection des navires apportant du bétail en cette île aux fins de l'article XI. de l'Ordonnance des Chefs-Plaids d'après la Saint Michel 1882, par rapport à l'exportation et l'importation du bétail seront portés à exécution par les employés et au dire de l'Inspecteur de bétail, et ce aux frais du propriétaire ou agent de chaque navire d'au bord duquel du bétail aura été débarqué.

* Repealed by Ordinance of the 24th April, 1922.

* Articles 8—15.

Article 16.

Il est défendu de débarquer dans cette île d'un navire venant d'une des îles de ce bailliage qui fait un commerce avec un port de la France ou de transborder de tel navire dans les havres de cette île des bêtes à cornes, brebis, cochons, ou autre bétail (à l'exception des bêtes à cornes destinées à être immédiatement conduites à l'abattoir public pour y être abattues) sur une pénalité qui n'excédera pas £100 sterling tant sur le maître ou le propriétaire du navire d'aubord duquel du bétail aura été débarqué ou transbordé en contravention à cet article, que sur l'importateur de tel bétail et sur toute personne assistant à son débarquement ou transbordement, en outre la confiscation du bétail.

Navire qui fait un commerce avec un port de la France

Article 17.

Pourtant, sur une déclaration solennelle du propriétaire ou de l'agent à l'effet qu'un navire a cessé de faire le dit commerce avec la France pour une période de vingt et un jours et que tel navire n'a pas dans les vingt-huit jours auparavant transporté du bétail de la France, le Superviseur de la Chaussée pourra permettre le débarquement ou le transbordement d'aubord de tel navire, après qu'il aura été nettoyé et désinfecté au dire du maître de Port du Havre de Saint Pierre-Port ou de Saint Samson, selon le cas, et aussi longtemps qu'il n'aura pas visité un port de la France.

Le Superviseur de la Chaussée pourra permettre le débarquement

Article 18.

Le mot " Navire " employé dans les deux articles précédents s'applique à tout navire à vapeur, vaisseau, barque, bateau ou autre bâtiment de mer.

Définition de " Navire "

Amendes

Les amendes seront applicables moitié à Sa Majesté et moitié au delateur.

* Repealed by the Foot and Mouth Disease Ordinance, 1950.

**Ordonnance supplémentaire à l'Ordonnance relative
à la maladie dite " The Foot and Mouth Disease "**
(Le 21 janvier 1924)

LA COUR, ouïes les conclusions des Officiers du Roi a rappelé et rappelle l'Ordonnance provisoire supplémentaire à l'Ordonnance relative à la maladie dite " The Foot and Mouth Disease " passée le neuf novembre 1920 et la dernière section de l'Ordonnance provisoire ayant rapport à l'importation en cette Ile de Bêtes à Cornes et à l'Emballage de marchandises passée le 10 novembre Mil neuf cent vingt trois, laquelle section pourvoit à la brûlure des emballages de marchandises provenant du Royaume Uni et de l'Irlande et y est substitué l'Ordonnance suivante.

*ART. 1.—

Les volailles
mortes
provenant
de France

ART. 2.—Les volailles mortes provenant de France devront être plumées et devront avoir les pattes coupées avant que livraison n'en soit faite à l'importateur. Les pattes et les plumes de ces volailles devront être brûlées, le tout sous la surveillance de Monsieur le Superviseur.

Désinfection-
etc.,
des animaux
remis à
leur
importateur

ART. 3.—Avant de pouvoir être remis à leur importateur ou à leur possesseur, les Chevaux, les Mules, les Anes, les Cochons, les Bêtes à Cornes, les Chèvres et les Moutons devront, dès leur arrivée dans l'Ile et à l'endroit même de leur débarquement, avoir leurs sabots soigneusement nettoyés, et les dits animaux seront désinfectés à fond, et ce sous la surveillance de Monsieur le Superviseur.

†ART. 4.—

Pénalité pour
infraction

ART. 5.—Tout importateur, tout propriétaire ou toute personne trouvée coupable d'avoir enfreint l'un quelconque des articles de cette Ordonnance, ou d'avoir désobéi aux ordres de Monsieur le Superviseur ou d'avoir entravé soit ce dernier soit ses préposés dans la mise à

* Repealed by Ordinance of the 9th February, 1929.

† Repealed by the Foot and Mouth Disease Ordinance, 1950.

exécution de la présente Ordonnance sera passible d'une amende n'excédant pas £100 stg.

ART. 6.—Les amendes seront applicables moitié à Sa Majesté et moitié au délateur. Amendes

Ordonnance relative au Marquage d'Œufs
(Le 24 octobre 1939)

Sur les représentations faites par le Comité des Etats pour l'Agriculture et la Pêche, qu'il est de l'intérêt tant des commercants que du public en général que les œufs importés dans cette Ile soient distingués de ceux qui sont le produit de cette Ile et aussi que, lors mis en vente, les œufs conservés soient distingués des œufs frais et que certains règlements additionnels par rapport à ce sujet sont nécessaires, la Cour, ouïes les conclusions du Contrôle du Roi, a rappelé l'Ordonnance provisoire relative au Marquage d'Œufs passée le 2 mai 1931 et, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne:—

PART I

EGGS IN SHELL

1.—The provisions of this Ordinance shall not apply to eggs sold by poultry breeders and purchased for incubation. Eggs for incubation

2.—It is forbidden to sell or expose for sale any hen egg or duck egg (whether produced in the Bailiwick or not) which has been subjected to any process of preservation unless — Eggs subjected to any process of preservation

(a) in the case of any egg preserved by waterglass or any other method except cold storage or chemical storage, the egg is marked with the word "PRESERVED":

(b) in the case of any egg produced in the United Kingdom or the Channel Islands which has been kept in cold storage, the egg is marked with the word "CHILLED" or the words "COLD STORED":

- (c) in the case of any egg produced in the United Kingdom or the Channel Islands which has been kept in chemical storage, the egg is marked with the word "STERILIZED":
- (d) the word or words which, under the provisions of whichever of the three last foregoing paragraphs is applicable, is or are marked conspicuously and legibly on the shell of the egg in letters of not less than 1-16th inch in height, such word or words being enclosed in a circle not less than $\frac{1}{2}$ inch diameter: -
- (e) there is displayed near every such egg (whether produced in the Bailiwick or not) on a card of not less than 3 inches in length and 2 inches in breadth the word "PRESERVED" or the word or words "CHILLED" or "COLD STORED" or the word "STERILIZED", as may be applicable to the case, in plain block letters not less than half an inch in height.

Imported
eggs

3.—(1) It is forbidden to import any hen eggs or duck eggs in shell into the Island of Guernsey unless they bear a clear indication of the country of origin.

(2) The indication of the country of origin shall be conspicuously and durably marked in ink on the shell of each imported egg in letters of not less than two millimetres in height.

(3) It is forbidden to sell or expose for sale any hen egg or duck egg imported into the Island of Guernsey unless —

- (a) such egg bears the indication of the country of origin required to be borne by it on importation into that Island; and
- (b) there is displayed near every such egg — either separately or in conjunction with the word or words (if any) also required, under the provisions of the last preceding Article to be displayed near such egg — on a card of the minimum dimensions mentioned in paragraph "e" of that Article a clear

indication of the country of origin in plain block letters of a height not less than the height mentioned in that paragraph.

4.—It is forbidden to sell or expose for sale as “New Laid” any hen egg or duck egg not produced in the Bailiwick. ^{New Laid Eggs}

PART II

DRIED EGGS

5.—Subject as hereinafter provided it is forbidden to import any dried eggs into the Island of Guernsey or to sell or expose for sale in the said island any imported dried eggs, unless they bear an indication of the country of origin. ^{Importation and sale}

6.—The indication of the country of origin shall be marked indelibly and in a conspicuous manner as follows:— ^{Indication of country of origin}

(a) On importation, by means of printing, stencilling, stamping or branding on each outer container, or on a label securely attached thereto, in letters not less than half an inch in height.

(b) On exposure for sale, wholesale or by retail, and on sale, save as provided in Article 7 of this Ordinance, by means of printing, stencilling, stamping or branding on each container, or on a label securely attached thereto, in plain block letters not less than one-twelfth of an inch in height when the greatest dimension of the package does not exceed six inches, and not less than one-eighth of an inch in height when the greatest dimension exceeds six inches.

7.—Nothing in this Part of this Ordinance shall require imported dried eggs to bear an indication of the country of origin when sold or exposed for sale by retail otherwise than in packages which are made up before reaching the retailer. ^{Dried eggs sold otherwise than in packages}

GENERAL

Definition of "greatest dimension" 8.—For the purpose of Article 6 (*b*) of this Ordinance, the expression "greatest dimension" shall mean the height, length or breadth, whichever is the greatest, of a rectangular or approximately rectangular package, and the height or maximum diameter, whichever is the greater, of a cylindrical, oval or conical package.

Penalty for contravention of Ordinance 9.—Any person who acts in contravention of any article of this Ordinance shall be liable on conviction in the case of a first offence to a fine not exceeding five pounds, and in the case of a second or subsequent offence to a fine not exceeding ten pounds.

Ordonnance contenant les Règlements pour le Greffe
(Le 25 octobre 1930)

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que les règlements suivants seront observés à l'avenir pour le Greffe, et qu'ils seront publiés et constamment affichés dans le bureau du Greffe.

* ARTICLE I

Jours et heures d'ouverture

Le Greffe sera ouvert tous les jours à l'exception des jours saints et des jours de relâche. Aux fins de ces règlements les jours saints sont le Dimanche, le jour de Noël et le Vendredi Saint et les jours de relâche sont le jour de l'an, ou, si ce jour est le Dimanche, le jour ensuivant, le lundi et le mardi de la fête de Pâques, le jour de la célébration de la naissance de Sa Majesté, le lundi et le mardi de la fête de la Pentecôte, le premier lundi du mois d'août et le premier jour après le jour de Noël pourvu néanmoins que si le jour de Noël est le samedi, le lundi ensuivant sera le jour de relâche.

L'heure d'ouverture du Greffe sera à neuf heures du matin et l'heure de fermeture à trois heures de l'après-midi à l'exception des jeudis lorsque l'heure de fermeture

* Amended by Ordinances of the 16th January, 1933, 26th April, 1947, 19th January, 1948, and 17th April, 1948.

sera à une heure de l'après-midi. Toutefois le Greffe restera ouvert pendant toute séance de la Cour.

ARTICLE II

Tous les jours que le Greffe sera ouvert pendant les heures spécifiées à l'article premier les contrats, obligations, actes et autres pièces susceptibles d'enregistrement pourront y être déposés pour y être enregistrés; comme aussi pourront y être consignées ou déposées toutes sommes d'argent soit à titre de consignation de prix en matière de retrait, de caution pécuniaire ou de frais avancés en vue d'appel, ou autrement.

Enregistre-
ment de
contrats, etc.

Si la Cour est séante après l'heure de la fermeture ordinaire les actes de Cour passés dans la dite séance et les consignations ou dépôts d'argent en suite d'un procès ayant eu lieu dans la dite séance pourront y être déposés pour enregistrement ou consignés ou déposés selon le cas après la dite heure mais il ne sera reçu au Greffe après la dite heure sans la sanction de la Cour séante aucune autre pièce pour enregistrement ni aucune autre consignation ou dépôt d'argent.

ARTICLE III

Dès le moment qu'un Contrat, Obligation, Acte ou autre pièce quelconque est déposé au Greffe pour y être enregistré, il ne peut plus en être retiré sans avoir été dûment enregistré et collationné.

Pièces
déposés
ne peuvent
être retirées

ARTICLE IV

Il n'y a qu'au Greffe ou dans l'enceinte de la Cour pendant que le Greffier du Roi ou ses Députés y remplissent les fonctions de leur office aux fins de ces présents Règlements qu'il soit loisible à qui que ce soit de livrer au dit Greffier ou à ses Députés une pièce quelconque pour être enregistrée ou une somme d'argent

Livraison
de pièces

ou autres effets en dépôt ou consignation, et il leur est défendu expressément d'en recevoir ailleurs ou en aucun autre temps.

Rappel

Est et demeurera rappelée l'Ordonnance Provisoire contenant les Règlements pour le Greffe passée le 20 octobre 1917.

**Ordonnance supplémentaire à l'Ordonnance contenant les
Règlements pour le Greffe
(Le 16 janvier 1933)**

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que l'Article premier de l'Ordonnance contenant les Règlements pour le Greffe du 25 octobre 1930 aura effet comme si le mot " quatre " fut substitué au mot " trois " dans le second alinéa du dit Article.

**Ordonnance de 1947 supplémentaire à l'Ordonnance
contenant les Règlements pour le Greffe et à l'Ordonnance
portant Règlement pour le Bureau du Registraire des
Morts
(Le 26 avril 1947)**

LA COUR, ouïes les conclusions du Procureur du Roi, a ordonné et ordonne comme suit:—

Le jour fixé
pour la
célébration
de la
Libération

1. L'Article premier de l'Ordonnance contenant les Règlements pour le Greffe du 25 octobre 1930 aura effet comme si les mots " le jour fixé par les Etats pour la célébration de la Libération de cette Ile de l'occupation allemande par les Forces Britanniques " furent substitués aux mots " le jour de la célébration de la naissance de Sa Majesté ".

* 2.

* Repealed by the Registry of Deaths Ordinance, 1949.

**Ordonnance de 1948 supplémentaire à l'Ordonnance
contenant les Règlements pour le Greffe et à l'Ordonnance
portant Règlement pour le Bureau du Registraire des
Morts**

(Le 19 janvier 1948)

LA COUR, ouïes les conclusions du Procureur du Roi,
a ordonné et ordonne comme suit: —

1.—Dans l'Article premier de l'Ordonnance contenant
les Règlements pour le Greffe du 25 octobre 1930 les
mots “ et le mardi ” seront rayés partout où ils se
trouvent.

* 2.

**Ordonnance de 1948 supplémentaire à l'Ordonnance
contenant les Règlements pour le Greffe**

(Le 17 avril 1948)

LA COUR, sur les représentations faites par le
Conseil Administratif des Etats, ouïes les conclusions du
Procureur du Roi, a ordonné et ordonne: —

1. L'Article premier de l'Ordonnance contenant les
Règlements pour le Greffe du 25 octobre 1930 aura effet
comme si les mots “ une heure de l'après midi ” qui s'y
trouvent furent rayés et les mots “ midi et demi ” y
furent substitués.

**Ordonnance relative au Personnel Subordonné au Greffier
du Roi**

(Le 8 avril 1933)

Attendu que les Etats par leur Acte du 20 avril 1921
prirent sur eux le paiement du traitement des Commis
employés par le Greffier du Roi, lesquels Commis quoique
restant sous l'autorité du Greffier du Roi sont ainsi
devenus membres du personnel salarié des Etats.

La Cour, afin d'éclaircir la situation ainsi créée, après
s'être consultée avec le Conseil Administratif des Etats

* Repealed by the Registry of Deaths Ordinance, 1949.

et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

Personnel
subordonné
au Greffier

1.—Les fonctions de nomination au personnel subordonné au Greffier du Roi et de renvoi de tout membre du dit personnel seront exercés par le Conseil Administratif des Etats, après consultation avec le Greffier du Roi.

Contrôle
exercé par
la Cour
Royale, etc.

2.—Les dispositions de cette Ordonnance ne portent aucun préjudice ni atteinte aux surveillance et contrôle généraux exercés par la Cour Royale sur le Greffe comme Département de la Cour Royale, ni à tels droits et prérogatives que peuvent compéter au Greffier du Roi en vertu de sa Commission Royale.

**Ordonnance donnant pouvoir à la Cour de réduire les
intérêts excessifs
(Le 6 décembre 1930)**

Attendu que des cas se révèlent de temps en temps où des gens nécessiteux, soit par improvidence, soit poussés par le besoin, encourent des dettes en promettant des intérêts à un taux exorbitant et qu'il leur est impossible de payer à échéance, ce qui les expose à des poursuites judiciaires entraînant la misère pour eux et leurs familles.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

Pouvoirs de
la Cour

1.—Dans toute action qui pourra être intentée devant la Cour pour paiement d'une somme et intérêts ou pour paiement d'intérêts, tels intérêts étant dans l'un ou l'autre cas à un taux excédant dix pour cent par an, s'il paraît à la Cour en prenant toutes les circonstances en considération que les intérêts réclamés sont à un taux déraisonnable et injuste la Cour aura les pouvoirs suivants: —

La Cour pourra ordonner: —

Que le débiteur paiera les intérêts réclamés ainsi que les intérêts futurs à tel taux réduit n'étant pas

moins de dix pour cent par an qu'elle fixera à sa discrétion et le déchargera de l'excédant s'il y en a.

Que la proportion des intérêts qui pourront être déjà payés en excès du taux fixé par la Cour sera imputée à la réduction soit des intérêts dûs et ce au taux fixé par la Cour, soit de la somme principale, ou de la balance d'icelle selon le cas.

2.—Dans une action intentée devant la Cour pour paiement d'arrérages des acomptes dûs en vertu d'un accord dit (anglicé) "hire-purchase agreement" ou pour restitution d'effets qui sont le sujet d'un tel accord faite de paiement des acomptes y stipulés, s'il paraît à la Cour en prenant toutes les circonstances en considération que les acomptes stipulés dans tel accord sont à un taux déraisonnable et injustement excessif à l'égard de la valeur probable des effets qui sont le sujet de tel accord la Cour aura les pouvoirs suivants: —

La Cour pourra ordonner:—

Que preuve soit faite de ce qui aurait été le juste prix au comptant des effets qui sont le sujet de tel accord à la date de l'accord.

S'il paraît que les acomptes stipulés sont à un taux comprenant plus de dix pour cent par an sur tel prix, la Cour pourra ordonner que les acomptes seront réduits à un taux qui sera fixé par la Cour n'étant pas moins d'un taux portant dix pour cent par an de charges sur le dit prix au comptant.

Que la proportion des acomptes qui pourront être déjà payés en excès du taux fixé par la Cour sera imputée à la réduction des arrérages dûs et des acomptes à échoir selon le cas:

Que la restitution des effets si elle est réclamée sera différée pour tel temps et sous telles conditions que la Cour pourra imposer.

3.—Dans toute action visée par cette Ordonnance, la Cour pourra envoyer les parties devant Commis afin de constater tous faits et chiffres relevant de la matière et d'en faire rapport.

"Hire-purchase agreements"

Envoi des parties devant Commis

Dettes d'une
société
anonyme

4.—Les dispositions de cette Ordonnance n'auront aucune application aux dettes encourues par une société anonyme soit par l'émission d'anglicé "debentures" ou autrement.

Ordonnance relative à la maladie dite "Johne's Disease"
(Le 7 décembre 1929)

Sur les représentations faites à la Cour par le Comité des Etats pour l'Agriculture que jusqu'à présent aucune épreuve n'a été découverte qui pourra être approuvée par le dit Comité comme agent diagnostic sur lequel on peut suffisamment se fier pour révéler sûrement l'existence de la maladie dite "Johne's Disease" et que dans plusieurs cas une perte inutile a été occasionnée par l'abatage compulsoire et le paiement de compensation dans les cas d'animaux suspects qui ont par après été trouvés ne pas être atteints de la dite maladie.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

Ordonnance
rappelée

1.—L'Ordonnance provisoire relative à la maladie dite "Johne's Disease" passée le 16 février 1929 est et sera rappelée.

Avis sera
donné

2.—Tout propriétaire d'un animal de l'espèce bovine atteint ou soupçonne d'être atteint de la maladie dite "Johne's Disease," tout Vétérinaire soignant tel animal et tout personne ayant à quelque titre que ce soit le soin ou la garde d'un tel animal en donnera avis immédiatement par écrit au Conseil Administratif des Etats, mais dans tous les cas, dans un délai qui ne dépassera pas quarante huit heures, et en outre fournira tous les renseignements qui seront requis par le dit Conseil concernant tel animal.

Registre

3.—Le dit Conseil gardera un registre dans lequel seront insérés les détails de tous les avis et renseignements reçus en vertu de cette Ordonnance et communiquera les dits détails au Comité des Etats pour l'Agriculture.

Défense
de vendre

4.—Il est défendu de vendre ou de mettre ou offrir en vente autrement que pour l'abatage un animal de l'espèce

bovine atteint ou soupçonné d'être atteint de la dite maladie.

5.—Toute personne qui contrevient à cette Ordonnance sera passible sur condamnation sommaire d'une amende qui n'excédera pas £10 à discrétion de Justice. Pénalité
pour
contravention

6.—Les amendes seront applicables moitié à Sa Majesté et moitié au délateur. Amendes

Ordonnance supplémentaire ayant rapport aux Maladies Secrètes (1936) (Le 17 octobre 1936)

ATTENDU que toutes matières touchant la Santé Publique dans l'Ile de Guernesey ont été et sont de temps en temps réglées par Ordonnance de la Cour Royale ainsi qu'il est narré dans le Préambule de la Loi relative à la Santé Publique, 1934, sanctionnée par Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 17 mars 1934.

ATTENDU qu'il est nécessaire dans l'intérêt public de faire certains règlements additionnels à ceux présentement en force pour prévenir et réprimer les maux résultant de l'introduction et de la communication en cette Ile de maladies secrètes.

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

1.—L'Inspecteur pourra, après y avoir reçu l'approbation d'un des Officiers du Roi avertir toute fille ou femme dont la conduite mène à croire qu'elle est impudique et contre laquelle plainte a été portée à l'Inspecteur à l'effet qu'elle a communiqué ou que l'on soupçonne qu'elle a communiqué à une personne mâle une maladie secrète, à l'effet qu'elle ait à se trouver à un lieu et à une heure indiqués afin de subir un examen médical par un médecin désigné et, dans le cas qu'elle soit trouvée atteinte d'une maladie secrète, pourra l'Inspecteur avec pareille approbation le faire tenir dans un hôpital ou dans tout autre lieu désigné à l'effet jusqu'à sa complète guérison. Examen
médical

Pénalité

Bien entendu qu'il sera loisible à toute fille et femme dont l'examen médical ou la détention aura été ordonné par l'Inspecteur d'en appeler à la Cour Royale siégeant en Cour Ordinaire, dont la décision sera finale.

2.—Sera passible d'une amende à discrétion de Justice qui n'excédera pas £10 et en cas de récidive d'une amende qui n'excédera pas £20:—

(a) Toute fille ou femme qui, ayant été avertie par l'Inspecteur aux fins de cette Ordonnance de se trouver à un lieu et à une heure indiqués afin de subir un examen médical refusera ou négligera sans raison valable de se conformer au dit avertissement ou de subir tel examen.

(b) Toute fille ou femme détenue légitimement aux fins de cette Ordonnance qui quittera sans la permission de l'autorité compétente l'hôpital ou autre lieu où elle est détenue.

Définition de
"l'Inspecteur"

3.—Dans cette Ordonnance l'expression "l'Inspecteur" signifie l'Inspecteur ou l'agissant Inspecteur de la Police Salariée de l'Ile.

Ordonnance relative aux Maladies Secrètes, 1937

(Le 27 novembre 1937)

ATTENDU qu'une clinique pour le traitement de maladies secrètes a été établie en cette Ile par le Conseil de Santé et qu'il est dans l'intérêt public que le traitement de telles maladies ne se fera que par et sous la direction de personnes qualifiées à exercer la profession de médecin et chirurgien en cette Ile:

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir:—

Treatment
for
venereal
disease

1.—A person shall not, unless he is a duly qualified medical practitioner authorised to practise in this Island, for reward, either direct or indirect, treat any person for venereal disease or prescribe any remedy therefor, or give any advice in connection with the treatment thereof, whether the advice is given to the person to be treated or to any other person.

2.—(1) A person shall not by any advertisement or any public notice or announcement treat or offer to treat any person for venereal disease, or prescribe or offer to prescribe any remedy therefor, or offer to give or give any advice in connection with the treatment thereof.

Advertisements
and
public
notices

(2)—A person shall not hold out or recommend to the public by any notice or advertisement, or by any written or printed paper or handbill, or by any label, or words written or printed, affixed to or delivered with any packet, box, bottle, phial or other container, any preparation or thing whatsoever to be used or applied externally or internally as a medicine or medicament for the prevention, cure or relief of any venereal disease.

Preparations
for
treatment
of
venereal
disease

Provided that nothing in this section shall apply to any advertisement, notification, announcement, recommendation or holding out made or published by or under the authority of the States Board of Health or to any publication sent only to duly qualified medical practitioners or to chemists for the purposes of their business.

(3) A person shall not print or otherwise produce any such advertisement, notice, announcement, paper or handbill as is prohibited under the provisions of this Ordinance.

Printing of
advertisements,
etc.

3.—If any person acts in contravention of any of the provisions of this Ordinance, that person shall be liable on conviction to a fine not exceeding One hundred Pounds, or to imprisonment, with or without hard labour, for a term not exceeding six months.

Penalty for
contravention

**Ordonnance ayant rapport aux
MALADIES SECRÈTES (1942)
(Le 7 novembre 1942)**

LA COUR, le jugeant nécessaire pour prévenir et réprimer les maux résultant de l'introduction en cette Ile de Maladies Secrètes, a, ouïes les conclusions du Procureur Général, ordonné et ordonne comme suit, savoir:—

Definitions

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

“Contact” includes—

- (a) a person who has, during the period in which another person has been suffering or is believed by the States Medical Officer of Health or a private medical practitioner to have been suffering from Venereal Diseases, had sexual intercourse with that other person: and
- (b) any child, who has not attained the age of seventeen years, of any person found to be suffering from Venereal Disease: and
- (c) any parent of a child who has not attained the age aforementioned and is found to be suffering from Venereal Disease: and
- (d) any other member of the household of which a person found to be suffering from Venereal Disease forms part:

“Law Officer” means the Attorney General or the Solicitor General and includes any person for the time being exercising the functions of either of those offices:

“Police Inspector” includes any person for the time being exercising the functions of Inspector of the States Salaried Police in this Island:

“States Medical Officer of Health” includes any medical practitioner for the time being exercising the duties of that office:

“Venereal Disease” shall include Syphilis, Gonorrhoea and Soft Chancre.

Persons
suffering
from
Venereal
Disease

2.—Any person, whether male or female, on becoming aware of the fact that he or she is suffering from Venereal Disease shall forthwith place himself or herself under treatment therefor either by a private medical practitioner authorised to practise as such in the Island of Guernsey or at the Venereal Disease Clinic established by the States of Guernsey and shall thereafter continue to receive the treatment prescribed, and shall submit to

the tests adjudged necessary, by the private medical practitioner or by the medical practitioner in charge of that Clinic, as the case may be, until that person is pronounced by that medical practitioner to be cured.

3.—Where any medical practitioner ascertains that a person is suffering from Venereal Disease, the medical practitioner shall forthwith—

Duties of
Medical
Practitioner

- (a) explain to that person the nature of the disease and instruct that person that he or she must not have sexual intercourse with any other person during such period as the medical practitioner may then prescribe: and
- (b) notify the States Medical Officer of Health of the name, address and occupation of the person and the nature of the Venereal Disease from which he or she is suffering.

4.—If any person who is suffering from Venereal Disease fails to continue to receive the treatment prescribed or to submit to the test adjudged necessary in his or her case, the medical practitioner concerned shall forthwith report such failure to the States Medical Officer of Health.

Failure to
receive
treatment
prescribed

5.—(1) The States Medical Officer of Health, if he has reason to believe that a person is or may be suffering from Venereal Disease or is a contact of a person so suffering, may apply to a Law Officer for an order directing that—

Suspected
persons

- (a) such first named person be examined, free of charge, to that person, by a medical practitioner for the purpose of determining whether that person is suffering from Venereal Disease: and
- (b) if that person is found to be so suffering, that that person submit to the treatment prescribed, and to the tests adjudged necessary, by the medical practitioner until that person is pronounced by that medical practitioner to be cured. The cost of such treatment and tests shall not fall to be borne by that person or by a person responsible for the

maintenance of that person unless that person or that other person agrees to bear the same.

Compulsory
isolation

(2) The States Medical Officer of Health, if he has grounds for believing that any person is the cause of the spreading of Venereal Disease, may apply to a Law Officer for an order directing the compulsory isolation of that person in a hospital or other suitable place until that person is pronounced by a medical practitioner to be non-infectious.

(3) Upon any such application as aforesaid being made to a Law Officer, the Law Officer shall, upon being satisfied that there are reasonable grounds for the making of the application, make an order accordingly and thereupon the person or persons affected by the order shall forthwith comply with the directions contained therein.

Powers of
Police
Inspector

(4) The Police Inspector shall, upon the production to him of such an order as is hereinbefore in this Section mentioned and upon the laying of information that any person affected by the order has failed to comply with any direction contained therein, cause that person to be apprehended and conducted, if need be by force, to such place as may be requisite for the purpose of compliance with such direction.

(*5).—

Penalty
for
contravention

6.—If any person shall fail to comply with any of the provisions of this Ordinance or with any instructions given to that person by a medical practitioner under the provisions of clause (a) of Section 3 of this Ordinance or with any direction contained in an order made by a Law Officer under the provisions of Section 5 of this Ordinance† or shall escape or attempt to escape from any place of isolation in which that person is confined under such an order or, knowing that he or she is suffering or has suffered from Venereal Disease, has or attempts to have sexual intercourse with any other person before being

* Sub-section (5) added by Ordinance of the 20th March, 1943.

† Addition made by Ordinance of the 20th March, 1943.

pronounced by a medical practitioner to be cured or to be non-infectious, that person shall be guilty of an offence against this Ordinance and shall be liable, upon conviction before the Police Court to a fine not exceeding One hundred pounds or to a term of imprisonment, with or without hard labour, not exceeding Six months, or to both such fine and such imprisonment and, upon the conviction of any such person, the Police Court Magistrate may, upon the application of a Law Officer, direct that the convicted person shall be forthwith isolated in a hospital or other place suitable, in the opinion of the States Medical Officer of Health, for the purpose until the convicted person is pronounced by a medical practitioner to be non-infectious and that the term of imprisonment to which the convicted person is sentenced either directly or in default of payment of a fine or both, shall only commence to be served after the convicted person has been released from such place of isolation.

Ordonnance supplémentaire à l'Ordonnance ayant rapport aux MALADIES SECRETES (1942). (Le 20 mars 1943)

LA COUR, vu les représentations de l'Officier Médical de Santé et ouïes les conclusions du Procureur Général Délégué, a ordonné et ordonne:—

The Ordinance entitled "Ordonnance ayant rapport aux Maladies Secrètes (1942)" shall henceforth have effect subject to the following modifications:—

(a) The following sub-section (5) shall be inserted immediately after sub-section (4) of Section 5:—

"(5) During the compulsory isolation of any person under an Order of a Law Officer, such person shall, without remuneration or reward, render all such services and perform all such duties in and about the premises where such person is isolated as shall be required of that person by the States Medical Officer of Health or by any person duly authorised by him in that behalf".

Amendment
of Section 6

- (b) In Section 6 there shall be inserted immediately after the word " Ordinance " appearing for the third time the words " or with any requirement made of that person under the provisions of subsection (5) of Section 5 of this Ordinance ".

Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande. (Le 20 avril 1918)

La Cour, prenant en considération la nécessité de reviser les Ordonnances qui ont rapport tant au Marché public, aux Abattoirs, au Poids du Roi et à la Vente de la Viande qu'aux devoirs des bouchers et de tous ceux qui fréquentent le dit Marché; considérant de plus l'utilité de réunir et consolider les règlements qui ont rapport à ces objets afin que chacun puisse en avoir une facile et entière connaissance, ouïes les conclusions des Officiers du Roi a rappelé et rappelle toutes les Ordonnances qui regardent le Marché, les Abattoirs, les Bouchers, la vente et l'inspection de la Viande, à l'exception des Ordonnances suivantes, savoir: —

- (a) L'Ordonnance Provisoire réglant la Vente de la Viande passée aux Chefs-Plaids d'après Noël, tenus le 22 janvier 1917.
- (b) La partie de l'Ordonnance relative aux Bouchers et aux Equarisseurs ayant rapport aux Equarisseurs, passée aux Chefs-Plaids d'après la Saint Michel, tenus le 22 octobre 1882.
- (c) L'Ordonnance Provisoire relative à la Salubrité Publique, passée le 30 mai 1908.

et y a substitué les règlements suivants, savoir: —

ARTICLE 1

La présente Ordonnance ne déroge en rien aux Ordonnances qui sont ou qui seront en force pour le maintien de la Loi et du bon ordre dans la Ville et paroisse de Saint Pierre-Port par les Connétables et Assistants de Connétables de la dite Ville et paroisse;

mais il sera nommé un Surintendant, dont les devoirs comprendront la surveillance des Marchés, de leurs avenues, des Abattoirs et des boutiques spécialement préposées dans cette île et qui sera spécialement chargé de veiller à ce que tous les règlements soient strictement observés et à ce qu'il y règne la plus grande propreté et le bon ordre le plus exemplaire. Le dit Surintendant sera nommé par le Comité des Etats pour le Marché public et la Rue de la Fontaine (lequel Comité est ci-après désigné "le Comité des Etats") et sera assermenté comme Assistant de Connétables par la Cour Royale. Tout Boucher et autre se conformera aux règlements du Comité des Etats et aux ordres du dit Surintendant quant à tout ce qui regarde l'entretien des Marchés et des Abattoirs, sous peine d'une amende à discrétion de Justice qui n'excédera pas £2 stg. Les règlements faits par le Comité seront soumis à l'approbation de la Cour Royale avant d'être mis en force.

ARTICLE 2

Les Marchés seront ouverts et fermés tels jours et à telles heures qui pourront être fixées de temps en temps par le Comité des Etats après consultation avec les occupants des boutiques et des étaux. Les dits jours et heures ainsi adoptés seront affichés sur un écriteau en dehors et en dedans du Marché.

LES BOUCHERS ET LES MARCHANDS DE VIANDE

ARTICLE 3

Il est défendu d'exercer le métier de boucher ou de marchand de viande dans cette île sans en avoir préalablement obtenu une licence de la Cour Royale siégeant en Cour Ordinaire, sous peine d'une amende à discrétion de Justice qui n'excédera pas £5 stg. Les licences ne seront accordées que sous la recommandation du Comité des Etats lequel Comité gardera un registre de toutes licences accordées. Il sera loisible au Comité des Etats à sa discrétion en cas de mauvaise conduite de retirer une licence, sujet toutefois au droit d'un boucher

ou d'un marchand de viande d'en appeler à la Cour Ordinaire.

Dans le cas d'un appel à la Cour l'ordre du Comité ne sera mis en force qu'après que la Cour ait statué sur le dit appel.

Marché Public à Viande **LES BOUTIQUES ET ETAUX**

ARTICLE 4

Il ne sera permis à aucun occupant de boutique ou d'étal de sous louer à un autre sans la permission du Comité des Etats (laquelle permission ne sera pas refusée sans cause valable) sous peine d'éviction et de perdre l'argent qu'il a payé d'avance. Si un boucher quitte sa boutique ou son étal avant l'expiration de son louage le Comité des Etats prendra en considération le remboursement du loyer qui aurait pu être payé et décidera chaque cas suivant ses mérites. Dans le cas où une licence aura été retirée pour cause de mauvaise conduite le louage de la boutique ou de l'étal sera annulé.

***ARTICLE 5.**

VENTE DE LA VIANDE

ARTICLE 6

Il est défendu de vendre aucune viande quelconque excepté la viande de cochon, ailleurs que dans le marché public ou dans des boutiques dument licenciées et exercées sous les règlements du Comité des Etats; bien entendu que la viande chevaline ne sera vendue que dans les boutiques spécialement préposées en dedans ou en dehors de la ville et paroisse de Saint Pierre-Port, le tout sous la peine d'une amende à discrétion de Justice qui n'excédera pas £5 stg. Ne déroge pas cet Article au droit de colportage.

†ARTICLE 7.

***ARTICLE 8.**

* New Articles substituted by Ordinance of the 27th November, 1920.

† New Article substituted by Ordinance of the 20th April, 1925.

§ARTICLE 9.

CHAIR DE VERRAT OU DE BELIER

ARTICLE 10

Il est défendu à tout boucher et autre de mettre en vente de la chair de verrat ou de béliet sans en avoir donné connaissance au Surintendant du Marché et telle chair ne sera pas vendue dans le marché excepté dans des endroits autorisés à cet effet et désignés par un écriteau pour en donner connaissance aux acheteurs le tout sous la peine de confiscation de la dite chair et d'une amende qui n'excédera pas £5 stg.

* ARTICLE 11

VIANDE SOUFFLEE

ARTICLE 12

Il est défendu à tout boucher et autre de souffler ou faire souffler les viandes d'aucune manière que ce soit† sous la peine: —

- (a) dans le cas d'un boucher, pour la première infraction, de la suspension de sa licence pour une période n'excédant pas six mois et pendant la période de suspension la fermeture de sa boutique sans recompense; et pour la seconde infraction la forfeiture de sa licence à jamais.
- (b) dans le cas d'une personne qui n'est pas boucher, pour la première infraction, d'une amende, à discrétion de Justice, qui n'excédera pas £2 stg. et pour la seconde infraction d'une amende à discrétion de Justice qui n'excédera pas £5 stg.

Toute infraction à cet article entrainera aussi la confiscation de la viande soufflée.

§ New Article substituted by Ordinance of the 2nd July, 1932.

* Replaced by Regulation of 6th March, 1920.

† Amended by Ordinance of 6th December, 1941.

ABATTOIRS

ARTICLE 13

Il est défendu à tout boucher et autre de tuer bœuf, vache ou génisse,‡ ailleurs que dans l'abattoir public ou dans tels autres lieux qui pourront être autorisés par la Cour en Corps en dehors des limites suivantes savoir: — De l'Esplanade du Sud du Havre de Saint Pierre-Port montant la route de Havelet; la route dite "George Road" jusqu'au Carrefour du "Fort George"; la route dite "Colborne Road" jusqu'au Pont Renier; la Ruelle Braye jusqu'au Carrefour de la Ville au Roi; la route de la Ville au Roi jusqu'à Mount Row; du Carrefour de Mount Row jusqu'à l'héritage de Richmond; du Carrefour de Mount Row par la route dite "King's Road" jusqu'aux Rocquettes; descendant la route des Rohais jusqu'à "Collings Road"; de "Collings Road" à la Fosse André et à Amherst; du Mont Arrivé à la Vrangue; du Grand Bouët aux Banques, l'Esplanade de Saint Georges et l'Esplanade du Nord du Havre de Saint Pierre-Port.

Tout individu désirant obtenir la dite autorisation donnera connaissance publique par le moyen d'une affiche au porche de l'église de la paroisse où les lieux sont situés, et par le moyen d'une annonce dans la *Gazette* autorisée pour les annonces officielles, du jour et de l'heure où il se propose de s'adresser à la Cour à l'effet, afin que s'il se trouve des opposants ils puissent se présenter devant la Cour pour faire valoir leur opposition; il sera aussi tenu de faire examiner les lieux par un des Connétables de la paroisse qui pourra y appeler des experts, et lequel Connétable en fera son rapport à la Cour, le tout sur la peine d'une amende qui ne sera pas moindre de deux livres stg., et n'excédera pas dix livres stg.

‡ Amended by Ordinance of 2nd July, 1932.

ARTICLE 14

Il est défendu à tout boucher et autre de saigner ou faire saigner aucune bête avant de la tuer si ce n'est à l'arrivée de bêtes grasses sujettes dans leur traversée à beaucoup d'échauffement et meurtrissures et qu'il est permis de saigner une fois dans les quarante-huit heures après leur arrivée, mais seulement par ordre du Chirurgien Vétérinaire des Etats, sous la peine d'une amende à discrétion de Justice qui n'excédera pas £5 stg.

INSPECTION DE VIANDE**ARTICLE 15**

Il sera nommé par les Etats un Inspecteur de Viande.

ARTICLE 16

Toute viande importée dans cette île pour être exposée en vente sera immédiatement portée à tel local qui sera indiqué de temps à autre par le Superviseur de la Chaussée en consultation avec le Comité des Etats pour être soumise à l'examen par le dit Inspecteur qui, si la viande est saine et propre pour servir à la nourriture humaine, le fera estampiller; et dans le cas où la dite viande ou aucune partie est jugée impropre à cet usage, le dit Inspecteur en refusera livraison et après avoir fait appeler le propriétaire ou le consignataire il pourra ordonner, s'il le croit nécessaire, la confiscation ou la destruction de la dite viande.

La viande de toutes bêtes abattues dans l'abattoir public sera sujette au même examen et sera estampillée de la même manière que la viande importée, avant d'être mise en vente; le tout sous peine d'une amende à discrétion de Justice qui n'excédera pas £10 stg.

ARTICLE 17

L'Inspecteur pourra entrer dans les boutiques du Marché public et dans tous lieux dans cette île en dehors du marché où des viandes sont exposées en vente et faire

arrêter toute charrette ou autre voiture contenant de la viande pour être vendue afin d'examiner les dites viandes, et tout individu y mettant délai ou empêchement sera passible d'une amende à discrétion de Justice qui n'excédera pas £10 stg. Toute viande jugée impropre à la nourriture humaine par l'Inspecteur sera par lui confisquée après avoir fait appeler le propriétaire, et sera détruite aux frais du marchand ou du propriétaire.

ARTICLE 18

Il est défendu de vendre ou d'exposer en vente de la viande dite " Chilled Meat " ou " Frozen Meat " sans en indiquer le fait* sous peine d'une amende à discrétion de Justice qui n'excédera pas £10 stg.

ARTICLE 19

Toute personne qui aura sciemment vendu, offert ou exposé en vente, aidé ou participé à la vente ou à l'offre en vente d'un animal ou d'une partie quelconque d'un animal malade ou mort de maladie ou tué lors atteint de maladie qui en rendrait la viande impropre à la nourriture humaine sera passible d'une amende à discrétion de Justice qui n'excédera pas £20 stg., et en cas de récidive d'une amende à discrétion de Justice qui n'excédera pas £100 stg.

ARTICLE 20

Le propriétaire de toute viande jugée impropre à la nourriture humaine par l'Inspecteur, sous les Articles 16, 17, 18 et 19 aura le droit de la soumettre à l'inspection de l'Officier de Santé dont la décision sera finale.

ARTICLE 21

L'Inspecteur aura le droit de visiter tout abattoir particulier pour en faire l'examen et toute personne mettant délai ou empêchement à l'Inspecteur sera passible

* Amended by Ordinance of 2nd July, 1932.

d'une amende à discrétion de Justice qui n'excédera pas £5 stg.

ARTICLE 22

Tout maître de navire ou officier ou autre agent autorisé par lui ayant à son bord une ou plusieurs consignations de viande pour la destination de cette île devra à son arrivée dans un Havre de cette île remettre au Maître du Port une déclaration par écrit sous son seing désignant le nombre de colis de viande ainsi que le nom et l'adresse de chaque consignataire de la dite viande, le tout sous peine d'une amende contre le maître ou propriétaire du navire ou contre les dits officiers ou agent à discrétion de Justice qui n'excédera pas £10 stg.

MARCHE A POISSON ET A LEGUMES

ARTICLE 23

Les Loyers des tables et étaux dans le Marché à Poisson et à Légumes seront réglés par le Comité des Etats.

Personne ne pourra sous-louer à une autre la table ou l'étal qu'il aura pris par l'année ou par le jour.

ARTICLE 24

Il est défendu de tenir une boutique pour la vente de poisson frais dans la ville de St. Pierre-Port excepté dans le marché à poisson ou dans des boutiques dument licenciées à cet effet par la Cour Royale.

ARTICLE 25

Tout gibier, poisson, fruit ou légumes qui seront jugés être dans un état impropre à la nourriture humaine mis en vente dans le marché ou dans des boutiques seront immédiatement confisqués par le Surintendant du marché pour être détruits et sera celui qui l'aura mis en vente passible d'une poursuite pour l'avoir mis en vente. En cas de dispute entre le propriétaire des marchandises et le Surintendant quant à leur état, la question sera référée à l'Officier de Santé dont la décision sera finale.

LES POIDS DU ROI

ARTICLE 26

Tout boucher qui aura tué une bête pour laquelle il doit payer par le poids sera tenu de la faire peser dans les deux fois vingt-quatre heures après qu'elle aura été abattue; et lui est défendu sous aucunes circonstances de la récouper excepté en quartiers avant de la faire peser, le tout sous peine d'une amende à discrétion de Justice qui n'excédera pas £3 stg.

* ARTICLE 27

ARTICLE 28

Les amendes seront applicables moitié à Sa Majesté et moitié aux Etats.

Ordonnance supplémentaire à l'Ordonnance relative aux Marchés Publics, aux Abattoirs, et à la Vente de la Viande.

(Le 28 juin 1919)

Vu la délibération des Etats en date du 14 mai 1919, par laquelle les Etats furent d'avis d'abolir le fermage du Poids du Roi et d'exprimer à l'avenir en monnaie courante moderne le montant des droits et de remettre aux Etats le soin de les percevoir.

La Cour, ouïes les conclusions du Procureur du Roi, a rappelé et rapelle l'Article 27 de l'Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande, passée aux Chefs Plaids d'après Pâques remis, le 20 avril 1918 et y a substitué l'Article suivant lequel sera censé faire partie de la dite Ordonnance:

LES POIDS DU ROI

ARTICLE 27

Les droits dus au Poids du Roi sont:—

(1) Pour chaque bœuf, vache et génisse tués afin d'être vendus dans cette île un chelin.

* New Article substituted by Ordinance of 28th June, 1919.

(2) Pour chaque veau, brebis, agneau, chèvre, chevreau et cochon tué afin d'être vendus dans cette île deux pennis.

(3) Pour tout cheval tué afin d'être vendu dans cette île un chelin.

(4) Pour toute marchandise, et tous objets vendus par le poids d'étranger à étranger, d'étranger à habitant, d'habitant à étranger et d'habitant à habitant pour compte étranger, il sera payé sur le pied d'un penni* par cent livres pesant, payable moitié par le vendeur et moitié par l'acheteur. Et toute personne tant vendeur qu'acheteur sera tenu de payer le dit droit comme dessus; et quiconque ne le paiera pas dans les vingt-quatre heures après la transaction sur laquelle il est dû, ou qui pesera ailleurs, sans en avertir le Superviseur ou la personne déléguée par lui à cet effet sera sujet à une amende d'une livre stg. Et sont exceptés du paiement de ce droit les objets au dessous de trente livres pesant détaillés en boutiques, les pierres, légumes et fruits de cette île quoique vendus à l'étranger pour exportation.

Ordonnance supplémentaire à l'Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande.
(Le 27 novembre 1920)

Sur les représentations du Comité des Etats pour la rue de la Fontaine et les Marchés, et vu la délibération des Etats en date du 3 novembre 1920,

La Cour, ouïes les conclusions du Procureur du Roi, a rappelé et rappelle les articles cinq et huit de l'Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande, passée aux Chefs-Plaids d'après Pâques remis au 20 avril 1918 et y a substitué les articles suivants lesquels seront censés former partie de la dite ordonnance.

*" de deux pennis " substituted by Ordinance of 22nd March, 1948.

LOYERS, DROITS, ET REDEVANCES

ARTICLE 5

1.—Les loyers des boutiques du Marché à Viande seront réglés par le Comité des Etats.

2.—Les droits et redevances du Marché à Viande seront comme suit:

- (a) Pour chaque quartier de bœuf ou portion de quartier inspecté, la somme de quinze* pennis, laquelle somme comprendra l'usage libre de la glacière des Etats.
- (b) Pour la carcasse ou partie de carcasse de tout veau, brebis, agneau, chèvre, chevreau ou cochon qui sera inspecté ou débité dans la paroisse de Saint Pierre-Port, la somme de sept* pennis, laquelle somme comprendra aussi l'usage libre de la glacière des Etats.

† ARTICLE 8

**Ordonnance supplémentaire à l'Ordonnance relative aux
Marchés publics, aux Abattoirs et à la Vente
de la Viande
(Le 20 avril 1925)**

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle l'article 7 de l'Ordonnance relative aux Marchés publics, aux Abattoirs et à la vente de la viande du 20 avril 1918, et y a substitué l'article suivant lequel sera censé former partie de la dite Ordonnance.

BOUTIQUES EN DEHORS DU MARCHÉ

ARTICLE 7

Il sera permis à tout boucher licencié d'ouvrir en dehors du Marché public une boutique pour vendre et débiter toute espèce de viande après avoir reçu une licence à cet effet de la Cour Royale siégeant en Cour Ordinaire,

* "cinq" substituted for "quinze" and "quatre" substituted for "sept" by Ordinance of 22nd March, 1948.

† New Article substituted by Ordinance of 22nd March, 1948.

laquelle licence ne sera accordée qu'après avoir entendu le rapport du Comité des Etats.

Les propriétaires et occupants de boutiques pour la vente de la viande en dehors du Marché public seront tenus de se conformer aux règlements du Marché public qui pour le temps seront en force et qui sont applicables aux personnes tenant licence en dehors du Marché public, sur les peines portées dans l'article premier de la dite Ordonnance du 20 avril 1918.

**Ordonnance supplémentaire à l'Ordonnance relative aux
Marchés Publics, aux Abattoirs et à la Vente de
la Viande du 20 avril 1918
(Le 2 juillet 1932)**

Vu les dispositions de l'Article 10 de la Loi relative aux Colporteurs et aux Marchands non-Résidents, 1932, concernant le colportage de la viande.

Vu aussi les représentations du Comité des Etats pour le Marché public et la Rue de la Fontaine conseillant des amendements à l'Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande du 20 avril 1918.

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

1.—Est et sera rappelé l'Article 9 de la dite Ordonnance du 20 avril 1918 et sera l'article suivant censé y être substitué:—

COLPORTAGE DE VIANDE

ARTICLE 9.

La licence de boucher comprendra le droit de colporter la viande. Aussi un boucher licencié qui désire faire colporter la viande par un ou plusieurs de ses employés pourra s'adresser au Comité des Etats pour le Marché Public et la Rue de la Fontaine pour une licence de colporteur de la viande pour être exercée par tel employé

ou par chacun de tels employés selon le cas en produisant au dit Comité des recommandations satisfaisantes quant à la réputation de tout employé dont il s'agit. Il sera payé au dit Comité Une Livre sterling par an pour chaque licence d'employé. En cas de mauvaise conduite de la part d'un employé licencié le dit Comité pourra retirer ou suspendre sa licence. La Licence de l'employé cessera au même temps que cessera la licence de son patron.

Pour les besoins de cette Ordonnance un véhicule en usage pour le colportage de la viande sera censé une boutique licenciée pour la vente de la viande en dehors du Marché Public.

2.—L'Article 13 de la dite Ordonnance du 20 avril 1918 aura effet comme si entre les mots "genisse" et "ailleurs" furent insérés les mots "ou veau dont la chair est destinée à la nourriture humaine."

3.—L'Article 18 de la dite Ordonnance du 20 avril 1918 aura effet comme si entre les mots "fait" et "sous" furent insérés les mots "en lettres lisibles d'une hauteur de pas moins d'un pouce et demi."

**Ordonnance de 1941 supplémentaire à l'Ordonnance (du
20 avril 1918) relative aux Marchés Publics, aux
Abattoirs et à la Vente de la Viande
(Le 6 décembre 1941)**

LA COUR, sur les représentations du Comité des Etats dit "The Controlling Committee of the States of Guernsey" ouïes les conclusions du Contrôle du Roi a ordonné et ordonne comme suit: —

VIANDE SOUFFLEE

Pendant que cette Ordonnance demeurera en vigueur les mots "d'aucune manière que ce soit" sont supprimés de l'Article 12 de l'Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande, passée le 20 avril 1918, et à leur place seront substitués les mots "autrement que par moyens mécaniques."

**Ordonnance de 1948 supplémentaire à l'Ordonnance
relative aux Marchés Publics, aux Abattoirs et à
la Vente de la Viande du 20 avril 1918
(Le 22 mars 1948)**

LA COUR sur les représentations du Conseil Administratif des Etats, ouïes les conclusions des Officers du Roi, a ordonné et ordonne comme suit: —

1.(1) Dans l'alinéa (a) de la section 2 de l'Article 5 (ainsi qu'amendé par l'Ordonnance supplémentaire à l'Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande, du 27 novembre 1920, (ci-après désignée "l'Ordonnance de 1920"), de l'Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande, du 20 avril 1918, (ci-après désignée "l'Ordonnance de 1918") les mots "quinze pennis" seront rayés et les mots "cinq pennis" y seront substitués.

(2) Dans l'alinéa (b) de la dite section (2), les mots "sept pennis" seront rayés et les mots "quatre pennis" y seront substitués.

2.Est et demeure rappelé l'Article 8 (ainsi qu'amendé par l'Ordonnance de 1920) de l'Ordonnance de 1918, et y sera substitué l'Article suivant—

BOUTIQUES EN DEHORS DU MARCHÉ

ARTICLE 8.

1. Les propriétaires ou occupants de boutiques spécialement préposées dans la Ville et paroisse de Saint Pierre Port seront assujettis aux mêmes droits et redevances mentionnés dans l'Article 5.

2. Dans le cas où des propriétaires ou occupants de boutiques spécialement préposées en dehors de la Ville et paroisse de Saint Pierre Port feront usage de l'installation frigorifique des Etats ils paieront tels droits qui seront fixés par le Comité des Etats; BIEN ENTENDU qu'il ne sera accordé permission de placer de la viande chevaline dans la dite installation."

3. Dans l'alinéa (4) de l'Article 27 (ainsi qu'amendé par l'Ordonnance supplémentaire à l'Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande, du 28 juin 1919) de l'Ordonnance de 1918, les mots " d'un penni " seront rayés, et les mots " de deux pennis " y seront substitués.

4. Cette Ordonnance pourra être citée comme " l'Ordonnance de 1948 relative aux Marchés Publics."

**Ordonnance prohibant les CHIENS dans les Marchés
Publics et les Halles Françaises
(Le 26 juin 1943)**

LA COUR, dans l'intérêt de la Salubrité Publique, et ouïes les conclusions du Procureur Général Délégué, a ordonné et ordonne comme suit, savoir:—

Dogs not
allowed in
Public
Market or
French
Halles

1.—No dog, whether on a leash or not, shall henceforth be allowed in the Public Markets or under the French Halles.

Dogs
found
there to be
detained

2.—Any dog found in the Public Markets or under the French Halles shall be detained forthwith by the Market Superintendent or any Officer serving under him and handed over to the Police who, in the event of such dog not being claimed by the person having the rightful custody thereof within 24 hours of its detention, shall have power to cause it to be destroyed.

Penalty
for
infringement

3.—Any person who has the custody of a dog which is found in the Public Markets or under the French Halles or who wilfully obstructs the Market Superintendent or any Officer serving under him in the execution of his duty under this Ordinance shall be liable to a fine not exceeding £10 or to imprisonment for a term not exceeding two months or to both such fine and such imprisonment.

**Ordonnance ayant rapport à la Construction de Maisons,
Salles Publiques et Bâtiments, et au Tracement
de Routes et Chemins
(Le 25 avril 1931)**

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle les Ordonnances suivantes savoir:

L'Ordonnance Provisoire ayant rapport à la Construction de Maisons et Bâtiments et au Tracement de Routes et Chemins passée le 16 décembre 1922.

L'Ordonnance provisoire portant amendement à la dite Ordonnance du 16 décembre 1922, passée le 15 février 1929.

L'Ordonnance provisoire portant amendement à la dite Ordonnance du 16 décembre 1922, passée le 15 février 1930.

L'Ordonnance provisoire supplémentaire à la dite Ordonnance du 16 décembre 1922, passée le 8 novembre 1930.

et y a substitué l'Ordonnance contenant des règlements rédigés en anglais qui ensuivent.

DEFINITIONS

In these regulations the expression "the Committee" means the States Committee for the Construction of Houses, Buildings and New Roads,* or their authorised representative.

The expression "the Sanitary Authorities" means the Constables and Douzeniers of a parish and the States Board of Health ("Comité Sanitaire des Etats") severally.

ERECTION, RE-ERECTION OR MODIFICATION OF BUILDINGS

PERMITS

1.—Every person intending to erect a house or other building shall give notice to the Committee of the class of

* States Housing Authority substituted for States Committee for the Construction of Houses, Buildings and New Roads, by Ordinance of 10th July, 1948.

building proposed, and provide with such notice plans drawn to scale of the said building, showing the sanitary appliances, ashpits, and drains, and also such further particulars of the work or any part thereof as the Committee may require, which plans shall show the system and position of the well or other water supply, and all other appurtenances belonging to or to be used in connection with the said building. The said plans shall also, if required by the Committee, show the position of the buildings proposed relative to neighbouring buildings (if such exist), the level of the lowest point of the site, as well as the level of any yard adjoining, and the level of the ground floor of the building proposed. The said notice shall be given by such person, or his authorised agent, before the work is commenced. The Committee shall reply to the sender of the notice within 14 days, except in cases requiring more time, when the sender shall be informed in writing that his proposal demands more consideration.

The Committee may reject or sanction the proposal with or without modifications or conditions and shall give in writing reasons for such refusal or modifications or conditions.

2.—Every person intending to reconstruct wholly or in part, to add to or change in any way the structure of a dwelling house or building serving for public or domestic use or for the needs of commerce or storage, shall notify the Committee in writing of his intention before the work is commenced, and provide plans and such further particulars of the work or any part thereof as the Committee may require for the sufficient demonstration of the work proposed.

3.—In the case of a dwelling-house or business house the Committee may at their discretion require that every room above the ground floor in such house shall be provided, in addition to the doorway, with an available aperture through which an adult person can pass out of the building.

The dimensions of such aperture shall be not less than 18 inches by 15 inches.

A permit given by the Committee under any of these Regulations shall lapse if not acted upon within a year from the date of issue.

4.—A damp proof course approved by the Committee shall be laid above the exterior ground level in the walls of all buildings.

5.—When a scheme for a new building or additions or alterations to an existing building is submitted to the Committee, the application for such work shall clearly state the purpose for which the whole of the building is intended. The foundations shall not be laid until the excavations have been inspected and approved by the Committee. The Contractor shall give at least 36 hours previous notice in writing to the Committee.

6.—The Committee may, during the course of construction or alteration of a building or after completion, examine the work and, if found to be unsafe or unsatisfactory, or materially at variance with the approved plans or other particulars furnished, may, if they consider it advisable, order the demolition thereof as well as the restoration of disturbed structure with the alternative of adherence to the permitted plan. The person affected by such order shall, however, have the right of appeal against the decisions of the Committee before the Ordinary Court, whose decisions thereon shall be final.

7.—When, in the opinion of the Committee the nature of the soil renders such a precaution necessary, the whole ground surface or site of a building shall be properly asphalted or covered with a layer not less than 3 inches thick of sound and impervious concrete, rammed solid. Where any part of a floor of the lowest storey of such building, not being a cellar adapted and intended to be used for storage purposes only, shall be intended to be below the level of the surface of the ground immediately adjoining the exterior of such storey, and so that the ground will be in contact with the exterior of any wall,

he shall cause such storey, or such part thereof as will be so in contact to be constructed with walls impervious to moisture or with hollow walls, constructed in accordance with the requirements of the Regulation in that behalf, and extending from the base of such walls to a height of six inches at least above the surface of the ground immediately adjoining the exterior of such storey.

He shall also cause an effective damp-proof course of sheet lead, asphalte, or vitrified stoneware, or a double course of impervious slates or blue bricks laid to break joint and bedded in cement mortar or of other not less durable material impervious to moisture, to be inserted in every such wall at the base of such wall and likewise at a height of six inches above the surface of the ground immediately adjoining.

NON-COMBUSTIBLE EXTERIOR AND PARTY WALLS

8.—Before commencing building on existing interior walls, party walls, or division walls between two buildings, the builder shall give notice thereof to the Committee. Every building serving as a separate building shall be separated from the neighbouring building by a party or division wall.

All exterior walls as well as party and other division walls between two distinct buildings hereafter erected in this Island shall be in stone, brick, iron or other solid and non-combustible material.

STONE WALLS

9.—When the exterior walls are of stone with no reinforcement, the thickness shall be as follows:—

(a) In the case of buildings, destined or serving for domestic use, the minimum thickness shall be 18 inches and where there are more than two storeys the walls of each storey below the two top storeys shall be at least three inches thicker than the walls of the storey immediately above.

(b) For buildings other than domestic buildings and other forms of construction, the strength of the walls shall be subject to the approval of the Committee.

BRICK, CONCRETE AND OTHER WALLS

10.—When the exterior walls are of brick with no reinforcement the thickness shall be as follows:—

In the case of buildings serving for domestic use:— for two storeys not less than 9 inches except in cases where the Committee being satisfied as to the quality of bricks used may sanction a reduced thickness. For three storeys, not less than 14 inches for ground floor and 9 inches for first and second floors. For four storeys not less than 18 inches for the ground floor, 14 inches for the first floor, and 9 inches for the second and third floors, and in the case of buildings of more than four storeys the thickness for the top storey shall be not less than 9 inches, and the walls of each storey below the top storey shall be at least $4\frac{1}{2}$ inches thicker than the walls of the storey immediately above.

11.—Exterior walls of a building may be hollow or part hollow and part solid, provided that:—

(a) The inner and outer parts of a hollow wall shall be separated by a cavity which shall throughout be of a width not exceeding 3 inches, and shall be properly drained and ventilated.

(b) The inner and outer parts of a hollow wall shall be securely tied together with suitable bonding ties of adequate and approved strength formed of galvanised iron or of glazed stoneware or other material approved by the Committee. Such ties shall be placed at distances apart not exceeding 3 feet horizontally and 18 inches vertically.

(c) The thickness of each part of the wall shall throughout be not less than three inches, and the

aggregate thickness of the two parts, excluding the width of the cavity, shall throughout be not less than the minimum thickness prescribed by these Regulations in that behalf for an exterior wall of the same height and length, and belonging to the same class of building as that to which the hollow wall belongs.

(d) All woodwork intended to form the head of a door-frame, window-frame, a lintel, or other similar horizontal member inserted in the wall so as to project into or extend across any cavity, shall be covered on the upper side thereof with a layer of sheet lead or other suitable and approved impervious material in such manner as effectually to protect such woodwork from any moisture that may enter the cavity.

(e) For other forms of construction in the case of domestic or other buildings, the strength of external walls shall be subject to the approval of the Committee.

(f) In the case of concrete or other hollow blocks, the cavity or cavities in any such block shall not exceed in horizontal sectional area in the aggregate one-third of the horizontal sectional area of such block nor shall any such cavity be of greater width than 3 inches.

The aggregate thickness of any such block including the width of any cavity shall not be less than 9 inches, and the substance at the sides of any cavity in any such block shall not be less than 3 inches in thickness.

Provided that in the case of a building of only one storey not exceeding 15 feet in height or in the case of the top storey of a building the above dimensions may be reduced to not less than 8 inches and $2\frac{1}{2}$ inches respectively.

DIVIDING WALLS

12.—(1) Dividing walls between two buildings shall not be less than 18 inches thick if built of stone, and 9 inches thick if built of brick, and not less than 8 inches thick if in concrete, or other approved material when

(a) the height is 30 ft. and the length not exceeding 20 ft. without a cross wall or approved tie;

(b) the height is 20 ft. and the length not exceeding 30 ft. without a cross wall or approved tie;

When exceeding 30 ft. in height they shall have a thickness of at least 3 inches more than the above thicknesses respectively, for each 10 ft. above the base.

(2) For other walls (not being dividing walls between two buildings) exceeding 30 ft. in height, but not exceeding 40 ft. in height the minimum thickness shall be as follows:—

	If in stone	If in brick
(a) The ground floor or the lower 10 feet as the case may be	21 in.	18 in.
(b) The first floor or the 10 feet next above ground floor as the case may be	18 in.	14 in.
(c) The second floor or the 10 feet next above first floor as the case may be	18 in.	9 in.
(d) The third floor or the 10 feet next above second floor as the case may be	14 in.	9 in.

And when they exceed 40 ft. in height, the thickness shall be increased by at least 3 inches for each 10 ft. above the base.

The height of a wall shall be measured from the base to the highest part of the wall, or in the case of a wall comprising a gable, to half the height of the gable. Provided that in the case of a party wall comprising a gable between two buildings, the measurement shall be

from the base of the wall to the level of the base of the gable.

The base of a wall shall be deemed to be at the set off at the top of the foundation.

(3) Every person who shall erect a new building shall cause every party wall of such building to be carried up at least as high as the underside of the slates or other covering of the roof, and if such party wall be carried up only to the underside of the slates or other covering, he shall cause said slates or other covering to be properly and solidly bedded in mortar or cement on the top of the wall.

Every person who shall erect a new building shall cause every wall of such building, when carried up above a roof, flat, or gutter, so as to form a parapet, to be properly coped or otherwise protected in order to prevent the water from running down the sides of such parapet or soaking into a wall.

WOODEN BUILDINGS

13.—The Committee may permit the erection of wooden buildings, i.e., buildings consisting of a wooden carcass: —

(a) of one storey only, provided they are at a distance of not less than 10 feet from a public road, way, or the boundary line of the adjoining property:

(b) of one storey only, the exterior face of which including the roof is covered with a non-combustible substance, provided they are at a distance of not less than 10 feet from a public road or way, and 5 feet from the boundary line of an adjoining property:

(c) of two storeys, the exterior and interior lining of the walls and the roof being of non-combustible material, provided they are at a distance of not less than 10 feet from a public road or way and 10 feet from the boundary line of the adjoining property.

No wooden buildings shall consist of more than two storeys.

FIREPLACES

14.—(1) The chimneys, hearths, fireplaces and chimney breasts shall be in stone, brick, concrete or other non-combustible material. The Committee may order the chimneys and fireplaces as well as the trimmers for the hearths to be left exposed until they have carried out an inspection thereof.

(2) All smoke flues built in brickwork or stone masonry shall be efficiently targeted inside.

Smoke or other flue pipes for self-setting ranges, stoves, coppers or boilers, shall be allowed provided the floors, walls, and carcase of the building and roof are protected to the satisfaction of the Committee.

(3) Hearths in connection with a chimney opening shall be placed under and in front of such chimney opening and are to be properly constructed of stone, slate, brick, tiles, or other non-combustible substance, properly and securely supported. The hearth to be at least 6 inches thick below the fire container and to extend at least 12 inches at each end beyond the fire container and at least 12 inches in front of chimney breast. Well Grates shall not be substituted for other Grates without the permission of the Committee.

The provisions of this article apply to renewals in buildings constructed before the date of this Ordinance as well as to installation in buildings constructed after that date.

FACADES IN TOWNS

15.—It is forbidden to build, rebuild or change the façade of any house or other building bordering a public road, street or way in the Towns of St. Peter Port, St. Sampson's and the Vale, without giving notice of the same to the Committee. Such notice shall contain full particulars of the manner in which the super-structure of the said façade is to be supported and the work shall

not be proceeded with until the Committee shall approve the same. Provided always that the means of support shall consist of non-combustible material, and the Committee shall require due safeguards against damage to party walls and division walls which might occur by vaults or arches in the said façades, under a penalty against the proprietor and the builders of work done to said façades, contrary to this provision or either of them which shall not exceed £10 and the demolition of the work at the discretion of the Court.

PUBLIC BUILDINGS

16.—Particulars of all changes, alterations or additions to a public hall or to any building in which it is intended to hold public meetings or gatherings shall be submitted to the Committee, being the competent Authority according to Law, and the proposed work shall not be undertaken until approved by the Committee.

SHUTTERS

17.—Exterior shutters shall not be allowed in façades hereafter built bordering any public road, street, or way within 10 feet of footpath or road level, unless the shutters are placed in recesses, wherein they may lie without projecting outside the alignment of the said façade on to the said public road, street or way, under a penalty not exceeding £2 against the proprietors of such façades, and the removal of such shutters.

THATCH

18.—It is forbidden to roof houses or other buildings with thatch unless the building so thatched is at a distance of at least 50 feet from any building belonging to a neighbour, under a penalty not exceeding £10 and the removal of the thatch. Provided always that it shall be lawful to renew the thatch on a roof already thatched.

TIMBER IN PARTY WALLS

19.—Saving the rights of others, timber may be placed in a party wall provided that it shall not extend beyond the centre line of the party wall and also provided that it be encased in brickwork or other solid and incombustible material not less than 4 inches in thickness or that it has every part which is placed in the party wall properly encased in an iron beam box with a solid back.

FLOORS

20.—The floors of buildings shall be able to carry a safe superimposed load per square foot, as follows:—
lbs.

- (a) for domestic buildings not hereinafter mentioned, counting houses, offices 70
- (b) for Asylum wards, lodging house bedrooms, hospital wards, hotel bedrooms, workhouses, wards and for other similar purposes 84
- (c) for Art galleries, chapels, churches, classrooms in school buildings not being dwelling houses so used, lecture rooms, meeting rooms, music halls, public assembly and public concert rooms, retail shops, theatres, workshops and other similar purposes 112
- (d) for Ball rooms, drill rooms and other floors used for similar purposes, subject to vibration 150
- (e) for Book stores at libraries, and museums, and floors in a building of a warehouse class, except such floors as are intended to be used for any of the purposes mentioned in (a), (b), (c), and (d) of this Article, not less than • 224

STAIRS AND LANDINGS

(f) for stairs and landings the super-imposed load shall be estimated as equivalent to a dead load of at least 120lbs. per square foot, but each step shall be capable of safely supporting a concentrated load at any point of not less than 300

ORDINANCES

WATER.

21.—Every dwelling as well as every building serving regularly either as a public hall, workshop, and any other building occupied by persons for more than three hours at a time shall be provided with a sufficient supply of wholesome potable water and a constant and efficient supply of water for the flushing of water closets where W.C.'s exist.

CLOSETS.

22.—Every building serving regularly either as a public hall, Church, Chapel, Ballroom, or other building occupied by persons for more than three hours at a time, and every house, factory, shop, workshop and work place shall be provided with suitable W.C., E.C., or other closets and with adequate sink or other accommodation for the reception of slop, waste, rain or surface water, at the discretion of the Committee, but earth or other closets are not allowed where draining into a sewer is practicable.

Separate sanitary accommodation shall be provided for each sex at the discretion of the Committee.

23.—All water closets hereafter constructed in or attached to any building shall have at least one side formed by an exterior wall, and shall have at least one window to open in an exterior wall. In addition the Committee may order, when considered necessary, a fresh air inlet or shaft. Provided that in special cases where the above provisions cannot be applied, the Committee shall have discretion to sanction measures alternative thereto. A water closet shall not open into any room used for the purpose of human habitation or for the manufacture, preparation, or storage of human food.

The Committee may, however, permit the construction and installation of a W.C. for the use of the occupiers of the room adjoining only, in the case of hotel or other cases of bed or sitting rooms, in which cases the W.C. may be situated immediately next to and entered from the said bed or sitting room.

Provided always that W.C.'s may be built in connection with underground basements subject to the aforesaid regulations, with the exception of the clause relative to lighting and ventilation, and every such W.C. shall have a light to the open air of at least 144 inches superficial area and adequate means of constant ventilation with open air shall be provided.

24.—Every water closet hereafter built or installed shall be provided with a separate flush tank or other apparatus approved by the Committee and shall be able to be effectually flushed with water so that the whole of the contents of basin may be removed and carried away immediately after use.

In the case of existing water closets not provided with a flush tank or other apparatus approved by the Committee as above stated, the Parochial Sanitary Authority may order the owner thereof to provide to it a flush tank as above required within 28 days from the date of such order, in default of which it shall be lawful for the said Sanitary Authority to get such a tank fitted and supplied with an efficient and constant supply of water at the expense of the owner of the said closet.

No water shall be drawn from the flush tank for other than flushing purposes. No part of the water closet apparatus other than the flush tank shall be directly connected with any service pipe.

25.—Every W.C. shall have a basin or other suitable receptacle in glazed ware or other non-absorbent material and of such shape, of such capacity and of such mode of construction as to receive and contain a sufficient quantity of water and to allow all filth which may be deposited in such basin or receptacle to fall free of the sides thereof and direct into the water received and contained in such basin or receptacle, such basin or receptacle shall be trapped and shall have the joint between the apparatus and the piping to which it is attached visible and accessible without disturbing the floor. No "pan," "container," D trap or bell trap shall be used in connection with any

sanitary appliance, or fitting. Drain or soil pipes except where unavoidable shall be fixed outside buildings, and in cases where such soil pipes are of necessity situated inside buildings, they shall be of heavy cast iron socketed or cast drawn lead with the joints soldered.

26.—All soil pipes shall have oblique junction arms where necessary, without elbows, and with as few bends as possible; soil pipes shall be not less than $3\frac{1}{2}$ inches interior diameter and shall be of cast drawn lead piping or iron carried without diminution of their diameter as ventilating shafts to the level of the highest ridge where dormer windows exist in roof and 2 feet above the highest eave of the buildings to which they are attached where there are no dormer windows, and in every case discharging clear of windows.

The weight of the soil pipes below the uppermost junction shall be as follows, viz.:—

Interior Diameter	LEAD.	IRON.
	Weight per 10ft. length not less than	Weight per 6ft. length not less than
$3\frac{1}{2}$ ins.	65 lbs.	48 lbs.
4 ins.	74 lbs.	54 lbs.
5 ins.	92 lbs.	69 lbs.
6 ins.	110 lbs.	84 lbs.

27.—In the case of fixing more than one W.C. apparatus into or in connection with a soil pipe-shaft provision shall be made for antisiphonage, when same is considered necessary by the Committee, either by pipe or pipes 2 in. interior diameter to be fixed on each apparatus, carried the shortest way outside the building to at least 3 feet above the junction with the highest apparatus and so as to discharge clear of all windows, or other openings.

CLOSETS, OTHER THAN WATER CLOSETS.

28.—Earth closets shall have a suitable receptacle of impervious material for the reception of the filth therein

deposited and shall be furnished with an approved container of adequate capacity for the necessary supply of dry earth. They shall be provided with an easy means of access for the purpose of removing the contents thereof, and shall not be exposed to rainfall, waste, surface water or other liquid. No closet other than a water closet or earth closet shall be installed or used without the permission of the Committee, and no closet other than a water closet shall be constructed so as to have any communication with the interior of any building.

DRAINS.

29.—The contractor shall give notice, in writing, to the Committee 36 hours at least before the time he proposes to cover any drain of the various classes of buildings mentioned in Articles 1, 2 and 3 of these Regulations and no such drains shall be covered without the sanction of the Committee. Drains shall communicate with a public sewer or cesspool or other receptacle approved by the Committee and shall be impermeable stoneware or iron socketed piping of approved size and laid at regular gradients on a firm bearing under the direction of the Committee. The size shall not be less than four inches interior diameter. Every drain communicating direct with the inside of a dwelling-house, public building, workshop or factory shall be disconnected from the main sewer or cesspool by means of an intercepting trap of approved make and size, and shall have the necessary inlets and outlets so as to create and provide a continual and unobstructed current of air into said drain.

30.—Drains and soil pipes shall not, except where unavoidable, be laid under or inside buildings. All surface drains, sinks, gullies, rain-water pipes and other inlets (except vertical soil pipes) shall be efficiently trapped before being connected with a drain. All W.C.'s or other connections shall be trapped before they enter soil pipes. The Committee may, if they deem it necessary, order

any drain passing under a building, or through doubtful soil or springs, to be enclosed in a block of concrete.

31.—In the case of a drain passing through the foundations of a wall or building a vacant space of at least three inches shall be left around the said drain but filled in with soft material. The joints of drains shall be either in cement and sand mixed in equal proportions or patent joints approved by the Committee and the drains shall be perfectly air and water-tight, smooth and even inside, and able to withstand such hydraulic test in the case of a drain passing under or inside buildings, or such smoke test in the case of outside drains as the Committee may consider necessary.

CESSPOOLS.

32.—Cesspools hereafter constructed shall be of the sizes and at the positions approved by the Committee so as to afford ready means of access for the purpose of cleaning and removing the contents thereof. Cesspools shall be built in solid stonework, brickwork, in mortar or concrete with, where necessary, proper shewback in cement mortar. The bottom shall be of concrete. The thickness of the brickwork, stonework, or concrete shall be approved by the Committee. The sides and bottom shall be rendered in Portland cement and sand mixed in equal proportions and maintained water-tight. All cesspools shall be ventilated.

WASTE PIPES.

33.—The waste pipes from indoor sinks, and gullies, lavatory basins and baths shall be trapped with a syphon between the fittings and the exterior wall and shall not be connected direct into a drain or soil pipe, but shall discharge over a trapped gully connected to a drain or otherwise at the discretion of the Committee. Such waste pipes shall be also open at their upper extremity when considered necessary by the Committee and when in

lead shall be in cast drawn piping. Overflow of cisterns shall discharge in the open, over trapped gullies or otherwise, at the discretion of the Committee.

Gullies shall be of such a construction, or topped with a drip stone in such a manner that the waste waters at the time of discharge cannot flow outside the gully.

*34.—

ROADS OR LANES.

35.—No road or lane intended for public service shall be laid out or constructed without the approval of the Committee, and such laying out or construction shall be subject to such conditions as the Committee may impose.

ALIGNMENTS (“BORNEMENTS”) AND PERMITS CONNECTED THEREWITH.

*36, *37, *38, *39.

EXCEPTIONS.

40.—Shall be exempted from the application of the Regulations of this Ordinance, excepting those numbered 15, 17, 18, 36, 37, 38 and 39:—

- (a) Greenhouses, summer-houses, barns, stables, cart-houses and other such buildings serving exclusively for the housing of live-stock or other animals, or for the needs of agriculture or horticulture, and
- (b) Buildings in the possession or employed for the service of His Majesty, and
- (c) Work of a cost not exceeding £15, provided that the builder gives notice thereof in writing to the Committee before commencing such work.

PENALTY

41.—Every person acting in contravention of this Ordinance or of any order issued by the Committee shall (except as otherwise provided by this Ordinance) be liable

* Articles 34, 36, 37, 38 and 39 were repealed by Ordinance of 8th February, 1936.

on conviction to a fine at the discretion of the Court not exceeding £50, and the Court may further order on such conviction, the demolition of all work or structure done or erected in contravention of the dispositions of this Ordinance or of any order lawfully made thereunder. Proceedings under this article may be directed against the owner, his authorised agent, and the contractor or any of them as the case may require.

FINES.

42.—The fines shall be paid one half to His Majesty and one half to the States.

Ordonnance supplémentaire à l'Ordonnance relative à la Construction de Maisons, Salles Publiques et Bâtiments, et au Tracement de Routes et Chemins du 25 avril 1931.

(Le 6 février 1936)

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé les Articles 34, 36, 37, 38 et 39 de l'Ordonnance relative à la Construction de Maisons, Salles Publiques et Bâtiments et au Tracement de Routes et Chemins passée le 25 avril 1931 et a aussi rappelé l'Ordonnance Provisoire relative aux Bornements et prohibant l'érection de Bâtiments tendant à obstruer la visibilité des Véhicules en circulation y supplémentaire passée le 15 décembre 1934 et y a substitué les Articles 34, 36, 37, 38 et 39 rédigés en anglais qui ensuivent, lesquels seront censés dorénavant former partie intégrale de la dite Ordonnance du 25 avril 1931 (ci-après désignée "l'Ordonnance principale") et a ordonné que tels rappels n'affecteront en rien aucunes pénalités encourues en conséquence d'aucune infraction déjà commise d'aucune disposition des Articles d'Ordonnance ou de l'Ordonnance présentement rappelée ni la prise de procédures légales à l'égard de telles infractions ni l'infliction de telles pénalités, lesquelles procédures

pourront être intentées et lesquelles pénalités pourront être infligés comme si tels rappels n'avaient pas eu lieu, et a aussi ordonné que toute contravention des dispositions de cette présente Ordonnance sera censée être une contravention de l'Ordonnance principale.

ADDITIONAL REGULATIONS CONCERNING
PUBLIC HALLS AND OTHER BUILDINGS
USED FOR PUBLIC GATHERINGS.

INSPECTION AND CERTIFICATION

34.—(1) In this Article, the expression “ public building ” shall include every building, not being a building licensed by the Royal Court as a “ Salle Publique,” which is used for the purpose of public meetings or public gatherings.

(2) No building shall be used as a public building until a certificate specifying the purposes for which it may be so used shall have been issued by the Committee. Provided that, subject to the provisions of the next succeeding section of this article, the validity of any certificate issued by the Committee before the date of this present Ordinance shall not be affected by the provisions of this Article.

(3) The Committee is hereby empowered to inspect every building intended for use as a public building and to issue a certificate in respect thereof specifying the purposes for which the building may be used as a public building and the conditions to be observed therein for the safety of the public using the same, with power, from time to time in its discretion, to inspect every building certified for use as a public building and to vary the purposes and conditions contained in any certificate previously issued in respect thereof and to suspend or cancel such certificate. Every certificate issued in respect of a public building shall contain the name and address of every person having charge of the public building

(such person or persons being hereinafter referred to as "the Manager").

(4) The Committee is hereby empowered to require the installation of separate sanitary accommodation for each sex to serve every building used or intended to be used as a public building, as the Committee may deem necessary.

(5) The certificate for the time being in force in respect of a public building shall be and remain displayed in a conspicuous position near the entrance thereof.

(6) If the purposes or conditions contained in a certificate issued in respect of a public building or any of the same, shall be varied by the Committee or if the Committee shall suspend or cancel such certificate, the Manager, upon being notified by the Committee of such variation, suspension or cancellation, shall forthwith return to the Committee the certificate which is the subject of such variation, suspension or cancellation.

PUBLIC HALLS

(7) The Committee is hereby empowered from time to time, in its discretion, to inspect every building licensed by the Royal Court as a "Salle Publique."

PLANS

(8) The Manager of every building licensed by the Royal Court as a "Salle Publique" or in respect of which it is intended that such a licence be applied for and of every building used or intended to be used as a public building shall, whenever so required by the Committee, deliver to the Committee a plan in duplicate of such hall or public building, showing the entrances, exits, galleries, passages, fireproof curtain, lighting system and the arrangement of the seating accommodation and indicating the number of persons for whom seating accommodation is provided. A copy of such plan shall be lodged at the States Office and the other copy shall be lodged with the Constables of the Parish in which the "Salle Publique" or public building is situated.

OFFENCES

(9) If the proprietor, tenant or other person having charge of a building which is not certified for use as a public building shall use or permit the same to be used for public meetings or gatherings, or if the Manager of a public building shall use or permit the same to be used as such for any purpose not specified in the certificate issued in respect of that building, or shall infringe or fail to comply with the conditions contained in that certificate, or shall fail to display the certificate issued in respect of that public building as required by this Article, or shall fail to return to the Committee a certificate which has been varied, suspended or cancelled, or shall fail to instal the sanitary accommodation required by the Committee to be installed, or if the Manager of any building licensed as a "Salle Publique" or as regards which it is intended that a licence as such be applied for or of any building used or intended to be used as a public building shall hinder the inspection of that building by the Committee or by any agent of the Committee authorised by it to inspect the same, or shall refuse or neglect to deliver to the Committee upon being required so to do the plan described in Section 8 of this Article, he shall be deemed to have acted in contravention of this Ordinance.

APPEALS

(10) An appeal shall lie to the Royal Court sitting as a Full Court from any decision of the Committee in regard to the issue, variation, suspension or cancellation of a certificate under this Article. The decision of the Royal Court on the matter shall be final.

ALIGNMENTS ("BORNEMENTS") AND
PERMITS CONNECTED THEREWITH

36.—(1) For the purposes of this Article, the expression "building" shall include any well, cistern, cesspit, cellar, or other excavation below surface level, whether containing structure or not, and also any wall, hedge, fence or other structure serving as a boundary or otherwise.

(2) It is forbidden to erect a building or to re-erect on old foundations within 30 feet from any public road or way without a permit or otherwise than in accordance with an alignment granted by the competent authority, under a penalty not exceeding £5, and the demolition of the building so erected. The competent authority for granting permits and alignments shall be the Constables and Douzaine of the parish wherein the proposed erection is to be situate except in the case of a property bordering, but in so far only as it borders, any of the spaces, quays and roadways adjacent to or forming part of the harbours of St. Peter Port and St. Sampson respectively and belonging to the States of Guernsey and controlled as harbour territory by the States Board of Administration, or any of the roads and ways extending therefrom and so belonging and controlled, in which case the competent authority shall be the States Board of Administration.

(3) An appeal shall lie to the Royal Court sitting as a Full Court from the refusal of the competent authority, whether under this Article or the next succeeding Article, to permit the erection or re-erection of a wall, hedge, fence, or other structure serving only as a boundary at a distance from any public road or way greater than five feet or to permit the erection or re-erection of any other building at a distance from any public road or way greater than fifteen feet. Such appeal shall be instituted by way of petition and right of appeal shall lapse if the petition be not tabled within the six months next following the date of the "Rapport" containing the decision of the competent authority appealed from. The decision of the Royal Court in the matter shall be final.

(4) A permit to build, or an alignment granted by the Constables and Douzaine or by the States Board of Administration, as the case may be, whether under this Article or the next succeeding Article, shall cease to

be valid if the work to which it relates is not commenced within twelve months from the date thereof.

37.—(1) For the purpose of this Article:

“Building” shall include any wall, hedge, fence, or other structure serving as a boundary or otherwise.

“Vehicle” shall have the meaning assigned to it in the Ordinance entitled “Ordonnance provisoire relative au Trafic Véhiculaire en cette Ile” of the 2nd March, 1929, and in any Ordinance replacing or amending the same, and the expression “vehicular traffic” shall be construed accordingly.

(2) Where any land is so situate in relation to a public street, road or lane in which vehicular traffic is not prohibited that the erection of a building on or over such land would prevent the driver of a vehicle proceeding along that street, road or lane from seeing any other vehicle proceeding along that street, road or lane or along any other such public street, road or lane which joins or intersects the first mentioned street, road or lane at all times when the vehicles are within a distance of one hundred and fifty feet from each other, such distance being measured along the centre of that street, road or lane or of those streets, roads or lanes, it shall be unlawful on or over such land situate as aforesaid to erect a building without a permit from the competent authority or otherwise than in accordance with the directions of the competent authority as to the distance from any such street, road or lane within which no building shall be erected on that land and as to the height above the level of that land or any part thereof beyond which no building shall be erected.

Provided that the provisions of this Section shall not apply in the case of any building the erection of which in conformity with an alignment or permit previously given by the competent authority was commenced before the date of this present Ordinance.

38.—The provisions of Article 40 of the Ordinance entitled “Ordonnance Générale relative aux Routes, Rues

et Chemins” of the 20th of January, 1840, shall apply in the case of every property bordering harbour territory as specified in Article 36 hereof.

Provided that the powers and functions exercised by the Constables and Douzaine by virtue of the said Article 40 shall in respect of such properties and any of them be exercised by the States Board of Administration and not by the Constables and Douzaine. Provided also that any indemnity concerning such properties which may be payable under the said Article 40 shall be payable by the States and shall not be the subject of any option as between the States and a parish.

39.—(1) For the purposes of this Article the expression “building” shall have the meaning assigned to it in Article 36 of this Ordinance save that it shall not include any wall, hedge, fence or other structure serving only as a boundary.

(2) It is forbidden to erect any house or building within four feet from a public road or way:

Provided that this prohibition shall not apply in the area of the Parish of St. Peter Port situate within the Barriers as defined in the Law of Inheritance of 1840, and that, for the purposes of this Article, the expression “public road or way” shall be deemed not to include the spaces, quays, roads and ways situate in that parish and belonging to the States of Guernsey and controlled by the States Board of Administration as harbour territory nor the roads adjoining St. Sampson’s Harbour and known as the North Quay, St. Sampson’s Bridge and the South Quay.

Provided also that on the recommendation of the Douzaine or of the States Board of Administration as the case may be, the Royal Court sitting as an Ordinary Court may grant permission to erect houses or other buildings within four feet from a public road or way to any person who shall apply for the same and shall have given notice in “La Gazette Officielle” on two occasions of the date and hour of the application to the Court and

that any person desiring to oppose the application should appear and show cause why such application should not be granted.

Ordonnance supplémentaire à l'Ordonnance relative à la Construction de Maisons, Salles Publiques et Bâtiments, et au Tracement de Routes et Chemins du 25 avril 1931.
(Le 3 décembre 1938)

LA COUR, sur les représentations du Comité des Etats pour la Construction de Maisons, Salles Publiques et Bâtiments et pour le Tracement de Routes et Chemins et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:

1.—On and after the date of this Ordinance, as regards ^{Public road} any road or way whereof the site was approved before ^{or way} the date of this Ordinance by the States Committee entrusted with the Supervision of the Construction of Houses and other Buildings and the Laying-out of new Roads and Ways (hereinafter referred to as “the Committee”), and on and after the date on which the site of any road or way hereafter approved by the Committee is approved by the Committee, the site of any such road or way, whether or not the same has been developed, shall, for the purposes of Article 36 and Article 39 incorporated in the “Ordonnance ayant rapport à la Construction de Maisons, Salles Publiques et Bâtiments, et au Tracement de Routes et Chemins” passed on the 25th April, 1931 (hereinafter referred to as “the principal Ordinance”) by the Supplementary Ordinance to the principal Ordinance passed on the 8th February, 1936 (hereinafter referred to as the Supplementary Ordinance), but not otherwise, be deemed to be a public road or way and shall, for the purposes of Article 37 incorporated in the principal Ordinance by the Supplementary Ordinance, but not otherwise, be deemed to be a public street, road or lane.

Provided that the foregoing provisions of this Ordinance shall not prevent the completion of any building if work in substantial quantity in connection with the

lawful construction thereof had been commenced on the site.

Notification
to the
Constables

2.—The Committee, as soon as may be after approving the site of any new road or way situate in any parish, shall send to the Constables of that parish a written notification of the fact that the site of such new road or way has been approved by the Committee together with a scale plan showing the site of such new road or way.

Ordinance of 1948 amending the Ordinance entitled “Ordonnance relative à la Construction de Maisons, Salles Publiques et Bâtiments, et au Tracement de Routes et Chemins” of 1931.

(10th July, 1948)

THE COURT, in pursuance of the Resolution of the States dated the 23rd day of April, 1947, and having heard the Law Officers of the Crown thereon, hereby orders as follows:

States
Housing
Authority

1.—For the words “the States Committee for the Construction of Houses, Buildings and New Roads,” contained in the Definitions Clause of the Ordinance entitled “Ordonnance relative à la Construction de Maisons, Salles Publiques et Bâtiments, et au Tracement de Routes et Chemins” (No. XV. of 1931) (hereinafter referred to as “the Ordinance of 1931”) there shall be substituted the words “the States Housing Authority.”

Citation

2.—This Ordinance may be cited as “The Construction of Buildings and Roads (Regulations) Ordinance, 1948.”

3.—This Ordinance and the Ordinance of 1931 may be cited together as “The Construction of Buildings and Roads (Regulations) Ordinances, 1931 and 1948.”

Ordonnance relative aux Maisons de Prostitution et aux Prostituées.

(Le 22 janvier 1906)

LA COUR, en renouvelant avec modification à l'article 1 jusqu'aux Chefs-Plaids d'après Noël 1906, l'Ordonnance Provisoire relative aux Maisons de Prostitution et

aux Prostituées passée aux Chefs-Plaids d'après Noël tenus le 21 janvier 1895, et renouvelée jusqu'à ce jour par l'Ordonnance provisoire passée aux Chefs-Plaids d'après Noël tenus le 16 janvier 1905, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne : —

1.—Il est défendu de s'assembler dans les maisons de prostitution sous peine d'une amende, à discrétion de Justice, qui ne sera pas moins de £1 sterling et n'excédera pas £3 sterling. Maisons de prostitution

2.—L'occupant d'une maison de prostitution qui permettra aux gens de s'y assembler, en contravention à l'article précédent, sera passible d'une amende, à discrétion de Justice, qui ne sera pas moins de £5 sterling et n'excédera pas £10 sterling. L'occupant d'une maison de prostitution

3.—Toute femme prostituée qui sera trouvée après l'heure de la fermeture des cabarets dans les rues de la Ville et Paroisse de Saint Pierre-Port, sera passible d'une amende, à discrétion de Justice, qui ne sera pas moins de £1 sterling et n'excédera pas £3 sterling. Femmes prostituées

4.—Les amendes seront applicables moitié à Sa Majesté et moitié au délateur. Amendes

Ordonnance relative à la Renonciation.

(Le 30 septembre 1929)

Attendu que d'après l'article XXI. de la loi relative aux Débiteurs et à la Renonciation sanctionnée par Ordre de Sa Majesté en Conseil en date du 5 juillet 1929 enregistré sur les Records de cette Ile le 2 août 1929, la Cour Royale est autorisée à passer toutes et telles Ordonnances qu'elle croira nécessaires pour la mise à exécution de la dite loi, pour régler la procédure, la manière de faire preuve des dettes, les droits respectifs des créanciers, la priorité de dettes et l'admission et rejet de preuves.

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que les règlements rédigés en anglais qui ensuivent auront force de loi en cette Ile.

DEFINITIONS.

In this Ordinance, unless the context otherwise requires "the law" means the law relating to debtors and renunciation hereinbefore referred to in the preamble to this Ordinance.

"The Committee" means the Committee of creditors appointed by the Court in conformity with Article VII. of the law.

MEETINGS OF CREDITORS.

1. A person shall not be entitled to vote as a creditor at any meeting of creditors unless before exercising such vote his claim has been included in the debtor's affidavit or he has been recognised by the Committee as being a creditor.

2. A creditor shall not vote at any meeting in respect of any unliquidated or contingent debt or any debt the value of which is not ascertained.

3. For the purpose of voting a secured creditor, unless he surrenders his security, shall before exercising a vote, declare in writing to the Commissioner of the Court at the meeting of creditors, the particulars of his security, the date when it was given and the value at which he assesses it, and shall be entitled to vote only in respect of the balance (if any) due to him after deducting the value of his security. If he votes in respect of his whole debt he shall be deemed to have surrendered his security unless the Court on application is satisfied that the omission to value the security has arisen from inadvertence.

4. A creditor shall not vote in respect of any debt on or secured by a current bill of exchange or promissory note held by him, unless he is willing to treat the liability to him thereon of every person who is liable thereon antecedently to the debtor and who has not been declared by the Court to be insolvent, as a security in his hand, and to estimate the value thereof, and for the purpose of

voting, but not for the purpose of dividend, to deduct it from his claim.

5. It shall be competent to the Committee within twenty-eight days after a declaration estimating the value of a security as aforesaid has been made use of in voting at any meeting, to require the creditor to give up or assign the security for the benefit of the creditors generally on payment of the value so estimated, with an addition thereof of twenty per centum: Provided that where a creditor has put a value on such security, he may at any time before he has been required to give up or assign such security as aforesaid correct such valuation by a new declaration to be delivered to the Committee and deduct such new value from his debt, but in that case such addition of twenty per centum shall not be made if the Committee required the security to be given up or assigned.

6. If one partner of a firm is declared insolvent by the Court, any creditor to whom that partner is indebted jointly with the other partners of the firm, or any of them shall, provided that his debt be admitted by the Committee, be entitled to vote at any meeting of creditors.

7. The Commissioner of the Court on the application of the Committee shall have power to admit or reject a debt for the purpose of voting, but his decision shall be subject to appeal to the Court. If he is in doubt whether the claim of a creditor should be admitted or rejected he shall mark the statement of account as objected to and shall allow the creditor to vote, subject to the vote being declared invalid in the event of the objection being sustained.

8. A creditor may vote either in person or by proxy or by an Advocate.

9. A meeting shall not be competent to act for any purpose unless there are present or represented thereat, at least three creditors, or all the creditors if their number does not exceed three. If within half an hour from the time appointed for the meeting a quorum of creditors

is not present, or represented, the meeting shall be adjourned for not less than seven nor more than twenty days as the Commissioner may appoint.

PROOF OF DEBTS.

10. Any time after a declaration by the Court that a debtor is insolvent the Committee may apply to the Court for the appointment of a Commissioner before whom all debts shall be proved.

The Commissioner so appointed shall fix the day hour and place for the proof of claims and the Committee shall give notice thereof by an announcement for two consecutive Saturdays in the official part of the *Gazette* of the Island and on the official notice board in the vestibule of the Court and by three publications in each of two daily newspapers published in English in this Island.

11. Every creditor shall prove his debt on or before the day fixed by the Commissioner provided that the Commissioner may accept proof of a debt after such day if the creditor satisfies him that for good reasons he was unable to do so on the day appointed but the creditor shall not be entitled to disturb the distribution of any dividend declared before the date of the proof of his debt.

12. A debt may be proved by the creditor or his agent either in person, by delivery or by sending through the post in a prepaid letter to the Commissioner a declaration signed by the creditor verifying the debt.

13. The declaration may be made by the creditor himself or by some person authorised by or on behalf of the creditor. If made by a person so authorised it shall state his authority and means of knowledge.

14. The declaration shall contain a statement of account showing the particulars of the debt, and shall specify the vouchers if any by which the same can be substantiated. The Commissioner or the Committee may at any time call for the production of the vouchers.

15. The declaration shall state whether the creditor is or is not secured or whether he claims preference for the whole or any part of his debt.

16. Every creditor who has lodged a proof of his debt shall be entitled to see and examine the proofs of other creditors at all reasonable times.

17. A creditor proving his debt shall deduct therefrom all trade discounts, but he shall not be compelled to deduct any discount, not exceeding five per centum on the net amount of his claim, which he may have agreed to allow for payment in cash.

PROOF BY SECURED CREDITORS.

18. If a secured creditor realises his security, he may prove for the balance due to him, after deducting the net amount realised.

19. If a secured creditor surrenders his security to the Committee for the general benefit of the creditors, he may prove for his whole debt.

20. If a secured creditor does not either realise or surrender his security, he shall before ranking for dividend, state in his proof the particulars of his security, the date when it was given, and the value at which he assesses it, and shall be entitled to receive a dividend only in respect of the balance due to him after deducting the value so assessed; provided that if the Commissioner is satisfied that the creditor is unable to assess the value of his security until proceedings pending in respect of the "saisie" of the immoveable property of the debtor are terminated he may allow the creditor to prove for the full amount of his debt but he shall be empowered to retain the dividend until such time as the "saisie" proceedings are completed and the creditor has submitted to him a statement of account.

21. (a) Where a security is so valued the Committee may at any time redeem it on payment to the creditor of the assessed value.

(b) If the Committee is dissatisfied with the value at which a security is assessed, it may apply to the Court for an order for the sale of the property which is the subject of the security, eight days' notice at least of such application having been given to the "saisi," and the Court may refuse or grant such order subject to such conditions as it thinks fit.

(c) Provided that the creditor may at any time, by notice in writing, require the Committee to elect whether it will or will not exercise its power of redeeming the security or making an application to the Court for the sale of the property which is the subject of the security, and if the Committee does not, within three months after receiving the notice signify in writing to the creditor its election to exercise its power, it shall not be entitled to exercise it, and the interest in the security shall vest in the creditor and the amount of his debt shall be reduced by the amount at which the security has been valued.

22. Where a creditor has so valued his security, he may at any time amend the valuation and proof on showing to the satisfaction of the Commissioner, or the Court, that the valuation and proof were made *bona fide* on a mistaken estimate, or that the security has diminished or increased in value since its previous valuation; but every such amendment shall be made at the cost of the creditor, and upon such terms as the Court shall order, unless the Commissioner shall allow the amendment without application to the Court.

23. Where a valuation has been amended in accordance with the foregoing regulation, the creditor shall forthwith repay any surplus dividend he may have recovered in excess of that to which he would have been entitled on the amended valuation, or as the case may be, shall be entitled to be paid out of the money, for the time being available for dividend, any dividend or share of dividend which he may have failed to received by reason of the inaccuracy of the original valuation, before that money is made applicable to the payment of any future

dividend, but he shall not be entitled to disturb the distribution of any dividend declared before the date of the amendment.

24. If a creditor after having valued his security subsequently realises it, or if it is realised under the provisions of regulation 21 hereof, the net amount realised shall be substituted for the amount of any valuation previously made by the creditor, and shall be treated in all respects as an amended valuation made by the creditor.

25. If a secured creditor does not comply with the foregoing regulations he shall be excluded from all share in any dividend.

26. Subject to the provisions of regulation 21 hereof a creditor shall in no case receive more than twenty shillings in the pound and interest as provided by the security, provided that such interest does not exceed six per centum per annum.

DEBT PAYABLE AT A FUTURE TIME.

27. A creditor may prove for a debt not payable when the debtor was declared insolvent as if it were payable presently, and may receive dividends equally with the other creditors, deducting only thereout a rebate of interest at the rate of five pounds per centum per annum computed from the declaration of a dividend to the time when the debt would have become payable, according to the terms on which it was contracted.

ADMISSION OR REJECTION OF PROOFS.

28. The Commissioner shall examine every proof and the grounds of the debt, and in writing admit or reject it, in whole or in part, or require further evidence in support of it. If he rejects a proof he shall state in writing to the creditor the grounds of the rejection.

29. If a creditor is dissatisfied with the decision of the Commissioner in respect of a proof, the Court may,

on the application of the creditor, reverse or vary the decision.

30. The Court may also expunge or reduce a proof upon the application of a creditor if the Commissioner declines to interfere in the matter, or in the case of a composition or scheme, upon the application of the debtor.

31. For the purpose of regulations 29 and 30 the Court shall mean the Court sitting as the Ordinary Court and whose decision, in cases where the debt does not exceed £50, shall be final.

PREFERENCES.

32. Every preference obtained by a creditor on the immoveable property of a debtor by means of the registration of an Act of Court shall be null and void if obtained within three months immediately preceding the application by such debtor to the Court for a declaration of insolvency.

PROCEEDINGS.

33. An application to the Court for a declaration of insolvency if not made by a debtor in response to an action against him by a creditor for payment of a debt or in pursuance of Article XVI. of the law shall be made by the debtor by means of a petition setting out that the debtor applies for a declaration of insolvency owing to his being unable to pay his debts. The debtor shall be present in Court when such application is made.

34. An application to the Court for the benefit of renunciation shall be made by an action on the part of the debtor against the Committee to see the Court grant him the benefit of renunciation. Notice of the day appointed for the hearing of the application for the benefit of renunciation shall be given by the debtor by an announcement in the official part of the *Gazette* of the Island and in at least one daily newspaper published in English in this Island at least ten days before the date of

the application and by a notice published on the official notice board in the vestibule of the Court. The debtor shall also when possible give eight days' previous notice in writing to all his creditors of the day appointed for the hearing.

35. Where the Court grants the benefit of renunciation conditionally upon the debtor consenting to a judgment being entered against him in favour of the Committee for the balance or any part of the balance of the debts proveable which is not satisfied at the date of the order and the debtor does not give the required consent within one month of the conditional order the Court may on the application of the Committee revoke the order or make such other order as the Court may think fit.

36. Where a debtor is granted the benefit of renunciation subject to the condition that judgment shall be entered against him or subject to any other condition as to his future earnings or after acquired property, it shall be his duty until such judgment or condition is satisfied, from time to time to give the Committee such information as it may require with respect to his earnings and after acquired property and income, and not less than once a year to file with the Greffier a statement showing the particulars of any property or income he may have acquired subsequent to his being granted the benefit of renunciation.

37. Any statement of after acquired property or income filed by a debtor shall be verified by affidavit before the Court, and the Committee may require the debtor to attend before the Court to be examined on oath with reference to the statement contained in such affidavit, or as to his earnings, income, after acquired property, or dealings. Where a debtor neglects to file such a statement or to attend the Court for examination when required so to do, or properly to answer all such questions as the Court may put or allow to be put to him, the Court may on the application of the Committee rescind the order granting him the benefit of renunciation.

38. Where after the expiration of two years from the date of any order made upon a debtor's application for the benefit of renunciation the debtor applies to the Court to modify the terms of the order on the ground that there is no reasonable probability of his being in a position to comply with the terms of such order, he shall give fourteen days' notice in writing of the day fixed for hearing the application to the Committee and to all his creditors.

APPROPRIATION OF PAY, SALARY, PENSIONS.

39. Where the Committee intends to apply to the Court for an appropriation order under Section (1) of Article XIX. of the law, the Committee shall give to the debtor notice of its intention so to do. Such notice shall specify the time fixed for hearing the application, and shall state that the debtor is at liberty to show cause against such order being made.

40. Where an order is made under section (1) of Article XIX. of the law the Greffier shall give an extract of the order to the Committee who shall communicate the same to the person under whom the pay, salary, income, emolument, pension or compensation is enjoyed.

COSTS.

41. When a debtor applies to the Court for a declaration of insolvency the Court on the application of the Committee may require the debtor to find security for costs in a sum not exceeding £10 and the Court may refuse to proceed with the application until such security be found.

PROPERTY WHICH IS DIVISIBLE AMONGST CREDITORS.

42. The property of the debtor divisible amongst his creditors shall not comprise the following particulars:—

- (1) property held by the debtor in trust for any other person;
- (2) the necessary wearing apparel and bedding of himself, his wife and children and such household articles of furniture and effects as may be necessary for the house at the discretion of the Prévôt;
- (3) the tools (if any) of his trade to a value not exceeding £20 at the discretion of the Prévôt:

But it shall comprise the following particulars:—

- (a) all such property as may belong to or be vested in the debtor at the time he applies for the declaration of insolvency or may be acquired by or devolve on him before he be granted the benefit of renunciation; and
- (b) the capacity to exercise and to take proceedings for exercising all such powers in or over or in respect of property as might have been exercised by the debtor for his own benefit at the time of his application for a declaration of insolvency or before being granted the benefit of renunciation; and
- (c) all goods being at the time of the debtor's application for a declaration of insolvency, in the possession, order or disposition of the debtor, in his trade or business, by the consent and permission of the true owner, under such circumstances that he is the reputed owner thereof.

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile.
(Le 21 janvier 1929)**

LA COUR, prenant en considération l'utilité de réunir et de consolider les règlements en force à ce sujet faits par le Comité de la Police Salariée, afin que chacun puisse en avoir une facile et entière connaissance, ouïes les

conclusions du Procureur du Roi, a rappelé et rappelle les Ordonnances suivantes ayant rapport au Trafic Véhiculaire en cette Ile, savoir: —

- (a) l'Ordonnance provisoire à ce sujet passée aux Chefs-Plaids d'après Noël tenus le 16 janvier 1922;
- (b) l'Ordonnance provisoire à ce sujet passée aux Chefs-Plaids d'après la Saint Michel tenus le 2 octobre 1922;
- (c) l'Ordonnance provisoire à ce sujet passée le 24 mai 1924;
- (d) la partie de l'Ordonnance passée aux Chefs-Plaids d'après Pâques tenus le 20 avril 1925 qui confirme certains règlements faits par le dit Comité;
- (e) l'Ordonnance provisoire à ce sujet passée le 6 février 1926;
- (f) l'Ordonnance provisoire à ce sujet passée le 29 janvier 1927;
- (g) l'Ordonnance provisoire à ce sujet passée le 21 mai 1927;
- (h) l'Ordonnance provisoire à ce sujet passée le 28 mai 1927; et à la Cour adopté l'Ordonnance suivante consolidant tous les règlements faits jusqu'à présent par le dit Comité lesquels règlements, dont la teneur suit, seront censés former partie de la dite Ordonnance.

A.*

B.†

C.†

D. No public omnibus shall pass through Smith Street, Pollet Street or High Street, except by special permission of the Police Committee.

E.†

* New Regulation substituted on 8th September, 1945.

† Repealed by the Passenger Transport Ordinance, 1949.

OMNIBUSES AND EXCURSION CARS.

F. 1. The speed at which omnibuses and excursion Speed cars may be driven shall not exceed 16 miles* per hour provided that in the following thoroughfares, viz.:—

- (i) Vale Road to L'Islet (from Half-Way via Vale Road, Duveaux Road and Baubigny Road).
 - (ii) The Grange (St. Peter Port), College Street and St. Julian's Avenue.
 - (iii) Colborne Road.
 - (iv) Grande Rue (St. Martin)
- such speed shall not exceed 12 miles per hour.

OTHER VEHICLES.

2. The following rules shall apply to motor vehicles Speed other than omnibuses and excursion cars:—

- (i) A vehicle exceeding $3\frac{1}{2}$ tons in weight unladen, shall not be driven at a speed exceeding 8 miles per hour.
- (ii) A vehicle fitted with a tyre or tyres other than pneumatic, weighing less than $3\frac{1}{2}$ tons unladen, shall not be driven at a speed exceeding 15 miles per hour.
- (iii) A motor van or lorry fitted with pneumatic tyres and weighing 30 cwt. or over, but less than $3\frac{1}{2}$ tons unladen, shall not be driven at a speed exceeding 20 miles per hour.
- (iv) The weight and speed limit must be painted in legible figures not less than 2 inches in height in a prominent place on the left side of all the above vehicles.

3. Notwithstanding anything in this regulation no vehicle shall at any time be driven at a greater speed than is reasonable having regard to the then existing traffic.

4. This regulation is subject to the provisions of regulation (P).

G. Motors drawing a trailer may not be driven at a Trailer's speed exceeding 8 miles per hour. Only one trailer will

* 20 miles per hour substituted by the Omnibus and Excursion Cars Speed Limit Amendment Ordinance, 1919.

be permitted except under special regulations to be made as regards the haulage of stone.

H.*

I.‡

J.†

K.†

Prohibited
Streets

L. (1) Bicycles shall not be ridden in the following streets and places, viz.:— Smith Street, Pollet Street, High Street, Market Street and Market Place, Mill Street, Mansell Street, Cornet Street. Ruelle des Côtils (Blue Mountains) or in Berthelot Street.

(2)¹

(3) Motor Cycles and Bicycles shall not be ridden in the following lanes, viz.:— La Ruelle de la Bouvée, leading from Calais to Jerbourg, and La Rue du Camu, leading from Le Gron to Icart Road, both situated in the parish of St. Martin.

M.²

N.²

O.²

P.³

Cyclist
holding on
to Vehicle

Q. No person whilst riding a bicycle shall hold on or attach himself to any other vehicle.

White
Lines

R. All vehicles travelling on the Public Highway shall keep to the left of the White Lines placed thereon by the Committee.

* Repealed by the Passenger Transport Ordinance, 1919.

‡ New Regulation substituted on 23rd November, 1929.

† Repealed and incorporated in new Regulation J on 9th June, 1945.

¹ Revoked on 13th December, 1950.

² Repealed by the Passenger Transport Ordinance, 1919.

³ Repealed on 14th September, 1946.

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile.**

(Le 7 juin 1930)

LA COUR, ouïes les conclusions des Officiers du Roi, a approuvé les Règlements suivants faits par le Comité pour la Police Salariée de l'Ile.

K. (2) No vehicle circulating on the roadway at La Vallette, St. Peter Port, between the entrance to the said roadway opposite the Guernsey Brewery and the Tunnel at the South End shall be driven at a speed exceeding 15 miles per hour.

S. A motor vehicle shall have two independent brakes in good working order and of such efficiency that the application of either to the motor vehicle shall be capable of causing two of its wheels on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the motor vehicle as if such wheels were so held.

Provided that in the case of a motor vehicle having less than four wheels this condition shall apply as if instead of two wheels on the same axle one wheel was therein referred to.

Proceedings for a breach of this Regulation may be instituted against the owner or driver of such motor vehicle or both.

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile.**

(Le 24 juin 1933)

LA COUR, ouïes les conclusions des Officiers du Roi, a approuvé les Règlements suivants faits par le Comité pour la Police Salariée de l'Ile.

“ N ” (h) The driver of an itinerant public vehicle before leaving such vehicle on the stand on the East side of the Albert Statue, Albert Pier, St. Peter Port, shall conform to the following regulations: —

Speed
Limit—La
Vallette

Brakes

Public
Vehicles
left on the
East side of
the
Albert Pier

- i. Every such vehicle shall be parked at an angle of approximately 45 degrees to the line of sets forming the front wheel boundary line.
- ii. The hand brake of every such vehicle shall be fully and properly applied.
- iii. The engine of every such vehicle shall be stopped.
- iv. The front wheels of every such vehicle shall be turned to the left at not less than a quarter lock.
- v. The off-side front wheel of every such vehicle shall rest against the south side of the line of sets forming the front wheel boundary line.
- (i) **Termini and Stands**—Sub-sections ii and iii shall apply in the case of every itinerant public vehicle when left unattended by the driver on any recognised or authorised omnibus or excursion car stand in the Island.

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile.**

(Le 9 février 1935)

LA COUR, ouïes les conclusions des Officiers du Roi, a approuvé les Règlements suivants faits par le Comité pour la Police Salariée de l'Ile.

- Mascots** " P " 2. On and after the 1st March, 1935: No vehicle using the public highway shall carry any pointed mascot, ornament, or device so placed as to be likely to cause injury to any person in the event of a collision.
- Mudguards** 3. On and after the 1st July, 1935: No person shall use or permit to be used on a public highway any motor vehicle which is not provided with mudguards or other similar means, to catch as far as practicable mud or water thrown up by the rotation of the wheels, unless adequate protection is afforded by the body of the vehicle.

- “ R ” 2. Before a vehicle driven along a road reaches a Yellow line placed transversely on the nearside of that road in relation to the direction of that vehicle, the driver of that vehicle shall reduce speed to as much less than four miles per hour as may be necessary and shall not increase speed until he has ascertained that it is safe so to do. Yellow Lines
- “ S ” 2. On and after the 1st April, 1935: Every bicycle when being ridden, shall have two independent brakes in good working order and of such efficiency that the application of either brake shall be capable of preventing the wheel to which it is applied from revolving. Bicycles—
two brakes

Regulations Governing Parking Places.
(Le 28 mars 1936)

LA COUR ouïes les conclusions des Officiers du Roi a approuvé les Règlements suivants relatifs au Trafic Véhiculaire en cette île en ce qui regarde les lieux de parquage (Parking Places) mentionnés dans la cédule y annexée, les dits règlements faits par le Comité de la Police Salariée de l'île en vertu des dispositions de l'Article X. de l'Ordonnance ayant rapport au Trafic Véhiculaire en cette île du 2 mars 1929, et amendée le 20 juillet 1934. desquels règlements la teneur suit:—

- “ T ” 1.*—As to the *Class of Vehicles* permitted to use a Parking Place.
No vehicle not being a private car. shall use Parking Places Nos. 1, 2, 3, 10, 12, 14, 17, 22, 25, 26 and 29 or any of them.
- 2.*—As to the *Maximum Period* during which vehicles are permitted to remain in Parking Places.
Except as regards Parking Places Nos. 6, 8, 9, 11 and 27, no vehicle shall remain on a Parking Place for more than four hours consecutively.

* Amended on 30th August, 1947.

Provided that the Police Inspector may, upon application being made to him authorise the use of any Parking Place for a longer period

3.—As to the *Conditions* upon and the *Manner* in which vehicles shall be placed and permitted to be left in parking places.

A.—Prohibited *Times* as regards certain Parking Places.

Parking Places Nos. 17 (b) (New Street) and 29 (Route des Coutures, Vale) shall not be used for the parking of any vehicle except between 6 p.m. and midnight of any day.

*B.—Prohibited *Periods* as regards certain Parking Places.

If any of the following Parking Places, namely Nos. 8 (White Rock), 9 (Victoria Pier), 10 (Quay) and 11 i. (a) and (b) (South Esplanade) or any part thereof is being used or is required for use in connection with any vessel, the Parking Place or part thereof shall not be used for the parking of vehicles.

C.—Provision as regards the *Manner of use* of various Parking Places.

(a) All cars using No. 2 (Hirzel Street) Parking Place shall be placed and left in single line side by side facing North-East and so that the Longitudinal axis of each is at an angle of 45 degrees to the wall on the East side of Hirzel Street.

(b) All vehicles using No. 9 (Victoria Pier) Parking Place shall be placed and left so that the longitudinal axis of each is at an angle of 45 degrees to the edge of the Pier and, if parked on the North side of the Pier, so that they are in single line side by side and face South-West and

* Amended on 30th August, 1947.

if they are parked on the South side of the Pier. so that they are in single line side by side and face South-East.

- (c) Every vehicle using No. 8 (White Rock) Parking Place shall be placed and left facing West.
- (d) All vehicles using No. 11 i. (a) and (b) (South Esplanade) Parking Place shall be placed and left in single line abreast facing the Plantation with the longitudinal axis of each at right angles to the Eastern edge of the Plantation and of the land tie respectively.
- (e) All cars using No. 12 (Bonded Stores) Parking Place shall be placed and left in single line side by side facing West with the longitudinal axis of each vehicle at an angle of 45 degrees to the wall of the Bonded Stores.
- (f) All cars using No. 14 (Market Place) Parking Place shall be placed and left in single line side by side facing West and so that the longitudinal axis of each is at an angle of 45 degrees to the edge of the kerb.
- (g) All cars using No. 15 (Market Place) Parking Place shall be placed and left in single line abreast back to the kerb with the longitudinal axis at right angles to the kerb.
- (h) All cars using No. 16 (Clifton) Parking Place shall approach it via Saumarez Street and Le Platon.
- (i) All cars using No. 19 (Monument Road) Parking Place shall be placed and left facing down the hill.
- (j) No car using No. 20 (Arsenal Road) Parking Place shall be placed and left opposite the entrance to the Fire Station or otherwise in such a position as to obstruct or hinder the ready entrance or exit to or from the Fire Station of any Fire Engine or fire-fighting appliance.

- (k) All cars using No. 22 (St. Stephen's Lane) Parking Place shall be placed and left facing down the hill.
- (l) All cars using No. 26 (Top of Hauteville) Parking Place shall be placed and left in line abreast facing East.
- (m) All vehicles using No. 28 (Bulwer Avenue) Parking Place shall be placed and left in single line abreast facing the sea wall.
- (n) Save as is hereinbefore specifically provided to the contrary all vehicles placed and left on a Parking Place shall be parked in a single line one behind the other.
- (o) When a vehicle is placed and left on a Parking Place in which vehicles are required under this Regulation to be parked in single line abreast or side by side, that vehicle shall be placed and left as close as is reasonably practicable to any other vehicle already in that Parking Place or, if no other vehicle is in that Parking Place, to the extremity of that Parking Place which is on the off-side of the vehicle.
- (p) When a vehicle is placed and left on a Parking Place in which vehicles are required under this Regulation to be parked in single line one behind the other, that vehicle shall be placed and left with its near side as close as is reasonably practicable to the extremity of the Parking Place which is farthest from traffic moving in the vicinity of that Parking Place and as close as is reasonably practicable to any vehicle parked ahead or in rear of it, or if no vehicle is parked ahead or in rear of it, to one or other of the extremities of the Parking Place lying parallel to the axles of the vehicle.

D.—Removal of vehicles from Parking Place.

The driver of a vehicle which is occupying any part of any Parking Place shall move his

vehicle from that Parking Place or from any part of that Parking Place to some other part thereof in accordance with a request in that behalf of any person having reasonable grounds for making the request, or of a Police Officer.

* E.—

SCHEDULE OF PLACES AUTHORISED
BY THE ISLAND POLICE COMMITTEE
FOR USE AS PARKING PLACES

ST. PETER PORT

1.—ST. JAMES' STREET.

On the North side of the Street between marks which are placed opposite New Street and near the entrance to St. Paul's Schoolroom.

2.—HIRZEL STREET.

On the East side of Street between marks which are placed near the side entrance to Hirzel House and a point 130 feet northwards.

3.—ANN'S PLACE.

On South side of Road between marks which are placed opposite O.G.H. Hotel and the Government Office.

4.—ST. JULIAN'S AVENUE.

On North West side of road between marks which are placed at the top near the seventh tree and the entrance to the Canichers.

5.—GLATEGNY ESPLANADE.

On East side of Road between marks which are placed near the top of slipway opposite Royal Hotel and opposite Well Road.

On West side of road between marks placed near the Royal Hotel and Channel Islands Hotel.

* Paragraph E added on 30th August, 1947.

6.—SALERIE BATTERY.

On the Battery clear of footpath.

7.—ST. GEORGE'S ESPLANADE.

On North side of road between marks placed opposite Piette Road and opposite Bouillon Lane.

8.—WHITE ROCK.

On quay side between marks placed near the lamp post at St. Julian's Weighbridge and near the London Berth.

9.—VICTORIA PIER.

On the North and South sides of Pier.

10.—QUAY.

On East side of road between marks placed opposite the North Pier Steps and opposite Quay Street.

* 11.—SOUTH ESPLANADE.

12.—BONDED STORES.

On West side of road between marks placed opposite the West door of Town Church and near the bottom of Rectory House steps.

13.—CORNET STREET.

On West side of road between marks placed near the entrance to Mignot Plateau and opposite Coupée Lane.

14.—MARKET STREET (OVER BONDED STORES).

On East side of road between marks placed near the top of Rectory House steps and opposite Market Hall.

* New 11 substituted on 30th August, 1947.

* 15.—MARKET PLACE.

16.—CLIFTON.

On West side of road between marks placed opposite Le Platon and opposite Clifton Steps. Also opposite Salvation Army Hall and opposite Berthelot Street.

17.—NEW STREET.

(a) On East side of road between marks placed opposite the Prison and near corner of Lefebvre Street.

(b) On West side of road between marks placed opposite Lefebvre Street and between Nos. 15 and 17.

18.—UPLAND ROAD.

On East side of road between marks placed near the pump and near the top of Rue des Frères.

19.—MONUMENT ROAD.

On South side of road alongside wall between marks placed near top and bottom of road.

20.—ARSENAL ROAD.

On Plantation side between marks placed near each end of the Plantation and near the centre of Plantation.

21.—ROUTE ISABELLE.

On South side of road between marks placed near the Hermitage.

22.—ST. STEPHEN'S LANE.

On West side of lane between marks placed near the entrance to St. Stephen's Church and near the bottom of lane.

23.—COUPERDERIE ROAD.

On North side of road alongside kerb. Between marks placed near the junction of Victoria Road and near the curve in wall.

* New 15 and 15A substituted on 30th August, 1947.

24.—VICTORIA TERRACE.

Between marks placed opposite the steps leading to Valnord and ten yards from the corner of Valnord.

25.—VALNORD.

On the West side between marks placed near the bottom of Petite Fontaine Lane and near the curve in wall.

26.—TOP OF HAUTEVILLE.

Between marks painted in road near the pillar box at triangle.

ST. SAMPSON'S

27.—SOUTH SIDE OF HARBOUR.

On North side of road between marks placed on the kerb opposite New Road and near the Harbour Master's Office.

28.—BULWER AVENUE (Richmond Corner end).

Between marks placed near the sea wall.

VALE

29.—ROUTE DES COUTURES.

On East side of road between marks on the kerb.

TORTEVAL.

30.—RUE DE LA VILLETOLLE, PLEINMONT.

Between marks placed near the bottom and near the top of road.

Road Traffic Ordinance (No. 1 of 1947)

(30th August, 1947)

THE COURT, having heard His Majesty's Comptroller, has approved the following regulation which has been made by the Island Police Committee by virtue of the provisions of Article X of the Ordinance entitled "Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Ile" of the 2nd day of March, 1929:—

“ T ” 4.—The following amendments shall be made to Regulations “ T ” 1, “ T ” 2 and “ T ” 3 respectively and the Schedule thereto, which said Regulations were approved by Ordinance of the Royal Court passed on the 28th day of March, 1936.

Amendments
to
Regulations
governing
Parking
Places.

- A. At the end of Regulation “ T ” 1 there shall be inserted the following words:
- “ No vehicle not being a trade delivery vehicle shall use Parking Place No. 15A during the hours in which the public markets are open for business.”
- B. In Regulation “ T ” 2 between the words “ four hours consecutively ” and the words “ Provided that the Police Inspector ” there shall be inserted the words “ No vehicle shall remain on Parking Places Nos. 12, 14 or 15 or on any of them between the hours of 9 in the forenoon and 6 in the afternoon on any week-day not being a Public Holiday for more than one hour consecutively.”
- C. In paragraph B of Regulation “ T ” 3 delete the words and figures “ 11 i (a) and (b) (South Esplanade) ” and substitute therefor “ 11 (2) (Albert Pier and Red Light Berths). ”
- D. In paragraph C of Regulation “ T ” 3 delete sub-paragraph (d) and substitute therefor the following sub-paragraph:—
- (d) Every omnibus using No. 11 (1) (South Esplanade) Parking Place shall enter the same by the road running between the Southern end of the Plantation and the Slaughter House and shall be placed and left in such position and manner as may from time to time be directed, in writing, by the Police Committee to the persons or companies for the time being owners of omnibuses in this Island. Such persons or companies shall ensure that every omnibus driver employed by them is at all times aware of the Police Committee’s

ORDINANCES

directions, given under this part of this regulation from time to time in force, and failure by any such persons or companies so to ensure, shall be deemed to be an offence against this regulation.

E. The Schedule shall be amended as follows:—

(1) The words and figures under serial number 11 shall be deleted and the following substituted therefor:—

“South Esplanade and Albert Pier.

(1) Omnibus park.

East side of Plantation from Albert Statue to Slaughter House.

(2) Car park.

Albert Pier and Red Light Berths.”

(2) Under the serial number 15 the words “On South side of Square between marks” shall be deleted and there shall be substituted therefor the words “Between marks delineated under the authority of the Police Committee on such portion of the South side of the Square as is not included in Parking Place No. 15A.”

(3) Between all the words set out under serial number 15 and serial number 16 there shall be inserted the following new serial number and words thereunder:—

“15A. Market Street.

That portion of the South side of Market Square between the gentlemen’s lavatory and the Meat Market and the South side of Market Street.”

F. In Regulation “T” 3 a new paragraph E shall be inserted immediately following the conclusion of paragraph D in the following terms:—

“Notwithstanding anything in Regulations “T” 1, “T” 2, “T” 3, and this Regulation or in

any of them contained the Chief Officer of Police may in his discretion close any parking place by exhibiting or causing to be exhibited thereon in such manner as to be clearly visible to persons intending to park vehicles thereon a notice or notices stating that such parking place is closed and is not available for parking, and may in his discretion re-open such parking place by the removal of the said notice or notices."

Ordonnance relative au Trafic Véhiculaire en cette Ile
(Le 30 mai 1936)

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle l'Ordonnance provisoire relative au Trafic Véhiculaire en cette Ile passée le 24 août 1935, approuvant un Règlement " K 5 " fait par le Comité pour la Police Salarlée de l'Ile, et a approuvé les Règlements suivants faits par le dit Comité:

" I " x.— *

" K " 4.—No vehicle shall be driven or ridden at a speed exceeding 20 miles per hour on the Coast Road, Castel, between the slipway opposite La Rue des Carterets, Cobo, and the Martello Tower, Vazon.

Speed limit.
Coast Road.
Castel

This Regulation to apply from 1st June to 30th September, both inclusive, annually.

" K " 5.—No vehicle shall be driven or ridden at a speed exceeding 12 miles per hour when proceeding downwards on the roadway known as Le Val des Terres, St. Peter Port.

Speed limit,
Val des
Terres

Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile (Le 30 janvier 1937)

La Cour, ouïes les conclusions du Contrôle du Roi, a approuvé les règlements suivants faits par le Comité pour la Police salariée de l'Ile:

* Repealed on 14th February, 1951.

" R " 3. PEDESTRIAN CROSSINGS

- (a) For the purpose of this Regulation the expression " Crossing " means a crossing place for foot passengers, such crossing place being indicated by lines placed on the roadway by the Committee as follows: two parallel lines, about eight feet apart, parti-coloured red and yellow in alternate lengths.
- (b) The driver of every vehicle at or approaching a crossing shall allow free, safe and uninterrupted passage to any pedestrian who is upon such crossing and shall stop as may be necessary for the purpose of so doing; and every such pedestrian when upon such crossing shall have precedence as regards free, safe and uninterrupted passage over all vehicular traffic.
- (c) The driver of a vehicle shall not allow such vehicle or any part thereof to stop upon any crossing unless either,
- (i) he is prevented from proceeding by circumstances beyond his control, or
 - (ii) it is necessary for him to stop in order to avoid an accident.
- (d) A pedestrian shall not remain upon any crossing longer than is necessary for the purpose of passing from one side of the road to the other with reasonable dispatch.

" I " xi. *

Speed limit.
Grand Rue,
St. Martin's

" K " 6.

No vehicle shall be driven or ridden at a speed exceeding 20 miles per hour on the Grand Rue, St. Martin's, between the Queen's Hotel and the Old Forge junction of Rue Cauchée.

* Repealed on 14th February, 1951.

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile (Le 2 avril 1938)**

LA COUR, ouïes les conclusions des Officiers du Roi, a approuvé les Règlements suivants faits par le Comité pour le Police Salariée de l'Ile:

“ K ” 7. *

“ S ” 3.—Save by way of renewal of an existing Brakes licence, no public service vehicle licence shall henceforth be issued as regards a vehicle which is not fitted with an efficient braking system whereof the brakes are applicable to four wheels of the vehicle by means of one brake lever.

“ S ” 4.—Every motor vehicle other than a motor-Mirrors cycle, when on a public highway, shall be equipped either internally or externally with a mirror so constructed and fitted to the motor vehicle as to assist the driver to become aware of traffic at the rear of the vehicle.

“ S ” 5.—Where a motor vehicle equipped with a Windscreens windscreen for the protection of the driver is on a public highway:

- (a) the windscreen shall be free from defects which impair its transparency;
- (b) the vehicle shall be fitted with an efficient automatic windscreen wiper, properly adjusted and in good working order;
- (c) when the vehicle is in motion, so much of the windscreen as is necessary to afford to the driver an adequate view to the front of the vehicle shall be constantly kept in such condition as to afford to the driver such adequate view.

* Revoked on 13th December, 1950.

**Ordonnance supplémentaire à l'Ordonnance ayant rapport
au Trafic Véhiculaire en cette Ile du 21 janvier 1929.
(Le 16 janvier 1939)**

**PROHIBITION CONCERNANT LES BANDES
AUTRES QUE LES BANDES PNEUMATIQUES**

ATTENDU que l'usage de bandes autres que des bandes pneumatiques sur les roues des automobiles lourds a un effet destructeur sur la surface des rues et aussi, à cause des vibrations produites par le mouvement de tels automobiles, un effet nuisible aux bâtiments bordant les rues:

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé l'Ordonnance provisoire supplémentaire à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Ile du 21 janvier 1929 passée le 20 juin 1931 (No. XIX de 1931) et a ordonné et ordonne que les dispositions suivantes y seront substituées: —

Definition

1.—In this Ordinance the term “motor vehicle” means a mechanically propelled vehicle intended for use on roads.

Motor vehicles must be equipped with pneumatic tyres

2.—It is forbidden to use on any public road or way, any motor vehicle which is not wholly equipped with pneumatic tyres, and no licence shall be issued or be in force in respect of any motor vehicle the use of which is hereby forbidden.

Provided that the foregoing provisions of this Article shall not apply in the case of —

Exceptions

- (1) Any motor vehicle forming part of the authorised equipment of any Unit of the Armed Forces of the Crown serving in this Island:
- (2) Any motor vehicle belonging to the States of Guernsey and used as a Fire Engine or a Sanitary cart, or for purposes of road making or repairing:
- (3) Any motor vehicle equipped with tyres other than pneumatic tyres imported for the purpose of undergoing completion, repair, alteration or

dispersal of structure, mechanism or equipment — while travelling from the place of landing to the works and while returning therefrom for reshipment:

- (4) Any mechanically propelled vehicle designed and equipped for use in any place as an engine for the operation of an agricultural or industrial process — while on a road proceeding to or from such place of use, and a trailer when hauled on a road by such vehicle for the purpose only of conveying implements and gear accessory to the use of such vehicle and any agricultural or industrial implement so hauled.

3.—Every person acting in contravention of this Ordinance shall be liable on conviction to a fine not exceeding £10. Penalty for
contravention

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile (Le 9 juin 1945)**

LA COUR, ouïes les conclusions du Procureur Délégué du Roi, a rappelé (1) les Règlements “J” et “K” formant partie des Règlements faits par le Comité pour la Police Salariée de cette Ile qui furent réunis et consolidés par la Cour par l’Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile le 21 janvier 1929, (2) le Règlement “K” 3 fait par le dit Comité et approuvé par la Cour par l’Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile le 16 décembre 1933 et (3) le Règlement “K” 8 fait par le dit Comité et approuvé par la Cour par l’Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile le 15 juillet 1939 et a approuvé le Règlement suivant fait par le dit Comité, désigné “J”, lequel sera substitué au dit Règlement “J” présentement rappelé:—

- J. 1. No vehicle shall be driven or ridden at a speed exceeding 20 miles per hour in any of the following roads, not being roads referred to in Speed limit.
St. Julian's
Avenue, etc.

paragraph 2 of this Regulation, or in any of the roads or places situate within the area bounded by the said roads, viz., St. Julian's Avenue. Candie Road, Elm Grove, Gibauderie, Rocquettes. De Beauvoir, Les Gravées, Queen's Road, Prince Albert's Road, Colborne Road, George Road. Hauteville, Cornet Street.

Speed limit,
Bordage
Street, etc.

- * 2. No vehicle shall be driven or ridden at a speed exceeding 12 miles per hour in Bordage Street. Fountain Street, Market Street, Market Place. Mill Street, Mansell Street, Church Square, High Street, Smith Street, Pollet Street, George Road (from a special limit sign opposite a house known as "Lower Bertozerie"), Hauteville, including Lower Hauteville, Les Vardes (from a speed limit sign near the gateway leading to a house known as "Moreton"), Havelet, Pedvin Street. Tower Hill, Cornet Street, Victoria Road.

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile, 1945 (Le 2 septembre 1945)**

LA COUR, ouïes les conclusions du Procureur du Roi, a approuvé le Règlement suivant fait par le Comité pour la Police Salarée de l'Ile, après y avoir apporté quelques modifications, savoir:—

Width of
vehicles

"A. (1) The circulation on any street, road or lane in this Island, without the sanction of the Island Police Committee, of any vehicle, the width of which, including its load, exceeds seven feet, is forbidden.

PROVIDED that this restriction shall not apply to vehicles loaded with hay, straw, unthreshed corn or varech, to threshing machines or to vehicles exceeding seven feet in width which are now licensed.

Regulation A
21st January,
1929, revoked

(2) Regulation A of the Polie Regulations consolidated by Ordinance dated the 21st January, 1929. is hereby revoked."

* Amended on 13th December, 1950.

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile (1946) (Le 14 septembre 1946)**

LA COUR, sur les représentations du Comité des Etats pour la Police Salariée de cette Ile, et ouïes les conclusions du Contrôle du Roi, a rappelé et rappelle le Règlement " P " de l'Ordonnance intitulée " Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile " passée le 21 janvier 1929 et a ordonné et ordonne: —

1.—The word " vehicle " in this Ordinance includes waggons, carts, lorries, tractors, and all carriages the motive power of which is animal or steam, oil, electricity or other mechanical force. Definitions

The words " motor vehicle " in this Ordinance include all vehicles the motive power of which is steam, oil, electricity or other mechanical force, motor bicycles and motor tricycles.

2.—(a) No vehicle shall, without the permission of the States Police Committee, use the roads of this Island where the total weight of the vehicle, including the load, exceeds nine tons Weight of vehicles

(b) No vehicle shall, without the permission of the States Police Committee, use the roads of this Island where the total weight of the vehicle, including the load, exceeds seven tons, unless such vehicle is fitted with effectively operating twin-tyred wheels on each side at the rear. Twin-tyred wheels

3.—The States Police Committee shall, when granting any permit under Section 2 hereof, specify the maximum speed at which the vehicle in respect of which such permit is granted may be driven upon the roads, and the vehicle shall not be driven at a speed greater than the one so specified Maximum speed to be specified

4.—Every motor vehicle, every trailer drawn thereby, and all parts and accessories of such vehicle and trailer shall at all times be in such condition, and the weight, distribution, packing and adjustment of the load of such vehicle and trailer shall at all times be such that no Distribution of load on vehicles and trailers

danger is caused, or is likely to be caused, to any person on the vehicle or trailer or on the road.

Penalty

5.—Any person using or permitting the use of a vehicle, or motor vehicle, or of a trailer drawn by a vehicle or motor vehicle, otherwise than in accordance with the provisions of this Ordinance, shall be guilty of an offence under this Ordinance and shall be liable, in respect of a first conviction for such offence, to a fine not exceeding Five Pounds, and in respect of a subsequent conviction for such offence or for a similar offence to a fine not exceeding Ten Pounds.

Road Traffic Ordinance, 1948 (28th August, 1948)

THE COURT, on the representations of the Island Police Committee, and having heard His Majesty's Comptroller thereon, has approved the following regulation, made by the Island Police Committee under and by virtue of the provisions of Article X of the Ordinance entitled "Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile" of the 2nd day of March, 1929:—

Restrictions
on height
of vehicles

" I (XX) (1) A person being in charge of a vehicle the height of which at any point exceeds nine feet from the road surface, including in such measurement the load, if any, being carried on that vehicle, shall not proceed with that vehicle on or along

- (a) so much of La Planque Lane, in the Parishes of the Forest, St. Andrew's and St. Saviour's, as extends from a point twenty yards to the West of the western side of the house known as Le Chalet to a point fifty yards to the East of the eastern side of the house known as La Croute; or

(b) so much of La Villiaze Road, in the Parish of St. Andrew's, as extends from the junction of that road with La Soucique Lane to the junction thereof with Les Blicqs Lane:

unless such person has obtained permission so to proceed from the Airport Commandant.

(2) A person being in charge of a vehicle or animal shall not proceed with that vehicle or animal, or permit that animal to proceed along the Forest Road in such a manner

Traffic signals opposite Airport entrance

(a) as to pass, in a westerly direction, the Traffic Signal situate opposite the entrance to the Airport; or

(b) as to pass, in an easterly direction, the Traffic Signal situate on the said Forest Road near the site of the property formerly known as the Milestone House:

so long as the Traffic Signal in question is displaying a red light.

(3) For the purposes of this regulation the word "vehicle" shall have the meaning assigned thereto by Article I of the **Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile**, of the 2nd day of March, 1929, and the word "animal" shall mean any horse or bovine animal.

Meaning of "Vehicle" and "Animal"

(4) This Ordinance shall come into force on such date as the Committee shall by a single publication in La Gazette Officielle appoint.

**Ordonnance relative au Trafic Véhiculaire en cette Ile
(Le 2 mars 1929)**

La Cour, en codifiant les Ordonnances à ce sujet passées le 18 juin 1921, le 9 décembre 1922, le 20 avril 1925 et le 8 décembre 1928, et sensible que la majorité de personnes que se sert d'automobiles comprend mieux l'anglais que le français, a rappelé les dites Ordonnances et y a substitué l'Ordonnance suivante rédigée en anglais.

ARTICLE I

Definitions The word "vehicle" in this Ordinance unless the contrary intention appears, includes waggons, carts, lorries, tractors and all carriages the motive power of which is animal or steam, oil, electricity or other mechanical force, bicycles, velocipedes, motor bicycles and motor tricycles and all hand drawn vehicles.

The masculine includes the feminine.

The expression "motor vehicles" means a vehicle propelled wholly or partially either by steam, oil, electricity or other mechanical power, excepting tram-cars, cranes, steam rollers and motor fire engines.

The expression "permit to drive" means the permit issued by the States Board of Administration or other competent authority in pursuance of Article 8 of the law relating to "Automobiles" 1926.

The expression "public highway" includes roads, streets, lanes or public places within the Island.

"The Committee" and "the Board" referred to in this Ordinance mean respectively the States Island Police Committee and the States Board of Administration. *

ARTICLE II *

No person shall

(1) Wilfully drive or lead a horse, other animal or vehicle on any footpath reserved for pedestrians, with the

Use of
public
highway

* New definitions added and Article II amended on 20th July, 1934.

exception of a perambulator being used for the conveyance of one or more children or except when necessary for passing another vehicle.

(2) Tether or allow to be tethered a horse or other animal on a public highway.

(3) Wilfully or negligently damage any wall, railing or palisade, door, post or bar bordering a public highway, or any tree, shrub or plant or any moveable or immoveable property of others.

(4) Leave in any public highway anything that may obstruct or otherwise impede the free passage of the public, except during such time as may be necessary for loading or unloading.

(5) Play any game in any public highway in such manner as to cause annoyance to other users of such public highway.

ARTICLE III

(1) Every owner of a waggon, cart or other animal drawn vehicle engaged or used for carting shall obtain from the Constables of the parish in which he resides a number which with the letter of the parish or his name and address shall be painted in letters and figures of not less than an inch and a half in depth on a visible part of such waggon, cart or vehicle and shall remain so painted so long as the waggon, cart or vehicle is used in the public highway. On the sale or other change of ownership, the new proprietor if not already provided with a number, shall notify in writing the Constables of the parish in which he resides of such change of ownership and shall obtain from them a new number for such waggon, cart or vehicle.

Waggons,
carts and
animal
drawn
vehicles

This section shall not apply to owners who at the date of the passing of this Ordinance are in possession of numbers in respect of their waggons, carts or other animal drawn vehicles.

(2) The Constables of the various parishes shall keep a register of the numbers of the waggons, carts and other drawn vehicles used for carting issued by them in their respective parishes.

(3) The letters of the parishes shall be as follows:—

Saint Peter Port	A
Saint Sampson's	B
Vale	C
Castel	D
Saint Saviour's	E
Saint Peter-in-the-Wood	F
Torteval	G
Forest	H
Saint Martin's	I
Saint Andrew's	K

ARTICLE IV

Vehicles,
horses
and other
animals
on the
public
highways

(1) Every person in charge of a vehicle or of horses or other animals on a public highway shall, when meeting another vehicle or other horses or animals, keep to the left hand side of such public highway; provided that a person when leading a horse or other animal on a public highway if he be leading such horse or other animal on his right hand side and a person when driving a vehicle on a public highway when meeting a horse or other animal which is being so led, shall keep to the right hand side of the public highway so that the person leading the horse or other animal shall be between such horse or other animal and the vehicle.

(2) Every person in charge of a vehicle or of horses or other animals on a public highway and being overtaken by another vehicle or by horses or other animals shall keep to the left hand side of such public highway.

(3) The driver of a vehicle on any public highway shall not wilfully prevent or impede another person or

vehicle, horse or other animal under the charge of such person from passing him, nor obstruct or impede the free passage of the public highway.

(4) A person in charge of a vehicle drawn by a horse or other animal on a public highway shall not be at such distance from the vehicle or in such a position that he cannot immediately have the direction and control of such horse or animal.

(5) *

(6) The driver of a vehicle shall not drive his vehicle from one side of the road to the other or turn such vehicle in a road without first giving the recognised signal contained in the schedule hereto or ascertaining that such action is not likely to cause an accident through obstruction to oncoming traffic.

(7) No person under the age of fourteen years shall drive a one-horse vehicle and no person under the age of sixteen years shall drive a two-horse vehicle. No person under the age of eighteen † years shall drive any vehicle licensed for the carrying of passengers.

(8) The driver of a loaded two-wheeled cart shall not ride in it when it is in motion provided that such restriction shall not apply to carts lightly loaded.

(9) The driver of a vehicle drawn by one or more horses shall not ride on a shaft of such vehicle whilst it is in motion.

(10) The driver of a vehicle drawn by more than one horse shall not ride in such vehicle unless he is provided with sufficient reins for each horse.

(11) *

* New Sections 5 and 11 substituted and new Sections 12 and 13 added on 20th July, 1934.

† "twenty" substituted for "eighteen" on 20th July, 1934.

ARTICLE V

Driving
with want
of care, or
negligence,
or in a
manner
dangerous,
etc.

Any person who shall drive a vehicle or a horse or other animal on a public highway with want of care or with negligence or at a pace or in a manner dangerous to the public, having regard to all the circumstances of the case including the nature, the conditions and the use of the road, and having regard also to the traffic which is actually or which may reasonably be expected to be on the road at the time, shall be liable to a fine at the discretion of the Court which shall not exceed £10.

ARTICLE VI¹ARTICLE VII²

ARTICLE VIII

Special regulations relating to Motor Vehicles

(1) *

(2) The driver of a motor vehicle shall, at the request of a driver in charge of horses or other animals stop his vehicle and keep it stopped as long as may be necessary.

(3) †

(4) ‡ The applicant shall pay to the Committee for the account of the States a fee of two shillings and sixpence for such certificate.

(5) †

(6)³

ARTICLE IX⁴

¹ Substituted on 26th November, 1938.

² Repealed by "Ordonnance par rapport à la Taxation de Vélocipèdes" of 12th February, 1938.

* Substituted on 20th July, 1934.

† Revoked on 11th September, 1948.

‡ First sentence substituted on 11th September, 1948, and second sentence amended on 19th March, 1938, and 9th March, 1949.

³ New Section added on 29th October, 1938.

⁴ Substituted on 28th November, 1931.

ARTICLE X

(1) *

(2) †

ARTICLE XI

Regulations as to Lighting

(1) All vehicles, with the exception of farm carts carrying hay and straw during harvest, when using a public highway, with the exception however of places authorised by the Committee for the parking of vehicles, shall between one hour after sunset and one hour before sunrise from April first to September thirtieth and between half an hour after sunset and half an hour before sunrise from October first to March thirty-first, carry lighted lamps as follows:—

- (i) Automobiles, with the exception of motor bicycles and motor tricycles but including motor bicycles with side-cars, two lamps in front throwing a white light forward, one of which shall be placed on the right side and the other on the left side of the vehicle, and a rear lamp on the right side showing a red light towards the rear and a white light to the side, the said rear lamp being placed in such a position that the white light shall illuminate the plate on which the number of the vehicle is painted;
- (ii) motor bicycles and motor tricycles, one lamp in front throwing a white light forward and a rear lamp showing a red light to the rear and a white light to the side, the said lamp being placed in such a position as to illuminate the plate on which the number of the motor bicycle or motor tricycle is painted;
- (iii) bicycles and tricycles, a lamp in front throwing forward a white light of sufficient power so as to

* Substituted on 20th July, 1934.

† Substituted on 30th March, 1949, and new Section (3) added on 8th September, 1945.

illuminate the road and at the rear a reflector. The reflector shall be of such model and colour and shall be fixed on the machine in such manner as may from time to time be prescribed by the Committee and shall be kept clean so as to be clearly visible to vehicles proceeding in the same direction;

- (iv) perambulators used for the carriage of goods and barrows, a lamp throwing a white light forward;
- (v) vehicles drawn by animals, two lamps in front throwing a white light forward, one of which shall be placed on the right side and the other on the left side of the vehicle, the said lamps also showing a red light towards the rear; and where the said lamps do not show a red light towards the rear, the vehicle shall carry a lamp at the rear on the right side showing a red light towards the rear.

(2) Lamps shall be well trimmed, kept lit and fixed so that the light displayed therefrom shall be visible in the prescribed direction for a reasonable distance without being in any way hidden or obscured by the vehicle, its burden, the person in charge or the draught animal.

(3) Powerful and dazzling lights are prohibited, a light sufficient to give a safe driving light being alone permitted.

ARTICLE XII *

ARTICLE XIII *

ARTICLE XIV

Fines

The fines under this Ordinance shall be paid half to His Majesty and half to the informer.

* Substituted on 20th July, 1934.

OF THE STATES
RECOGNISED SIGNALS

191

The following are recognised signals and all drivers of vehicles are strongly recommended to familiarise themselves with them and to use them.

Signals to Drivers of other Vehicles

No. 1.—“ I am going to slow down, or stop, or turn to my left.”

Extend the right arm *with the palm of the hand turned downwards* and move the arm slowly up and down, keeping the wrist loose.

No. 2.—“ I am going to turn to my right. (This signal may be used in any circumstances when it may be necessary to convey the warning: “It is dangerous to overtake me on my right”.)

Extend the right arm and hand, *with the palm turned to the front*, and hold them *rigid*, in a horizontal position straight out from the side of the vehicle.

No. 3.—“ You may overtake me on my right.”

Extend the right arm and hand *below* the level of the shoulder, and move them backwards and forwards.

The drivers of *horse drawn* vehicles should preferably use the three foregoing signals, giving them where possible by hand alone, and in any case keeping the whip (if any) clear of other traffic. Alternatively, the following signals may be used:—

No. 4.—“ I am going to stop.”

Raise the whip vertically with the arm extended above the right shoulder.

No. 5.—“ I am going to turn.”

Rotate the whip above the head, then incline the whip to the right or left to show the direction in which the turn is to be made.

**Ordonnance supplémentaire à l'Ordonnance ayant
rapport au Trafic Véhiculaire en cette île
du 2 mars 1929.
(Le 14 décembre 1929)**

Sur les représentations faites par le Comité de la Police Salariée touchant le danger au public causé par la circulation de motocyclettes et bicyclettes avec un nombre excessif de personnes y montées, la Cour, afin d'y porter remède et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne les dispositions suivantes rédigées en anglais.

1. It is forbidden on any public road in this Island:—

Motor
bicycles—
passengers

(a) To drive or ride on a motor bicycle carrying more than one person besides the driver. When a person is carried as a passenger such person shall occupy a seat securely fixed in rear of the driver's seat and not otherwise.

Carrying
person
in front
of seat

(b) To ride a pedal bicycle carrying a person other than a child under five years of age in front of the seat provided for the person propelling the bicycle. When a child aged as aforesaid is carried it shall be properly strapped in a suitable seat securely attached to the bicycle, and shall be the only person carried as a passenger.

Penalty

2. Every person who shall act in contravention of this Ordinance shall be liable on conviction to a fine not exceeding £5 at the discretion of the Court.

**Ordonnance portant amendement à l'Ordonnance ayant
rapport au Trafic Véhiculaire en cette Ile
du 2 mars 1929.**

(Le 28 novembre 1931)

LA COUR. ouïes les conclusions des Officiers du Roi, ayant trouvé qu'il y a lieu d'apporter plusieurs amendements et amplifications aux dispositions de l'Article IX. de l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile passée le 2 mars 1929, a rappelé le dit Article IX. de la dite Ordonnance et y a substitué l'Article suivant lequel sera censé former partie de la dite Ordonnance: —

ARTICLE IX.*

*REGULATIONS RESPECTING PUBLIC
VEHICLES.*

14.—(1) No person shall drive a public service vehicle for which a licence is in force unless he has a permit from the Committee to do so. A charge of one shilling shall be made for each permit. Each permit shall expire on the 31st day of December of each year unless revoked or suspended meanwhile by the Committee.

Permits to
drive public
service
vehicles

- (2) (a) A person shall not employ any person who is not provided with such permit as aforesaid to drive a public service vehicle on the road.
- (b) A permit to drive a public service vehicle may be limited to such type or types of vehicle as may be specified in the permit.
- (c) A person applying for a permit to drive a public service vehicle shall use an application form issued by the Committee which must be duly completed.

* Paragraphs 1 to 13 and 15 repealed by the Passenger Transport Ordinance, 1949.

(d) A permit as aforesaid shall not be issued to a person under twenty years of age.

No rights
to
continuance
of benefits

16.—It is hereby declared that nothing in this Article is to be treated as conferring on the holder of any licence granted under this Article any right to the continuance of any benefits arising from the provisions of this Article or from any licence granted thereunder or from any conditions attached to any such licence.

Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Ile du 2 mars 1929 (Le 20 juillet 1934).

Sur les représentations du Comité des Etats pour la Police Salariée de l'Ile indiquant des amendements qu'il serait désirable d'apporter à certaines dispositions des Ordonnances provisoires ayant rapport au Trafic Véhiculaire en cette Ile du 2 mars 1929 et du 20 janvier 1930.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné que les dites Ordonnances seront amendées dans le sens ci-dessous spécifié, et par voie des règlements suivants, rédigés en anglais, ordonne: —

The amendments set out in the third column of the Schedule of this Ordinance shall be made in the articles of the Ordinances relating to Vehicular Traffic in this Island, passed on the 2nd March, 1929, and 20th January, 1930, enumerated in the first column of the Schedule, in the manner specified in the second column thereof, and the articles so amended shall be deemed to form part of the said Ordinances.

SCHEDULE.

Column 1.	Column 2.	Column 3.
<p>(Ordinance of 2nd March, 1929). Article I</p>	<p>is hereby amended by the addition thereto of the following definitions :</p>	<p>The expression "Parking Place" means such part of the public highway or of the land adjacent thereto as the Committee shall have authorised to be occupied by vehicles left unattended by their respective drivers.</p> <p>The expression "traffic sign" means any sign placed or mark made by the Committee on or near a public highway for the purpose of indicating the maximum speed of, or the route to be followed by vehicular traffic on such public highway, and any cautionary sign or signal.</p> <p>The expression "major road" means that one of any two roads which at or near the place of intersection or junction thereof ordinarily bears the greater volume of traffic, or which notwithstanding the volume of traffic thereon is designated as a major road by the Committee.</p> <p>The expression "animal" means any horse, bovine animal, ass, mule, sheep, pig, or goat, and in section (2) of Article XII of this Ordinance that expression besides having such meaning shall also mean any dog.</p>
<p>Article II</p>	<p>section (1) is hereby amended by the insertion therein, after the word "drive", of the word "ride", and in the second line by the substitution of the words "or a vehicle" for the words "or vehicle"</p>	
<p>Article II</p>	<p>is hereby further amended by the addition thereto of the following section :</p>	<p>(6) †</p>

† New section substituted by the Vehicular Traffic Ordinance, 1951.

Column 1.	Column 2.	Column 3.
Article IV	section (5) is hereby repealed and in place thereof the following section is substituted:	<p>(5) (a) The driver of a vehicle shall not leave such vehicle on a public highway so as to obstruct such highway except during such time as may be reasonably necessary for loading or unloading the vehicle, or except in a parking place. The driver of a vehicle so left shall remove it when ordered so to do by a member of the Police Force or when requested so to do in any emergency or by any person whose passage is being obstructed.</p> <p>(b) The driver of a vehicle shall not place or leave such vehicle in any parking place or in any public highway in a position or manner likely to cause danger, or in such a manner as to obstruct the entry to or egress from any premises or property adjoining such parking place or highway.</p>
Article IV	section (7) is hereby amended by the substitution of the word "twenty" for the word "eighteen" therein.	
Article IV	section (11) is hereby repealed and in place thereof the following section is substituted:	<p>(11) The driver of a vehicle shall obey all orders given or communicated to him by a member of the Police Force engaged in regulating and directing traffic on a public highway and shall observe and comply with the indication given by any traffic sign on or near a public highway.</p>
Article IV	is hereby further amended by the addition thereto of the following sections:	<p>(12) The driver of a vehicle entering or about to enter any public highway from a public highway of lesser importance or from a private road, way or place shall give way to traffic proceeding along the highway entered or about to be entered.</p> <p>(13) The driver of a vehicle shall stop whenever ordered by word or sign so to do by a uniformed member of the Police Force.</p>
Article VI *		
Article VII †		

* Substituted on 26th November, 1938.

† Repealed by the "Ordonnance par rapport à la Taxation de Vélocipèdes" of 12th February, 1938.

Column 1.	Column 2.	Column 3.
Article VIII	section (1) is hereby repealed and in place thereof the following section is substituted :	(1).—‡ No person shall use or permit to be used on a public highway any motor vehicle from which is emitted any smoke, visible vapour or oily substance, the emission of which could be prevented by the exercise of reasonable care, or any motor vehicle which causes any excessive noise either directly or indirectly whether the same results from faulty construction, faulty adjustment or otherwise. Proceedings for a breach of the provisions of this section may be instituted against the owner or driver or both. (4) † (6) *
Article X	section (1) is hereby repealed and in place thereof the following section is substituted :	(1) The Committee is hereby authorised to— (a) determine which of any two roads which intersect or join each other is the major road and to designate such road as the major road by means of a traffic sign placed in or on any minor road leading thereto at or near its junction therewith ; (b) select and delimit, extend, curtail, authorise and prohibit the use of any part of the public highway and of the land adjacent thereto (subject to the sanction of the persons having control thereof) as a parking place ; (c) to make regulations— (i) as to the proper regulation of traffic. (ii) as to the maximum dimensions and weight of every vehicle and its load ; (iii) as to the maximum speed of and route to be followed by any or every class of vehicle ; (iv) as to such special details of construction and equipment of any or every class of vehicle as may be deemed necessary for the safety of the public ; (v) † (vi) † (vii) as to the class of vehicles permitted to use a parking place ;

‡ Amended on 26th November, 1938.

† Substituted on 11th September, 1948.

* Substituted on 29th October, 1938.

† Repealed by the Passenger Transport Ordinance, 1949.

Column 1.	Column 2.	Column 3.
<p>Article XII</p>	<p>is hereby repealed and in place thereof the following Article is substituted :</p>	<p>(viii) as to the maximum period during which a vehicle is permitted to remain in a parking place ; (ix) as to the conditions upon and the manner in which a vehicle shall be placed and permitted to be left in a parking place.</p> <p>(d) to erect, maintain and alter on or near any public highway, or to remove therefrom, places of refuge for pedestrians, traffic signs and signs indicating— (i) the limits of a parking place ; (ii) the conditions upon and the manner in which a parking place shall be used.</p> <p>XII. (1) Any person alleged to have acted in contravention of any provision of this Ordinance or of any other Ordinance relating to Vehicular Traffic in this Island shall give his name and address when requested so to do, and any person shall, if required so to do, give any information which it is within his power to give which may lead to the identification of an offender against such Ordinance.</p> <p>(2) If, in the course of the passage of a vehicle along a public highway, an accident occurs whereby injury or damage is caused to any person, animal, vehicle, wall or building, the driver of the vehicle shall stop and, if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner of the vehicle, and the driver of the vehicle shall also, as soon as reasonably practicable, and, in any case within twenty-four hours thereafter, report the occurrence of the accident to a member of the Police Force.</p>

Column 1.	Column 2.	Column 3.
<p>(Ordinance of 20th January, 1930). Article XIII</p>	<p>is hereby repealed and in place thereof the following Article is substituted so as to form part of the said Ordinance relating to Vehicular Traffic in this Island passed on the 2nd March, 1929, and in such substituted Article the expression "in contravention of any of its provisions" shall mean in contravention of the provisions of such last mentioned Ordinance as amended by this or any other Ordinance. Provided that the repeal of any Article or Section hereby repealed shall not prevent the institution of any legal proceedings or the infliction of any penalty, forfeiture or punishment in respect of any contravention of any Article or Section so repealed.</p>	<p>XIII. Unless otherwise specifically provided for in this Ordinance, any person who acts in contravention of this Ordinance or of any of its provisions or of any regulation for the time being in force made by the Committee under the powers contained in Article X hereof, or of any condition, proviso or limitation inserted in a licence respecting a public service vehicle, or who gives any information required to be given under this Ordinance which, to the knowledge of such person, is false in any particular, shall be guilty of an offence and shall be liable to a fine not exceeding £5, and for every subsequent offence to a fine not exceeding £10.</p>

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile.**

(Le 19 mars 1938)

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que la section (4) de l'Article VIII de l'Ordonnance relative au Trafic Véhiculaire en cette Ile passée le 2 mars 1929, aura effet désormais sujette à la condition suivante et sera lue comme si, immédiatement après la dite Section, telle condition y fut insérée: —

**Issue of
Permits
to drive**

Provided that in the case of any person who satisfies the States Supervisor that he is the holder of a current licence (other than a provisional licence) issued by the competent authority in the country in which he is, or was, at the time of the issue thereof, permanently resident, entitling him in that country to drive a motor vehicle of the class for which he seeks a permit to drive in this Island, the States Supervisor, if the age of that person does not disentitle him to be granted such a permit, may issue to such person a permit to drive a vehicle of that class without requiring the production of such certificate as is mentioned in the last preceding section.

**Ordonnance supplémentaire ayant rapport au
Trafic Véhiculaire.**

(Le 29 octobre 1938)

LA COUR, vu la requête du Secrétaire du Club dit "Guernsey Motor Cycle and Car Club" en date du 14 octobre 1938 et l'Acte de la Cour en date du 22 octobre 1938 statuant sur la prière de la dite requête a, ouïes les conclusions des Officiers du Roi, rappelé la Section (6) de l'Article VIII. de l'Ordonnance relative au Trafic Véhiculaire en cette Ile passée le 2 mars 1929, ci-après désignée l'Ordonnance principale, la dite Section y ayant été incorporée par l'Ordonnance portant amendement à l'Ordonnance principale passe le 20 juillet 1934, et y a

substitué les dispositions suivantes, lesquelles seront censées dorénavant former partie de l'Ordonnance principale:—

ARTICLE VIII.

(6) (a) No person shall promote or take part in any race or trial of speed between motor vehicles on a public highway other than a race or trial of speed which is a hill-climbing contest— Regulations
for Hill-
climbing
Contests

(i) in which there is an interval of time between the finish of the performance or attempted performance of the contest by any one of such motor vehicles and the start of the performance or attempted performance of the contest by any other of such motor vehicles:

(ii) held

(a) at such place, on such date and within such hours on that date as shall be approved by the Committee; and

(b) under such conditions, whether with regard to the safeguarding of the persons taking part in the contest, the spectators of the contest and others, or otherwise as the Committee shall prescribe.

(b) The expression "some special occasion" contained in Section 1 of the Ordinance entitled "Ordonnance provisoire par rapport à la Clôture de Routes aux Occasions Spéciales" passed on the 1st day of May, 1937, shall be deemed to include a hill-climbing contest approved by the Committee and the provisions of that Ordinance shall apply accordingly.

(c) If any person concerned with the promotion of, or the arrangements in connection with, a hill-climbing contest, or taking part therein whether as a competitor or otherwise, contravenes or fails to comply with any of the

conditions prescribed with regard thereto by the Committee, he shall be guilty of a contravention of this Ordinance and the provisions of Article XIII. of this Ordinance shall apply accordingly.

Ordonnance relative au Trafic Véhiculaire.

(Le 26 novembre 1938)

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle—

- (i) les dispositions de l'Article VI. incorporées dans l'Ordonnance relative au Trafic Véhiculaire en cette Ile passée le 2 mars 1929 (ci-après désignée "l'Ordonnance principale") par l'Ordonnance portant amendement à l'Ordonnance principale passée le 20 juillet 1934:
- (ii) les mots "or from the unreasonable use of any bell, horn or other apparatus" qui se trouvent dans la section (1) de l'Article VIII. incorporée dans l'Ordonnance principale par la susdite Ordonnance passée le 20 juillet 1934: et
- (iii) les dispositions de l'Ordonnance provisoire relative au Trafic Véhiculaire (1938) passée le 29 octobre 1938:

et a ordonné et ordonne—

- (a) que les dispositions de l'Article VI. qui ensuivent seront substituées aux dispositions présentement rappelées et que telles dispositions substituées seront censées dorénavant former partie de l'Ordonnance principale: et
- (b) que le rappel des dispositions présentement appelées n'empêchera pas la poursuite et punition aux fins de l'Ordonnance principale et des dites Ordonnances provisoires passées le 20 juillet 1934 et le 29 octobre 1938 respectivement d'aucune contravention de telles dispositions appelées commise avant le rappel d'icelles.

"ARTICLE VI.

(1) Every pedal-driven bicycle or tricycle, every self-propelled invalid carriage not being a motor vehicle, and every motor vehicle (which expression "motor vehicle" shall for the purposes of this Article include a motor fire engine) shall, when ridden or driven on the public highway, be provided with an apparatus designed for the purpose and capable of giving audible warning of the approach of the bicycle, tricycle, invalid carriage, or motor vehicle, such apparatus being hereinafter in this Article designated a warning apparatus.

(2)*

(3) In the case of a motor vehicle, the warning apparatus to be provided shall be a bulb horn or an electrically operated hooter of moderate power and, save in the case of a motor fire engine or a motor ambulance, to which a bell may also be fitted for use, no other warning apparatus shall be provided or sounded.

(4) A warning apparatus, other than a bell in the case only of a motor fire engine or a motor ambulance, shall not be sounded with the object of maintaining the speed of a vehicle when approaching a crossing or when approaching or rounding a bend, corner or turning.

(5) A warning apparatus, other than a bell in the case only of a motor fire engine or a motor ambulance, fitted to or carried on a vehicle shall be sounded sparingly and with consideration for other users of the road and residents in the vicinity thereof, and shall not be used unnecessarily.

(6) A warning apparatus fitted to or carried on a vehicle shall not be sounded while the vehicle is stationary except for the purpose of preventing a collision with the vehicle.

(7) A warning apparatus, other than a bell in the case only of a motor fire engine or motor ambulance, fitted to or carried on a motor vehicle shall not be sounded

* Substituted on 7th August, 1940.

between the hours of eleven o'clock in the evening and seven o'clock in the morning.

Provided that a person shall not be convicted of an offence under this paragraph if he proves that it was necessary, for the purpose of the avoidance of an accident likely to occur by reason only of the want of care or lack of due consideration of some other person, to sound the warning apparatus.

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile, 1945.**

(Le 8 septembre 1945)

LA COUR, ouïes les conclusions du Procureur du Roi, a amendé l'Article X. de l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile passée le 2 mars 1929 par l'addition à tel Article de l'alinéa suivant:—

Regulations—
Powers of
the Royal
Court

“(3) On the submission to the Royal Court of any such Regulation as aforesaid, the Royal Court may modify or amend the same before giving its approval thereto. The Royal Court may by Ordinance modify and repeal any Regulation previously approved.”

**Ordonnance relative au Trafic Véhiculaire.
(Sonnettes de Bicyclettes, etcetera), 1940.**

(Le 7 août 1940)

LA COUR, sur les représentations faites par certains commerçants que les stocks de sonnettes de bicyclettes entre les mains des marchands sont presque épuisés, mais qu'on peut se procurer des cornes vu que le nombre requis normalement n'est pas requis actuellement à cause de la diminution d'automobiles en usage en cette Ile, et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

Warning
apparatus
for
bicycles .
etc.

While the present Ordinance is in force, paragraph (2) of Article VI, incorporated by Ordinance passed on the 26th day of November, 1938, in the general Ordinance relating to vehicular Traffic

passed on the 2nd day of March, 1929, shall be suspended, and paragraph (1) of the said Article shall be complied with in the case of any pedal-driven bicycle or tricycle or self-propelled invalid carriage if it be provided with a bell, hooter or other apparatus suitable for the purpose and capable of giving audible warning of the approach of the vehicle.

**Ordinance, 1948, amending the Ordinance entitled
“ Ordonnance relative au Trafic Véhiculaire en
cette Ile ”, of the 2nd March, 1929
(No. X of 1929).
(11th September, 1948)**

THE COURT, on the representations of the States Board of Administration and of the Island Police Committee and having heard the Law Officers of the Crown thereon, hereby orders:—

1. Paragraphs (3) and (5) of Article VIII. of the Ordinance entitled “ Ordonnance relative au Trafic Véhiculaire en cette Ile,” of the 2nd March, 1929 (No. X. of 1929) (hereinafter referred to as the “ Principal Ordinance ”), are hereby revoked. Paragraphs (3) and (5) of Article VIII. revoked

2. In paragraph (4) of Article VIII. of the Principal Ordinance, the sentence beginning with the words “ A permit ”, and ending with the words “ can be safely issued ”, shall be deleted, and the following substituted therefor:—

“ A permit, other than a provisional permit, shall not be issued by the Board or other competent authority, except in the case of a renewal of a permit the period of validity of which has expired not earlier than one year prior to the application for such renewal, unless the applicant produces a certificate signed by or on behalf of the Chief Officer of Police to the effect that the applicant has been examined and successfully passed a test Issue of Permits for driving

prescribed by the Committee as to his capabilities in driving or that he has been exempted from such examination or test or both on the instructions of the Committee, and that he is a person to whom a permit to drive can be safely issued."

Meaning
of
"provisional
permit"

3. For the purposes of this Ordinance, the words "provisional permit" shall have the same meaning as the words "autorisation provisionnelle," as defined by Article I. of the Law entitled "Loi supplémentaire relative aux Automobiles (Autorisation à Conduire), 1939."

**Ordonnance ayant rapport au Trafic Véhiculaire
en cette Ile.**

(Le 23 juin 1934)

Attendu que le bruit du trafic véhiculaire dans les environs de la Cour Royale devient de plus en plus gênant et interrompt souvent la conduite des affaires tant législatives que judiciaires.

Pour à ce remédier la Cour, ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne:—

Meaning
of
"motor
vehicle"

1.—In this Ordinance the expression "motor vehicle" shall have the meaning assigned to it in Article I. of the Ordinance entitled "Ordonnance relative au Trafic Véhiculaire en cette Ile" dated the 2nd day of March, 1929.

Rue du
Manoir—
closing to
motor
vehicles

2.—(a) The States Island Police is hereby authorised during the conduct in the Royal Court House of any legislative, judicial or administrative business to close to motor vehicles the Street called "Rue du Manoir" and to place in or near that street such notice or notices as it may deem expedient for the purpose of indicating that such street is closed to motor vehicles.

(b) Whilst any such notice or notices shall be so placed, it is forbidden:

- (i) to ride or drive a motor vehicle in that street;
- (ii) to run the engine or to sound the hooter or other

warning apparatus of any motor vehicle which may be in that street;

- (iii) to remove or interfere with any such notice unless authorised so to do by the Inspector of the States Island Police.

3.—Every person who shall act in contravention of the **Penalty** provisions of this Ordinance shall be liable on conviction to a fine not exceeding £5 at the discretion of the Court.

Ordonnance relative au Trafic Véhiculaire en cette Ile.
(Le 26 février 1938)

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Ile (Numéro XIV. de 1935) passée le 29 juin 1935 et, par voie des dispositions suivantes rédigées en anglais, a ordonné et ordonne comme suit, savoir: —

1.—In this Ordinance: —

Definitions

- (a) the expressions “ vehicle ” and “ public highway ” shall have the meanings respectively assigned to those expressions in the Ordinance entitled “ Ordonnance relative au Trafic Véhiculaire en cette Ile ” of the 2nd March, 1929.
- (b) The expression “ effects ” shall mean goods of any nature or description, including containers, implements, refuse and rubbish, but excluding vrac and untrussed hay or straw.

2.—If any vehicle carrying effects and being on the public highway is loaded in such manner that any of the effects carried on that vehicle fall on to the public highway, the owner of the vehicle or other person by whom or by whose direction the vehicle was loaded and the driver of the vehicle shall each be guilty of an offence and shall, on conviction, be severally liable to a fine not exceeding Five Pounds.

Effects
falling
from
vehicles

**Ordonnance supplémentaire à l'Ordonnance Générale
relative à la Police des Havres.**

(Le 4 juillet 1936)

LA COUR, vu les représentations faites par le Conseil d'Administration que des ennuis sont causés aux visiteurs et à autrui par les sollicitations qui leur sont adressées dans le voisinage du Havre de Saint Pierre Port dans le but d'obtenir leur patronage, et pour ce obvier, a, ouïes les conclusions des Officiers du Roi, ordonné et ordonne comme suit:—

**Prohibition
of touting**

Any person who, in contravention of a prohibition contained in an order made by the States Board of Administration and published on one occasion in "La Gazette Officielle" and on two other occasions in each of two local daily newspapers, shall, at any part of the Harbour of Saint Peter Port or on any other public way or place in the vicinity thereof and under the control of the States Board of Administration, with intent to secure, whether for himself or another, the patronage or custom of any other person, waylay or accost that other person or, without being first addressed in relation to the enterprise which he represents by that other person, himself address that other person, shall be guilty of an offence and shall be liable upon a first conviction to a fine not exceeding One Pound and, upon a second or subsequent conviction, to a fine not exceeding Five Pounds or to a term of imprisonment with or without hard labour not exceeding fourteen days or to both such fine and such term of imprisonment.

Prosecutions for offences against this Ordinance shall be undertaken before the Police Court Magistrate.

**Ordonnance supplémentaire à l'Ordonnance Générale
relative à la Police des Havres, 1938.**

(Le 2 avril 1938)

LA COUR, vu les représentations du Conseil Administratif des Etats et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir:—

1.—In this Ordinance—

Definitions

(a) "horse" includes pony, mule and donkey, and the expression "horse-drawn" shall be construed accordingly:

(b) "cycle" includes tricycle, quadricycle, and any vehicle designed for propulsion by a child.

2.—It shall be an offence to ride or drive any horse, horse-drawn vehicle, motor vehicle or any cycle on the Castle Breakwater, or for any person while in charge of a child to permit that child to ride or otherwise propel a cycle thereon.

3.—It shall be an offence to cause a vehicle, the weight of which, inclusive of its load, exceeds thirty hundred-weight, to be upon the bridge connecting the Castle Emplacement with the Castle Breakwater.

4.—It shall be an offence to ride or drive any horse, horse-drawn vehicle, motor vehicle or any cycle on the bridge connecting the Castle Emplacement with the Castle Breakwater at a speed in excess of five miles per hour.

5.—Any person guilty of an offence under this Ordinance shall be liable upon a first conviction to a fine not exceeding One Pound, and upon a second or subsequent conviction to a fine not exceeding Five Pounds.

Ordinance, 1948, supplementing the Ordinance passed at the Chief Pleas after Christmas, 1873, entitled "Ordonnance générale relative à la Police des Havres." (16th October, 1948)

THE COURT, upon the representations of the Board of Administration, and having heard His Majesty's Procureur thereon, hereby orders:—

1. No vehicle shall be ridden or driven on St. Julian's Pier or on the White Rock Pier at a speed exceeding twenty miles per hour.

2. No vehicle shall be driven or ridden on the Cambridge Pier at a speed exceeding eight miles per hour.

Penalty

3. Any person who rides or drives a vehicle, or causes or permits a vehicle to be ridden or driven in contravention of sections one or two of this Ordinance shall be liable in the case of a first conviction to a fine not exceeding Five Pounds and in the case of a second or any subsequent conviction to a fine not exceeding Ten Pounds.

Definition
of
"vehicle"

4. In this Ordinance the expression "vehicle" unless the contrary intention appears, includes waggons, carts, lorries, tractors and all carriages the motive power of which is animal or steam, oil, electricity or other mechanical force, bicycles, velocipedes, motor bicycles and motor tricycles.

**Ordonnance par rapport à la Police des Lieux occupés
par un Département du Gouvernement de Sa Majesté
(Le 7 novembre 1936)**

VU les représentations faites à la Cour par l'Autorité Compétente Militaire:

LA COUR, ouïes les conclusions des Officiers du Roi. a ordonné et ordonne comme suit, savoir:—

Places
occupied
by any
Dept. of
His
Majesty's
Government

1.—If any person, after having been directed by any uniformed member of the Military or States Police to leave or not to enter any place or way in the occupation of any Department of His Majesty's Government, without due authority remains in or on or enters that place or way, such person shall be guilty of an offence and may be removed from such place or way by any member of the Military or States Police or by, or by order of, any Commissioned Officer of His Majesty's Forces.

Penalty

2.—Any person who shall be found guilty of an offence under the foregoing Section of this Ordinance shall be liable upon a first conviction to a fine not exceeding Five Shillings and upon any subsequent conviction to a fine not exceeding Ten Shillings or to a term of imprisonment with or without hard labour not exceeding two days or to both such fine and such imprisonment.

3.—If any person, when committing or after having committed an offence under Section 1 of this Ordinance, on being required by any Commissioned Officer of His Majesty's Forces or by any member of the Military or States Police to give his or her name and address, refuses to give such name and address or gives a false name or a false address, such person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding Ten Shillings.

Refusal to
give name
and address,
etc.

**Ordonnance par rapport aux Licences d'Automobiles
accordables aux personnes faisant un séjour
temporaire dans l'Île.
(Le 21 novembre 1931)**

Attendu qu'en vertu des dispositions de la Loi relative aux Automobiles sanctionnée par Ordre de Sa Majesté en Conseil enregistré le 11 décembre 1926, la Cour Royale est autorisée à passer toutes et telles Ordonnances qu'elle croira nécessaires pour la mise en exécution de la dite Loi. Attendu aussi que dans la Loi ayant rapport à la Convention Internationale relative à la Circulation Automobile sanctionnée par Ordre de Sa Majesté en Conseil enregistré le 29 juillet 1931 il est statué que certaines des formes y mentionnées dont le Superviseur des Etats doit se servir seront réglées par Ordonnance de la Cour Royale.

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

1.—In these Regulations

Definitions

The expression "Registration Authority" means the States Supervisor or an Association acting under the authority of the States Supervisor by virtue of the provisions of Section (2) of Article 1 ("Titre II.") of the Law intituled "Loi ayant rapport à la Convention Internationale relative à la Circulation Automobile" registered on the 29th day of July, 1931, hereinafter referred to as "the Law relating to the International Convention."

The expression "the Law relating to Motor Vehicles" means the Law intituled "Loi relative aux Automobiles" sanctioned by Order of His Majesty in Council registered on the 11th day of December, 1926.

The expression "International Certificate for Motor Vehicles" means an International Certificate for Motor Vehicles issued in accordance with Articles 3 and 4 of the Convention constituting the Schedule to the Law relating to the International Convention, and the expression "International Driving Permit" means an International Driving Permit issued in accordance with Articles 6 and 7 of the said Convention.

The expression "Owner" means the person by whom the vehicle is kept and used.

Permits

2.—Any person making only a temporary stay in Guernsey who brings a mechanically-propelled vehicle designed and constructed—

- (a) as a passenger-carrying vehicle to seat not more than six persons, exclusive of the driver thereof (provided that for the purposes of this sub-paragraph no account shall be taken of the seating capacity of any caravan attached to such vehicle and not used for the conveyance of goods or burden in the course of trade) or
- (b) as a caravan (provided that such vehicle is not used for the conveyance of goods or burden in the course of trade);

into Guernsey and who desires to obtain an International Circulation Permit under these Regulations (hereinafter called a "Permit") in respect of that vehicle shall apply to the Registration Authority by means of an application in the Form A set out in the Schedule hereto, and if the applicant is a holder of an International Certificate for Motor Vehicles shall forward such certificate with the application.

3.—(1) Permits shall be in the Form B set out in the Schedule hereto.

(2) The Permit shall be carried upon the vehicle in like manner as if it were a Licence issued under the Ordinance intituled "Ordonnance Provisoire supplémentaire à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile" of the 8th of November 1930 and the provisions of Articles 4 and 5 of the said Ordinance and such other provisions as may hereafter be enacted in substitution for or amendment of the same shall apply accordingly.

(3) The Registration Authority may, if it thinks fit, supply to the person to whom a Permit is issued if he so desires a holder for the Permit and make a charge for it.

4.—A Registration Card in the Form C set out in the Schedule hereto containing particulars relative to the vehicle in respect of which it is issued, shall be issued to every owner of a mechanically propelled vehicle in respect of which a Permit is issued. The Registration Card shall be produced for inspection by the owner at any reasonable time upon request by a Police Officer.

Registration
Cards

5.—(1) No person shall deface or mutilate any Permit or Registration Card or alter or obliterate any entry made therein or make any addition thereto, or make or exhibit any colourable imitation thereof.

Defacement
of
Registration
Cards,
etc.

(2) If a Permit or Registration Card issued by the Registration Authority under these Regulations has been lost, destroyed, or accidentally defaced, the owner of the vehicle shall apply to the Registration Authority for the issue to him of a duplicate Permit or Registration Card, as the case may be, and the Registration Authority upon being satisfied as to such loss, destruction or defacement and, where the Permit or Registration Card has been accidentally defaced, upon the surrender of the Permit or Registration Card so defaced, shall issue a duplicate so marked on payment of a fee of five shillings, and a duplicate so issued shall have the same effect as the original Permit or Registration Card.

Duplicates

6.—Upon receipt by the Registration Authority of an application for a Permit the Registration Authority shall, if it is satisfied that the owner is making only a temporary

Issue of
Permits

stay in Guernsey and that the vehicle in respect of which the application is made has been brought by the owner into Guernsey—

- (1) issue to the owner a Permit.
- (2) enter thereon before issue thereof—
 - (a) the index mark and registration number of the vehicle;
 - (b) the date to which the Permit is valid; and
 - (c) a stamp or other sufficient mark indicating the name of the Registration Authority by whom the Permit is issued and the date of issue;
- (3) prepare and issue to such owner the Registration Card with the appropriate particulars entered thereon; and
- (4) retain the application, and (unless the Registration Authority be the States Supervisor) advise the States Supervisor of the issue of such Permit.

Identification
Marks

7.—The identification mark of a vehicle in respect of which a Permit is issued shall be—

- (1) In the case of a vehicle brought into Guernsey from a country which is a party to the International Circulation Convention by a person holding a valid International Certificate for Motor Vehicles issued in respect of such vehicle by that country, the identification mark allotted to the vehicle by that country; and
- (2) in the case of any other vehicle an index mark consisting of the letter “V” and the registration number assigned by the Registration Authority exhibited in black letters and figures on a yellow plate.

8.—(1) An identification mark as prescribed in the preceding Regulation shall be carried by a vehicle in respect of which a Permit has been issued, and shall be exhibited in like manner as if it were an identification mark assigned under the Ordinance of the 8th of November, 1930, referred to in sub-section (2) of section 3 of

these Regulations and subject as hereinafter provided in paragraph (2) hereof the provisions of Articles 18, 19 and 20 of the said Ordinance and such other provisions as may hereafter be enacted in substitution for or amendment of the same shall apply accordingly.

(2) If the identification mark or the plates on which it is exhibited do not conform as to form, colour, dimensions, lettering, numbering or otherwise with the provisions set out in the said Articles of the said Ordinance, they shall conform in those respects with the law of the country by which the identification mark of such vehicle was allotted, except that in all cases the letters shall be in Roman characters, and the figures in ordinary European numerals.

(3) The Registration Authority assigning an identification mark to a vehicle under these Regulations may, if it thinks fit, supply to the owner of such vehicle, if he so desires, plates bearing the identification mark of the vehicle inscribed thereon and make a charge for them.

9.—The Registration Authority shall establish and maintain a register of vehicles in respect of which Driving Permits are issued and a register of Driving Permits so issued under these Regulations. The said registers shall respectively contain the particulars specified in Forms D and D 1 of the Schedule hereto.

10.—(1) A Permit shall be valid, in the case of a person holding a valid International Certificate for Motor Vehicles for such period not exceeding four months from the date upon which the vehicle in respect of which such Permit is issued was last brought into Guernsey, as may be specified in the Permit: Provided that—

- (i) not more than four Permits shall be issued to any one person between the first day of January and the last day of December in any year;
- (ii) the aggregate of all periods for which permits are granted to any one person between the dates last mentioned shall not exceed four months: Provided

Register of
Vehicles
and
Permits

Validity of
Permits

that where a licence duty has been paid in Guernsey in respect of a period during which a Permit was in force, such period shall not be taken into account for the purposes of this paragraph.

- (2) (i) In the case of a person making only a temporary stay in Guernsey and not being the holder of a valid International Certificate for Motor Vehicles, a Permit shall be valid for such period not exceeding two months from the date upon which the vehicle in respect of which such Permit is issued was last brought into Guernsey as may be specified in the Permit: Provided that not more than four Permits shall be issued to any one person between the first day of January and the last day of December in any year and that no Permit shall continue in force after the 31st December of the year in which it was issued.
- (iii) The owner shall be required to deposit the amount of the licence duty which would be payable on the vehicle from the date of its landing in Guernsey until the 31st December of that year, which deposit shall be reimbursed on the export of the vehicle from Guernsey, provided that the aggregate of all periods for which the vehicle has been in Guernsey or for which Permits have been issued in respect of that vehicle have not exceeded two months in the year in which the vehicle is exported.

Surrender
of permits

11.—If a vehicle in respect of which a Permit has been issued is broken up or destroyed or is sold or otherwise transferred to some person other than the person to whom such Permit was issued during the period for which such Permit is valid the person to whom such Permit was issued shall forthwith inform the Registration Authority by whom the Permit was issued of such breaking up, destruction, sale or other transfer, and in the case of a sale or other transfer, of the name and address of the person to whom the vehicle has been so sold or trans-

ferred, and shall at the same time, surrender to the said Registration Authority, the Permit and Registration Card issued in respect of the said vehicle; and the Registration Authority (unless the Registration Authority be the States Supervisor) shall advise the States Supervisor of the surrender of such Permit.

12.—If the vehicle in respect of which a Permit has been issued is about to be removed from Guernsey during the period for which such Permit is valid the person to whom such Permit was issued shall before such vehicle is removed from Guernsey surrender the Permit and Registration Card to the Registration Authority and the Registration Authority (unless the Registration Authority be the States Supervisor) shall forthwith advise the States Supervisor of the surrender of such Permit.

Vehicles removed from Guernsey

13.—When any vehicle in respect of which a Permit has been issued is broken up or destroyed or removed from Guernsey or sold or otherwise transferred from the owner to some person in Guernsey, the identification mark assigned to the vehicle under Regulation 7 (2) hereof shall become void:

Void identification marks

Provided that —

- (1) if the person to whom the said Permit is issued shall at any time within three years after the date of issue of such Permit apply for another Permit in respect of the same vehicle the said identification mark may be assigned to such vehicle; and
- (2) nothing herein contained shall render such identification mark invalid for the purposes of an International Certificate for Motor Vehicles issued in Guernsey for travelling in other countries.

14.—At any time during the period of validity of his Permit any person may surrender such Permit to the Registration Authority and such Permit shall thereupon cease to be valid.

Permits may be surrendered at any time

15.—Upon receipt by the Registration Authority of an application under Article IV (2), (“Titre III”) of the

Issue of temporary licences

Law relating to the International Convention from the holder of a valid International Driving Permit, for the issue of a licence to drive a motor car in Guernsey the Registration Authority shall, if it is satisfied that the holder thereof is making only a temporary stay in Guernsey —

- (1) issue to him a licence in the Form E set out in the Schedule to these Regulations to drive a motor car or motor cars of the type or types specified in such International Driving Permit; and
- (2) retain the application, and (unless the Registration Authority be the States Supervisor) advise the States Supervisor of the issue of such licence.

Authorised
officer of
Registration
Authority

16.—Any officer authorised by the Registration Authority is empowered to perform any duty or exercise any power of the Registration Authority for the purpose of carrying these Regulations into effect.

Holders of
Permits
exempt from
licence duty

17.—Any person who shall obtain a Permit under Regulation 6 hereof and shall otherwise comply with these Regulations shall, subject to the provisions of Regulation 18 (3) hereof, be exempt during the period for which such Permit is valid, from the licence duty payable in Guernsey under the Law relating to Motor Vehicles in respect of that vehicle.

Issue of
licences
after
Permits
have expired

18.—(1) Any person to whom a Permit has been issued under Regulation 6 hereof in respect of a vehicle shall before using such vehicle on public roads in Guernsey at any time after his Permit has ceased to be valid, apply for and obtain a licence under the Law relating to Motor Vehicles.

(2) The owner shall, together with his application, deliver to the States Supervisor the Permit (unless already surrendered) and Registration Card issued to him.

(3) The States Supervisor shall not issue a licence to a person making application therefor in pursuance of this Regulation (hereinafter referred to as “the applicant”) until he shall have paid to the States Supervisor the full

amount of the licence duty which would, if such permit had not been issued, have been payable by him in respect of that vehicle.

19.—Any person to whom this Ordinance applies who shall use or cause or permit to be used any motor vehicle on a public road without complying with the provisions of this Ordinance or who shall in any way act in contravention of the regulations contained in this Ordinance shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £5. Penalty for
contravention

SCHEDULE

referred to in the foregoing Regulations.

FORM A.

FORM B.

FORM C.

FORM D.

FORM D 1.

FORM E.

ORDINANCES

A.

DECLARATION AND APPLICATION FOR ISSUE OF INTERNATIONAL CIRCULATION PERMIT

I request that you will issue to me a permit for the vehicle described below:—

- 1.—Description of Vehicle (*e.g. Motor Car, Motor Cycle, etc.*)
- 2.—Make of Vehicle
- 3.—Chassis No.
- 4.—Engine No.
- 5.—Number of Cylinders
- 6.—Horse Power
- 7.—Shape of Body
- 8.—Colour of Body
- 9.—Number of Seats
- 10.—Weight of Vehicle unladen
- 11.—Letters & Numbers in Identification Plates

I undertake to deliver up the permit on or before its expiry to the States Office, Guernsey; I declare that I intend to make only a temporary stay in Guernsey; I understand that if I use the Vehicle on public roads in Guernsey at any time when I hold no valid permit, I will become liable to the ordinary licence duty from the date on which the vehicle was last brought into Guernsey, and to the payment of the importation duty; and I declare that I have held no Guernsey Permit during the current year *except as follows**

Signature of Owner

Name in full (in BLOCK CAPITALS)

.....

Postal Address in Guernsey

.....

Home Address

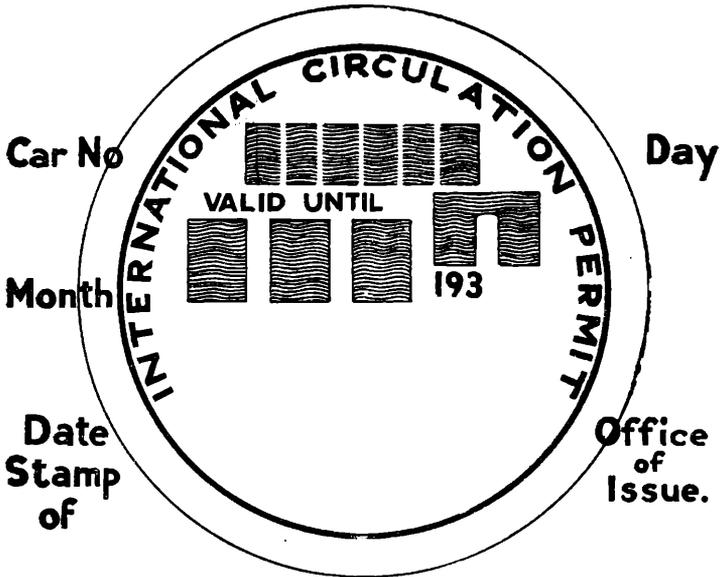
.....

Date of Landing

* Cross out the words in *italics* if not applicable.

The whole of these particulars must be completed by the Traveller.

B.



ORDINANCES

C.

STATES OF GUERNSEY.

REGISTRATION CARD.

PARTICULARS OF VEHICLE.

Imported by a person making only a temporary stay
in Guernsey.

This Card should *not* be kept in the Vehicle, but in
your International Travelling Pass (if you have one)
or otherwise in a safe place. This Card must be
surrendered on or before its expiry to the States Office.

- 1.—Description of Vehicle (*e.g. Motor Car, Motor
Cycle, etc.*)
 - 2.—Make of Vehicle
 - 3.—Chassis No.
 - 4.—Engine No.
 - 5.—Number of Cylinders
 - 6.—Horse Power
 - 7.—Shape of Body
 - 8.—Colour of Body
 - 9.—Number of Seats
 - 10.—Weight of Vehicle unladen
 - 11.—Letters and Numbers on Identification Plate
- Signature of Owner*

Date Stamp on Issue.

Date Stamp on Surrender.



OF THE STATES
IMPORTANT NOTICE.

The holder of an International Circulation Permit is entitled to exemption from vehicle licence duty for the period for which the permit is issued.

If the holder continues to use the vehicle after the expiry of the Permit, he must obtain a Licence from the States Office, and pay back duty from the date of the last importation of the vehicle into Guernsey, surrendering at the same time the Permit and this Registration Card. If an international Travelling Pass is held, it must be produced at the States Office for inspection.

On the shipment of the vehicle from Guernsey, the holder must surrender the International Circulation Permit (license disc), this Registration Card, and the Special Number Plates (if any were issued) to the States Office.

Change of address in Guernsey must be notified immediately to the States Office.

D.**REGISTER OF MOTOR VEHICLES.**

Description of Vehicle.
 Make of Vehicle.
 Chassis Number.
 Engine Number.
 Number of cylinders.
 Body { Shape.
 { Colour.
 { Number of Seats.
 Weight of Vehicle unladen.
 Letters and Numbers on identification plates.
 Name of Owner.
 Home address of Owner.
 Local " " "
 Authority which issued the International Certificate for
 the Vehicle.
 Date of landing in Guernsey.
 Number of International Circulation Permit issued.
 Date of Expiry of International Circulation Permit.
 Date of Return of International Circulation Permit and
 Registration Certificate.
 Remarks.

D 1.**REGISTER OF DRIVING PERMITS**

Full name of Driver.
 Home address of Driver.
 Local " " "
 Type of Vehicle authorised to drive.
 Number of Free driving permit issued.
 Date of Issue.
 Date of Expiry.
 Authority which issued the International Driving Permit.
 Remarks.

E.**STATES OF GUERNSEY.**

No.

“LOI AYANT RAPPORT A LA CONVENTION
INTERNATIONALE RELATIVE A LA CIRCULATION
AUTOMOBILE” OF THE 29th JUNE, 1931,
REGISTERED ON THE 29th JULY, 1931.

LICENCE TO A PERSON NAMED IN AN INTERNATIONAL
DRIVING PERMIT TO DRIVE A MOTOR VEHICLE
IN GUERNSEY.

..... (a)
of

..... (b)

is hereby licenced to drive a Motor Vehicle of Class... (c)
from the date of issue of this licence until193.....

(d) inclusive.

Date of issue

Signature of

Issuing Officer

Note.— Particulars to be copied from International
Driving Permit:—

(a) Full name of driver:

(b) Home address of driver:

(c) Class of vehicle.

Class A. Motor vehicles of which the laden
weight does not exceed 3,500 kilog.

Class B. Motor vehicles of which the laden
weight exceeds 3,500 kilog.

Class C. Motor Cycles, with or without side
car.

(d) Insert the date of expiration of the International
Driving Permit. (The date inserted in this
licence must in no case be a date later than one
year after the date of issue of this licence).

THIS SPACE TO BE USED FOR ENDORSEMENTS
ONLY.

**Ordonnance dite " The Vehicular Traffic (Short Period
Licences) Ordinance, 1940 "**
(Le 4 mai 1940)

LA COUR, sur les représentations du Conseil des Etats dit " States Board of Administration ", vu les dispositions de l'Article 18 de la Loi relative aux Automobiles sanctionnée par Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 11 décembre 1926, et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que l'Ordonnance supplémentaire à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile passée le 9 novembre 1930 et rendue permanente aux Chefs Plaids d'après Noël 1931 tenus le 18 janvier 1932 (ci-après désignée " the principal Ordinance ") ainsi qu'amendée par l'Ordonnance provisoire supplémentaire à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile passée le 4 mars 1933 (ci-après désignée " the amending Ordinance ") aura effet désormais sujet aux dispositions suivantes:—

1.—There shall be inserted in the principal Ordinance immediately after Article 2 thereof as amended by the amending Ordinance, the following new Article 2A:—

"2A.—(1) Licences valid during the twenty-one consecutive days commencing with the date of the issue of the licence may, at the discretion of the Board, be issued to members of the Forces of His Majesty or of an Ally of His Majesty stationed elsewhere than in this Island and on leave of absence therein.

(2) There shall be charged in respect of the issue of a licence under this Article three fifty-second parts of the annual tax which would be payable in respect of the vehicle licensed together with such fee as—

(a) in the case of a motor vehicle other than a motor-cycle or motor-cycle combination, shall with such proportion of tax amount to the sum of Ten shillings; and

Issue of
Licences to
members of
the Forces

(b) in the case of a motor-cycle or motor-cycle combination, shall with such proportion of tax amount to the sum of Three shillings”.

2.—The provisions of the Clause introduced into Article 2 of the principal Ordinance by virtue of the amending Ordinance shall not apply in the case of a licence issued under the provisions of this Ordinance.

3.—The expression “the Board” contained in the principal Ordinance as amended by the amending Ordinance and this Ordinance means and shall be deemed always to have meant the States Board of Administration. ^{Definition} “The Board”

**Ordonnance dite “The Vehicular Traffic (Motor Licences)
Ordinance, 1946”
(Le 28 décembre 1946)**

LA COUR, ouïes les conclusions du Procureur du Roi, a ordonné et ordonne comme suit, savoir:—

Article 2 (as subsequently modified) of the Ordinance entitled “Ordonnance provisoire supplémentaire à l’Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile” passed on the 9th day of November, 1930, and made permanent at the Chief Pleas after Christmas held on the 18th day of January, 1932, (hereinafter referred to as “the principal Ordinance”) and the Ordinance similarly entitled passed on the 5th day of March, 1933, (No. VIII of 1933), modifying the said Article 2 of the principal Ordinance are hereby repealed and the following Article numbered “2” shall be deemed to be incorporated in the principal Ordinance and the principal Ordinance shall henceforth have effect accordingly.

“2.—(1) An annual licence shall expire on the thirty- ^{Expiry} first day of December of the calendar year in respect of ^{of Licences} which it is issued and shall be renewable within the fifteen days next following the date of expiry.”

Issue or
renewal of
Licences for
periods of
less than
a year

(2) The Board, in its discretion, may authorise the issue and renewal of licences for a period of less than one year:

Provided that:

(i) any such licence so issued or renewed shall expire on one or other of the following dates:—

31st March.

30th June.

30th September.

31st December.

and shall be renewable within the fifteen days next following the date of expiry.

(ii) the amount of duty payable as regards the issue or renewal of any such licence in respect of a motor vehicle shall bear the same proportion to the amount of duty payable in respect of the issue or renewal of an annual licence in respect of that vehicle as the period for which the licence is issued or renewed bears to the period of twelve months, so, however, that any period of less than one quarter included in the period to which the licence relates shall count as a complete quarter and

(iii) a fee of two shillings shall also be chargeable in respect of the issue and renewal of every such licence, other than a licence expiring on the 31st day of December of any year in respect of a motor vehicle for which the applicant has not held a previous licence in that year.

Validity
of Licence

(3) Notwithstanding its expiry, a licence which is renewed within the fifteen days next following the date of its expiry shall be deemed to be a valid licence in respect of the period between the dates of such expiry and renewal.

(4) The principal Ordinance and this Ordinance Citation and the Vehicular Traffic (Short Period Licences) Ordinance, 1940, may be cited together as the Vehicular Traffic (Motor Licences) Ordinances, 1930 - 1946 ”.

**Ordonnance relative aux Licences de Commerçant
accordables à l'égard d'Automobiles en usage dans
un but commercial
(Le 26 novembre 1932)**

Vu les dispositions de la Loi supplémentaire relative aux Automobiles, 1932, sanctionnée par un Ordre de Sa Majesté en Conseil enregistré le 20 août 1932, et sur les représentations du Conseil Administratif des Etats que des commerçants de cette Ile ont manifesté un désir de se prévaloir des facilités visées par la dite Loi;

La Cour, ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne:—

1.—In this Ordinance —

Definitions

“ Motor Vehicle ” and “ Vehicle ” severally mean a mechanically propelled vehicle intended for use on roads.

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

The expression “ Trade License ” applies to both a General Trade License and a Limited Trade License severally.

2.—(1) A person being a manufacturer or repairer of Applications for Trade Licenses or a dealer in motor vehicles who desires to obtain or to renew a General Trade License or a Limited Trade License in respect of all vehicles used by him for trade purposes under the limitations hereafter in this Ordinance prescribed in respect of such Trade Licenses severally, shall apply to the Board by means of a declaration in such form as the Board may prescribe.

Issue of
Trade
Licenses, etc.

(2) The Board, on being satisfied that the applicant is bona-fide a manufacturer or repairer of or a dealer in motor vehicles and that he is proprietor of at least one fully licensed motor vehicle may issue to him the appropriate license and identification marks in accordance with the application on payment by him of the appropriate duty ("droits") prescribed in the said Law and on his depositing with the Board the sum of 2s. 6d. in respect of each plate issued bearing the identification mark. Every plate so issued shall remain the property of the Board and on its surrender in good condition the deposit paid on it shall be returned to the Licensee but in default of such surrender in due time it shall be forfeited. Every Trade License shall contain:—

- (a) the name and address of the person to whom the license is issued;
- (b) the number of the identification mark allotted;
- (c) the date of expiry of the license;
- (d) the amount of duty paid;
- (e) the date stamp of issue;
- (f) the serial number of the license;

Trade Licenses shall expire on the 31st of December of each year and may be renewed during that month.

Use of
Trade
Licenses

(3) A Trade License shall not be used by any person other than the person to whom the same is issued and the person to whom the same is issued shall not allow or suffer the license or the plates issued in connection therewith to be used by any other person but no offence under this section shall be deemed to have been committed if the person to whom the license is issued or a person bona-fide in his employ and acting under his authority is present and in charge of the vehicle or if such vehicle is constructed for use by one person only and is being used by a prospective purchaser for the purpose of test or trial.

(4) A Trade License shall not be used upon any vehicle other than a vehicle which is in the possession of the holder of such license in the course of his business as a

manufacturer or repairer of or dealer in motor vehicles.

(5) (a) A General Trade License shall not at any time be used upon a vehicle which is being used for the conveyance of passengers for profit or reward.

(b) A Limited Trade License shall not at any time be used upon a vehicle which is being used for the conveyance of passengers or goods for profit or reward.

(6) No vehicle shall be used upon a public road under a Trade License for any purpose other than a purpose for which such vehicle is authorised to be used under such License by section (1) of the article next following in the case of a General Trade License or by section (2) of the said article in the case of a Limited Trade License.

3.—(1) GENERAL TRADE LICENSES.—Subject to the provisions of sections (4) and (5) (a) of the preceding article a motor vehicle may be used upon a public road under a General Trade License for any purpose connected with the business as a manufacturer or repairer of or dealer in motor vehicles of the holder of such license and so long as such vehicle is bona-fide being used for such purpose the holder of the license shall not by reason only that some other or further use is being made of the vehicle be deemed to commit a breach of these Regulations.

(2) LIMITED TRADE LICENSES.—A motor vehicle may be used upon a public road under a Limited Trade License for any one or more of the following purposes:—

- (i) For test or trial in the ordinary course of construction or repair or immediately after completion in either such case.
- (ii) For proceeding to or from a public weighbridge for ascertaining its unladen weight or to or from any place for its registration or inspection by the Board.
- (iii) For test or trial for the benefit of a prospective purchaser; for proceeding at the instance of a prospective purchaser to any place for the

- purpose of such test or trial; or for returning after such test or trial.
- (iv) For delivering the vehicle to the place where the purchaser intends to keep it.
 - (v) For delivering a vehicle from his premises to the premises of another manufacturer or repairer of or dealer in motor vehicles or removing a vehicle from the premises of another manufacturer or repairer of or dealer in motor vehicles direct to his own premises.
 - (vi) For proceeding to or returning from a workshop in which a body is to be or has been fitted to the vehicle or the vehicle is to be or has been painted or repaired.
 - (vii) For proceeding from the premises of a manufacturer, or repairer of or dealer in motor vehicles, to a wharf for shipment or from a ship to the premises of such manufacturer, repairer or dealer.
 - (viii) For proceeding to or returning from any garage, auction room or other place at which vehicles are usually stored or usually or periodically offered for sale and at which the vehicle is to be or has been stored or offered for sale as the case may be.

4.‡

5.—Articles 21 and 22 of the aforesaid Ordinance of the 8th of November, 1930, are hereby repealed Provided that the validity of a Trade License issued under the said articles and in force at the time of such repeal shall not be affected thereby. Provided also that an infraction of any of the provisions of the said articles committed before this repeal shall be subject to prosecution and punishment under the provisions of the said Ordinance in the same way as if this repeal had not been enacted.

6.*

‡ Substituted on 4th February, 1933.

* New Article incorporated 13th November, 1937.

**Ordonnance relative aux Licences de Commerçant
accordables à l'égard d'Automobiles en usage dans
un but commercial, 1933**

Amendement de l'Article 4 de l'Ordonnance à ce sujet
du 26 novembre 1932
(Le 4 février 1933)

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que l'Article 4 de l'Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial passée le 26 novembre 1932 sera rappelé et que l'Article suivant y sera substitué: —

- 4.—It shall not be necessary to attach a Trade License to a vehicle and therefore Articles 4 and 5 of the Ordinance entitled "Ordonnance supplémentaire à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile" of the 8th of November, 1930, shall not apply in the case of a vehicle while it is lawfully used under a Trade License. The provisions of Articles 6 and 17 of the said Ordinance shall apply in respect of a Trade License, and the identification mark allotted under a Trade License shall be carried and exhibited in conformity with the provisions of Articles 18, 19 and 20 of the said Ordinance.

**Ordonnance supplémentaire à l'Ordonnance relative aux
Licences de Commerçant accordables à l'égard d'Auto-
mobiles en usage dans un but commercial**
(Le 13 novembre 1937)

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne que l'Ordonnance relative aux Licences de Commerçant accordables à l'égard d'Automobiles en usage dans un but commercial passée le 26 novembre 1932. (ainsi qu'amendée par Ordonnance passée le 4 février 1933) aura effet désormais comme si l'Article qui ensuit y fut incorporé:

Misuse of
identification
marks in
connection
with Trade
Licenses

6. Any person —

- (1) who, not being entitled to use an identification mark issued in connection with a Trade License, shall use the same; or
- (2) who, being entitled to use such identification mark, shall use the same or suffer the same to be used —
 - (i) upon a vehicle other than a vehicle in regard to which the use of such identification mark is permissible under the provisions of this Ordinance; or
 - (ii) for a purpose other than a purpose which is permissible under the provisions of this Ordinance;

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding Five Pounds.

**Ordonnance par rapport à la Taxation de Vélocipèdes
(Le 12 février 1938)**

LA COUR, en vertu des dispositions de la Loi relative à la Taxation de Vélocipèdes enregistrée sur les Records de cette Ile le 29 décembre 1937 et ouïes les conclusions des Officiers du Roi, a rappelé les dispositions non déjà rappelées de toutes Ordonnances ci-devant passées par rapport à la Taxation de Vélocipèdes (y inclus les dispositions de l'Article VII de l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile passée le 2 mars 1929 ainsi qu'amendées par Ordonnance au même sujet passée le 20 juillet 1934) et a ordonné et ordonne comme suit, savoir: —

Collection
of Tax, etc.

1.—(1) The competent authority for the collection of the Cycle Tax and for the issuing of Cycle Licences shall be as follows:—

- (a) As regards cycles belonging to persons making a stay in this Island of a duration not exceeding two months, the States' Treasurer;

(b) As regards other cycles, the Constables of the Parishes.

(2) Subject as aforesaid, the Cycle Tax shall be collected —

(a) in respect of a cycle used wholly or principally for business purposes, in the parish in which is situate the principal place of business of the proprietor of the cycle;

(b) in respect of other cycles, in the parish in which is situate the principal or only residence of the proprietor of the cycle.

(3) The Constables of each Parish shall pay to the States' Treasurer, at such periods as he may require, the amount of the Cycle Tax collected in that Parish in any calendar year and shall be entitled to receive from the States' Treasurer, as remuneration for their services in the collection thereof, a commission calculated at the rate of five per cent. on the amount of Cycle Tax collected by them in that calendar year.

2.—For the purposes of the licensing of cycles, the Parishes are hereby allotted distinguishing letters as follows —

St. Peter Port	A	St. Peter-in-the-Wood ...	F
St. Sampson's	B	Torteval	G
The Vale	C	The Forest	H
The Castel	D	St. Martin's	I
St. Saviour's	E	St. Andrew's	K

3.—(1) Cycle Licences issued by the Constables of the Parishes shall be issued in the form of a card authenticated by the competent authority issuing the same and —

(a) being of a colour to be determined by the States' Treasurer which is distinctive of the calendar year in respect of which or part of which the same are issued:

(b) bearing the distinguishing letter of the Parish in which they are issued:

(c) bearing the number allotted to the licensee and such other particulars as to the States' Treasurer may appear expedient.

(2) Cycle Licences issued by the States' Treasurer shall be in the same form as those issued by the Constables save that the distinguishing letter to be borne thereon shall be the letter " V ".

Cycle Tax
and Licences,
when
collected
and issued

4.—Cycle Tax shall be collected and Cycle Licences shall be issued —

(a) by the Constables of the Parish of Saint Peter Port, at the Constables' Office on the days and during the hours on and in which that office is open for the transaction of public business:

(b) by the Constables of the other Parishes —

(i) during the period in each year commencing on the second day of January and ending on the 15th day of January at such places, on such days and during such hours as shall be advertised in the public press by the States' Treasurer after consultation with the Constables of the various Parishes:

(ii) at all other periods at the respective residences of the Constables of the Parishes, on week days not being public holidays between the hours of 10 a.m. and 7 p.m.

Parish
Registers
to be kept

5.—The Constables of each Parish shall keep a register of the Cycle Licences issued in that Parish, containing the name and address of each licensee and the number or numbers allotted to such licensee and shall, on the request of any Police Officer, supply to such Police Officer such particulars as are contained in the register as he may require.

Cycles let
on hire

6.—(1) Every person who lets cycles on hire shall keep a register in which shall be recorded the following particulars —

(a) the number borne on the licence of every cycle hired out; and

(b) the name and address of the person to whom the cycle is hired, the date and hour of the commencement of the hiring and the date and hour of the termination of the hiring.

(2) Any Police Officer shall be entitled during ordinary business hours to inspect the registers required to be kept by persons who let cycles on hire.

(3) If any person who lets cycles on hire shall fail to keep such a register as is hereby required to be kept or shall fail to record therein the particulars hereby required to be therein recorded or shall fail to produce such register for inspection on the request of a Police Officer, he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding Two Pounds.

7.—(1) Every cycle licence shall be carried in a case of a type approved by the Police Committee and the case containing the cycle licence shall be fixed at the rear of the cycle to which the licence relates in such manner and the cycle licence shall be so displayed and shall be in such condition that the licence and the distinguishing letter and the number appearing thereon shall be plainly visible to the public during the hours of daylight while such cycle is being ridden.

Display of
cycle
Licences

(2) If any of the provisions of sub-section (1) of this Section is not complied with in the case of any cycle being ridden on a public thoroughfare, the person riding the cycle shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding Two Pounds.

8.—Upon proof to the reasonable satisfaction of the Constables of a Parish that a Cycle Licence issued in that Parish has been lost, or upon production to the Constables of a Parish of a Cycle Licence issued in that Parish which is no longer in such condition as to comply with the provisions of sub-section (1) of Section 7 of this Ordinance, and upon payment to such Constables of the sum of sixpence, the Constables shall issue to the licensee to whom the Licence sought to be replaced was originally issued or to any other person who satisfies

Lost
Licences

them that he is entitled to the use of that Licence as the purchaser of a cycle from the original licensee, a fresh Licence having a like period of validity to that of the Licence sought to be replaced.

Meaning of
"cycle"

9.—In this Ordinance the expression "cycle" shall have the meaning assigned to it in the Cycle Tax Law, 1937.

Cycles
belonging to
a Dept. of
His Majesty's
Government

10.—The provisions of this Ordinance, other than the provisions of Section 7 thereof, shall not apply in the case of any cycle belonging to a Department of His Majesty's Government and used exclusively in the service of that Department and in lieu thereof the following provisions shall be applicable in the case of any such cycle:—

- (a) The Department concerned shall in each calendar year apply to the States' Treasurer on or before the date on which such a cycle is first ridden in that calendar year or on or before the 15th day of January in that calendar year, whichever of those dates is the later for an identification card in respect of such cycle.
- (b) On application, the States' Treasurer shall supply gratuitously to such Department in respect of each such cycle an identification card authenticated by or on behalf of the States' Treasurer and —
 - (i) being of the colour which is distinctive, as regards cycle licences, of the calendar year in which such identification card is supplied;
 - (ii) bearing the letters "O.H.M.S." and the distinguishing number allotted to the cycle.
- (c) For the purposes of the Cycle Tax Law, 1937 and this Ordinance, any such identification card so issued shall be deemed a Cycle Licence as regards the cycle in respect of which it is issued and the letters "O.H.M.S." appearing

thereon shall be deemed the distinguishing letter and the provisions of Section 7 of this Ordinance shall apply accordingly.

Road Traffic Ordinance (1946).
(30th September, 1946).

THE COURT, on representations made by the States Island Police Committee, having heard the conclusions of the Law Officers of the Crown, has ordered and orders as follows:—

1.—No person shall wilfully ride a motor-bicycle, pedal-bicycle, motor-tricycle, or pedal tricycle on any highway in the Island of Guernsey in such manner that three or more of such motor-bicycles, pedal-bicycles, motor-tricycles, or pedal tricycles, or a combination of more than two of them, are ridden abreast. ^{Riding abreast}

2.—Any person acting in contravention of this Ordinance shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding Five Pounds. ^{Penalty}

Ordonnance faisant des Règlements aux fins de la Loi dite "The Road Traffic (Compulsory Third Party Insurance) (Guernsey) Law, 1936".
(Le 7 novembre 1936).

LA COUR, en vertu des dispositions des Articles 12 et 14 de la Loi dite "The Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936" sanctionnée par Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 4 novembre, 1936, et ouïes les conclusions des Officiers du Roi, par voie des règlements rédigés en anglais qui suivent, a ordonné et ordonne:—

PART I.

1.—In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:— ^{Definitions}

“the Law” means the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936, which Law, in the forms set out in the Schedule to these Regulations is referred to as the Guernsey Road Traffic Law, 1936 and is denoted by and included in the expression “the Acts” where that expression occurs therein.

“the Board” means the States Board of Administration.

“motor vehicle” means a mechanically-propelled vehicle intended or adapted for use on roads.

“policy” means such policy of insurance in respect of third party risks arising out of the use of motor vehicles as complies with the requirements of the Law and includes a covering note.

“assurance company” includes an underwriter or association of underwriters.

“company” means an authorised insurer within the meaning of the Law.

“owner” in relation to a motor vehicle which is the subject of a hiring agreement or hire purchase agreement means the person in possession of the motor vehicle under that agreement.

Certificates
of Insurance

2.—(1) A company shall issue to every holder of a policy other than a covering note issued by the company:

- (a) in the case of a policy relating to a specified vehicle or to specified vehicles a certificate of insurance in Form A set out in the Schedule to these Regulations in respect of each such vehicle.
- (b) in the case of a policy not relating to any specified vehicle or vehicles such number of certificates in the Form B set out in the Schedule to these Regulations as may be necessary to enable the requirements of sub-section (1) of Section 13 of the Law and of these Regulations as to the production of evidence that a motor vehicle is not being driven in contravention of Section 2 of the Law to be complied with.

(2) Every policy in the form of a covering note issued by a company shall have printed thereon or on the back thereof a certificate of insurance in the Form C set out in the Schedule to these Regulations.

(3) The forms prescribed for use in Great Britain under the Road Traffic Acts, 1930 to 1934, of the United Kingdom which correspond to the forms set out in the Schedule to these Regulations, if modified by the addition or substitution, as the case may require, in any mode of representing or reproducing words in a visible form, of the title of the Law and or of any other relevant particular, may be used for the purposes of the Law and of these Regulations and any of such forms, so modified, shall be deemed to be the form set out in that Schedule to which it corresponds.

(4) In any case where it is intended that a Certificate of Insurance, issued under the Road Traffic Acts, 1930 to 1934, of the United Kingdom or under the Road Traffic Acts (Northern Ireland) 1930 to 1934, or under those Acts of the United Kingdom and of Northern Ireland, by a company which is an authorised insurer within the meaning of the Law, shall be effective in Guernsey as well as in Great Britain and/or Northern Ireland, such Certificate of Insurance shall have effect as a Certificate of Insurance for the purposes of the Law and of these Regulations if there shall be added to such Certificate, in any mode of representing or reproducing words in a visible form, the words:—

“On this Certificate a reference to the Road Traffic Acts, 1930 to 1934, includes the Road Traffic (Compulsory Third Party Insurance) (Guernsey) Law, 1936.”

3.—(1) Every certificate of insurance shall be duly authenticated by or on behalf of the company by whom it is issued. Authenti-
cation of
certificates

(2) The certificate aforesaid shall be issued not later than four days after the date on which the policy is issued or renewed.

Further
certificates

4.—Where under the terms of a policy relating to a specified motor vehicle the holder is entitled to drive any other motor vehicle than that specified without contravention of Section 2 of the Law, the company by whom the policy was issued may and shall on demand being made to them by the holder issue to him a further certificate of insurance in Form A or B set out in the Schedule to these Regulations.

Certificate
regulations

5.—(1) Every certificate issued in pursuance of the Law and of these Regulations shall be printed and completed in black on white paper or similar material.

(2) No certificate so issued shall contain any advertising matter either on the face or on the back thereof:

Provided that the name and address of a company by whom a certificate is issued or a reproduction of the seal of the company or any monogram or similar device of the company or the name and address of an insurance broker shall not be deemed to be advertising matter for the purposes of this Regulation if it is printed or stamped at the foot or on the back of such certificate.

(3) A company by whom a certificate of insurance is issued may insert on the face or on the back of the certificate a statement as to whether or not the policy to which it relates is effective while any motor vehicle in respect to which it is issued is being driven elsewhere than in the Island of Guernsey.

Applicants
for
motor
licences
must
produce
certificates
of
insurance

6.—(1) Any person applying for a licence under the Guernsey Automobile Law of 1926 as amended by any subsequent enactment shall produce to the licensing authority a certificate of insurance indicating that on the date when the licence comes into operation there will be in force a policy in relation to the user of the motor vehicle by the applicant or by other persons on his order or with his permission.

Provided that there may be produced in lieu thereof—

(i) in the case where the motor vehicle is one of more than 10 motor vehicles owned by the same person

in respect of which a policy or policies of insurance have been obtained by him from the same authorised insurer a statement duly authenticated by the authorised insurer to the effect that on the date when the licence becomes operative an insurance policy which complies with the Law will be in force in relation to the motor vehicle.

- (ii) in the case of motor vehicles owned by any of the authorities referred to in subsection (3) of section 2 of the Law, a certificate signed by some person authorised in that behalf by such authority as the case may be, that the vehicles in respect of which the application for a licence is made are owned by such authority:

Provided further that a person engaged in the business of letting motor vehicles on hire shall not, when applying for a licence under the Guernsey Automobile Law of 1926, as amended by any subsequent enactment, be required to comply with the first paragraph of this Regulation if the motor vehicle in respect of which the licence is applied for is intended to be used solely for the purpose of being let on hire and driven by the person by whom the motor vehicle is hired or by persons under his control.

(2) The licensing authority shall keep a record in chronological order of the dates of expiry of the insurances referred to in the Certificates of Insurance produced to such authority.

7.—(1) Every company by whom a policy is issued shall keep a record of the following particulars relative thereto and of any certificates issued in connection therewith: —

Particulars to be recorded by company, etc.

- (a) Full name and address of the person to whom the policy or certificate is issued.
- (b) In the case of a policy relating to a specified motor vehicle or to specified motor vehicles the registration number of each such motor vehicle.
- (c) The date on which the policy comes into force and the date on which it expires.

(d) The conditions subject to which the persons or classes of persons specified in the policy will be indemnified.

(2) Every such record shall be preserved for one year from the date of expiry of the policy.

(3) Every authority referred to in sub-section (3) of Section 2 of the Law shall keep a record of the motor vehicles owned by them in respect of which a policy has not been obtained.

(4) Any person, authority, or company by whom records of documents are required to be kept by these Regulations shall, without charge, furnish to the Board or to the chief officer of police on request any particulars thereof.

Policies
becoming
ineffective

8.—Where to the knowledge of a company a policy issued by them ceases to be effective without the consent of the person to whom it was issued otherwise than by effluxion of time or by reason of his death the company shall forthwith notify the Board of the date on which the policy ceased to be effective.

Policies
transferred
or
suspended

9.—Where with the consent of the person to whom it was issued a policy is transferred or suspended or ceases to be effective otherwise than by effluxion of time such person shall forthwith return any relative certificates to the company by whom they were issued and a new policy shall not be issued to that person, nor shall the said policy be transferred to any other person unless and until the certificates have been returned to the company or the company are satisfied that they have been lost or destroyed.

Certificates
lost,
destroyed
or
defaced

10.—Where any company by whom a certificate of insurance has been issued are satisfied that the certificate has become defaced or has been lost or destroyed they shall if requested so to do by the person to whom the certificate was issued, issue to him a fresh certificate.

Delivery of
declaration

11.—Every declaration made for the purpose of paragraph (c) of sub-section (2) of Section 4 or of Section 8

of the Law shall be delivered to the insurer in like manner as though it were a certificate.

PART II.

12.—In this Part of these Regulations unless the con- Definitions
text otherwise requires the following expressions have the
meanings hereby respectively assigned to them:—

“issuing authority” means the Board.

“visitor” means a person bringing a motor vehicle
into the Island of Guernsey and making only a tem-
porary stay therein.

“motor vehicle” means a motor vehicle brought
into the Island of Guernsey by a visitor.

13.—A visitor who is a holder of a policy of insurance “Certifi-
issued otherwise than by an authorised insurer within cates of
the meaning of the Law in respect of third party risks foreign
arising out of the driving by him of a motor vehicle in insurance”
the Island of Guernsey may make application to the
issuing authority for a certificate (hereinafter called “a
certificate of foreign insurance”) in the Form G set out
in the Schedule to these Regulations.

14.—The issuing authority may issue a certificate of Application
foreign insurance to any visitor who makes application for such
therefor in the manner prescribed by these Regulations. certificates

15.—Every such application as aforesaid shall be Particu-
signed by the person by whom it is made and shall specify lars to be
the number of the policy in respect of third party risks given by
held by him, the name and address of the company by applicants
whom it was issued, the date on which the policy com-
mences and the date on which it expires, and shall also
contain a declaration by the applicant that the provisions
of the policy with respect to third party risks are effective
in relation to the driving of the motor vehicle in the
Island of Guernsey by him or by some other person or
persons or classes of persons specified in the declaration.

16.—Every certificate of foreign insurance shall be Signature
signed by some person duly authorised in that behalf by
the issuing authority by whom it is issued.

- Validity** 17.—The period of validity of a certificate of foreign insurance shall not exceed the unexpired period covered by the policy to which it relates.
- Effective-ness** 18.—For the purposes of the Law and of Part I of these Regulations, a certificate of foreign insurance issued by an authorised insurer and the policy of insurance to which it relates shall be deemed to comply with the requirements of the Law.
- Non-application of Section 9 of Law** 19.—The provisions of Section 9 of the Law shall not apply in relation to any policy of insurance in respect of which a certificate of foreign insurance has been issued.
- Return of Certificate** 20.—A certificate of foreign insurance shall be forthwith returned by the visitor to the issuing authority by whom it was issued if the motor vehicle to which it relates is sold or otherwise disposed of or if by reason of his obtaining a new policy or otherwise a new certificate of foreign insurance is issued to him during his stay in the Island of Guernsey, and if the certificate is not so returned it shall be surrendered to the issuing authority by whom it was issued or by or on behalf of the visitor when the motor vehicle is taken out of the Island of Guernsey.
- Record of particulars** 21.—The issuing authority shall keep a record of the following particulars relative to any certificates of foreign insurance issued by them:—
- (1) the full name and address of the person to whom the certificate is issued and particulars of the persons or classes of persons authorised to drive the motor vehicle;
 - (2) the name and address of the company by whom the policy of insurance to which the certificate relates was issued;
 - (3) the date on which the policy of insurance to which the certificate relates commences and the date on which it expires;
 - (4) the date of return of the certificate to the issuing authority;

and the issuing authority shall without charge furnish to the chief officer of police on request any particulars thereof.

22.—*

PART III.

23.—The Board shall cause a register to be kept of the names of all assurance companies approved as “ authorised insurers ” for the purposes of the Law and of the addresses of the head offices thereof and of the addresses in Guernsey communicated to the Board by such assurance companies under the provisions of Section 3 of the Law and, upon payment of a sum not exceeding one shilling in respect of any such assurance company, shall supply to any person on demand the particulars contained in the register concerning that assurance company.

Register of
“ authorised
insurers ”
to be
kept

24.—†

25.—Upon any assurance company which has been approved by the Board as an “ authorised insurer ” for the purposes of the Law ceasing to be so approved, the Board shall forthwith publish during six consecutive days in each of two local daily newspapers an intimation that that assurance company has ceased to be an “ authorised insurer ” for the purposes of the Law.

“ Authorised
insurers ”
ceasing
to be
approved

PART IV

26.—Any person acting in contravention of or failing to comply with any of the provisions of Parts I and II of these Regulations shall for each offence be liable on summary conviction to a fine not exceeding Five Pounds.

Penalty
for
contraven-
tion

* Substituted on 19th June, 1937

† Repealed on 27th November, 1950.

ORDINANCES

THE SCHEDULE

FORM A.

Guernsey Road Traffic Law, 1936.

Certificate of Insurance.

Certificate No. Policy No.....

(Optional)

1. Index Mark and registration number of vehicle.
2. Name of Policy holder.
3. Effective date of the commencement of Insurance for the purposes of the Acts.
4. Date of expiry of Insurance.
5. Persons or classes of persons entitled to drive.*
6. Limitations as to use.*

(I)
(we) hereby certify that the Policy to which this

Certificate relates is issued in accordance with the provisions of the Guernsey Road Traffic Law, 1936.

.....
Authorised Insurers.

* Limitations rendered inoperative by Section 6 of the Guernsey Road Traffic Law, 1936, are not to be included under this heading.

FORM B.

Guernsey Road Traffic Law, 1936.

Certificate of Insurance.

Certificate No. Policy No.....

(Optional)

1. Description of vehicles.
2. Name of Policy holder.
3. Effective date of the commencement of Insurance for the purposes of the Acts.
4. Date of expiry of Insurance.
5. Persons or classes of persons entitled to drive.*
6. Limitations as to use.*

(I)
(we) hereby certify that the Policy to which this

Certificate relates is issued in accordance with the provisions of the Guernsey Road Traffic Law, 1936.

.....
Authorised Insurers.

* Limitations rendered inoperative by Section 6 of the Guernsey Road Traffic Law, 1936, are not to be included under this heading.

FORM C.

Guernsey Road Traffic Law, 1936.

Certificate of Insurance.

(I) hereby certify that this covering note is issued
(we) in accordance with the provisions of the Guernsey Road
Traffic Law, 1936.

.....

Authorised Insurers.

FORM G.

Guernsey Road Traffic Law, 1936.

Certificate of Foreign Insurance.

Certificate No. Policy No.

Name and address of Assurance Company.....

.....

1. Date to which Certificate is valid.
2. Identification mark and number or numbers and make of vehicle.
3. Persons or classes of persons authorised to drive the vehicle.
4. Date of commencement of policy.
5. Date of expiry of policy.

I hereby certify that this certificate is issued in accordance with the regulations made by the Royal Court of Guernsey under the Guernsey Road Traffic Law, 1936.

Signed

on behalf of

(Issuing Authority).

Cette Ordonnance pourra être citée sous le titre de Citation
" The Road Traffic (Compulsory Third-Party Insurance)
Ordinance, 1936 ".

Ordonnance supplémentaire à l'Ordonnance faisant des Règlements aux fins de la Loi dite " The Road Traffic (Compulsory Third Party Insurance) (Guernsey) Law, 1936 ".

(Le 19 juin 1937)

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé le Règlement 22 contenu dans l'Ordonnance faisant des Règlements aux fins de la Loi dite " The Road Traffic (Compulsory Third Party Insurance) (Guernsey) Law, 1936 " passée le 7 novembre 1936 et y a substitué le Règlement qui suit, lequel sera censé dorénavant former partie de la dite Ordonnance.

Motor
vehicles
brought to
Guernsey
by visitors

" 22.—In the case of a motor vehicle brought into the Island of Guernsey by a visitor who is a holder of a policy of insurance issued by an authorised insurer within the meaning of the Law which complies with the Road Traffic Acts 1930 to 1934 (of the United Kingdom) and which covers the driving of the motor vehicle in the Island of Guernsey, the provisions of Regulations 13 to 21 of these Regulations shall not apply, but such policy and any certificate of insurance which is issued in pursuance of those Acts and the regulations made thereunder in respect of such policy shall have effect as a policy of insurance or a certificate of insurance respectively for the purposes of the Law and of these Regulations ".

Citation

Cette Ordonnance pourra être citée comme " The Road Traffic (Compulsory Third Party Insurance) Ordinance, 1937 ", et l'Ordonnance à laquelle cette Ordonnance est supplémentaire et cette Ordonnance pourront être citées ensemble comme " The Road Traffic (Compulsory Third Party Insurance) Ordinances, 1936-1937 ".

**Ordonnance relative à la Perception de la Taxe sur la
Recette des Divertissements
(Le 2 juillet 1932)**

Vu l'Ordre de Sa Majesté en Conseil en date du 11 février 1932 approuvant la substitution d'une échelle de la taxe sur la recette des divertissements savoir un demi penni par trois pennis du prix d'admission au lieu de l'échelle de la dite taxe sanctionnée par l'Ordre de Sa Majesté en Conseil enregistré sur les records de cette Ile le 14 janvier 1919.

Vu aussi l'Ordre de Sa Majesté en Conseil en date du 10 juin 1932 sanctionnant un amendement à la dite échelle dans les termes suivants: —

Where the price of admission comprises a fraction
of 3d. in excess of 3d. or of a multiple of 3d., such
excess shall be taxed as though it were 3d.;

les dits Ordres du 11 février 1932 et du 10 juin 1932 étant enregistrés sur les records de cette Ile le 27 juin 1932.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

1.—L'Ordonnance Provisoire relative à la Perception ^{Rappel} de la Taxe sur la Recette des Divertissements passée le premier février 1919 est rappelée pourvu que toute infraction d'icelle commise avant ce rappel pourra être poursuivie et punie par les pénalités y prescrites et l'exécution de toute obligation encourue en vertu d'icelle pourra être poursuivie le tout comme si la dite Ordonnance n'avait pas été rappelée.

2.—La dite taxe sur la recette des divertissements ^{Perception de la Taxe} (ci-après désignée "Entertainments Duty"), sera perçue dans la manière et conformément aux Règlements contenus dans la cédule annexée à la présente Ordonnance.

3.—Tout contrevenant aux dits Règlements sera Pénalités passible aux peines portées dans les dits Règlements.

Amendes

4.—Les amendes imposées en vertu des dits Règlements seront applicables moitié à Sa Majesté et moitié au délateur.

CEDULE

REGULATIONS

* ARTICLE I

ARTICLE II

Payment of
Entertain-
ments Duty

(1) No person shall be admitted for payment to any entertainment except:—

- (a) with a ticket stamped with a stamp (not before used) denoting that the proper Entertainments Duty has been paid; or
- (b) in special cases, with the approval of the Treasurer of the States, through a barrier which, or by means of a mechanical contrivance which, automatically registers the number of persons admitted;

unless the proprietor of the entertainment has made arrangements approved by the Treasurer of the States for furnishing returns of the payments for admission to the entertainment and has given security up to an amount and in a manner approved by the Treasurer of the States for the payment of duty.

If any person is admitted for payment to any place of entertainment and the provisions of this Article are not complied with, the person admitted and the proprietor of the entertainment to which he is admitted shall be liable in respect of each offence to a fine at the discretion of the Court, in the case of the person admitted to a fine not exceeding Five Pounds, and in the case of the proprietor to a fine not exceeding Fifty Pounds, and the proprietor shall in addition be liable to pay the duty which should have been paid.

* Substituted on 9th February. 1935.

(2) Entertainments duty shall be charged in respect of each person admitted for payment, and, in the case of admission by stamped ticket, shall be paid by means of the stamp on the ticket, and in the case of admission otherwise than by stamped ticket shall be calculated and paid on the number of admissions. Entertainments duty, in the case of admission otherwise than by stamped ticket, shall be recoverable from the proprietor.

(3) Where the payment for admission to an entertainment is made by means of a lump sum paid as a subscription or contribution to any club, association, or society, or for a season ticket or for the right of admission to a series of entertainments or to any entertainment during a certain period of time, the Entertainments duty shall be paid on the amount of the lump sum, but where the Treasurer of the States is of opinion that the payment of a lump sum or any payment for a ticket represents payment for other privileges, rights, or purposes besides the admission to an entertainment or covers admission to an entertainment during any period for which the duty has not been in operation, the duty shall be charged on such an amount as appears to the Treasurer of the States to represent the right of admission to entertainments in respect of which Entertainments duty is payable.

ARTICLE III

(1) The Treasurer of the States may make arrangements:—

- (a) For the supply of States' tickets which shall be supplied at the face value of the stamp printed on them with the addition of a reasonable charge for the printing and material of the tickets;
- (b) For the stamping of the proprietor's tickets with an impressed stamp denoting duty.
- (c) For the sale of adhesive stamps denoting the duty.

The impressed and adhesive stamps used for the payment of the duty shall be those which shall from time to time be authorised by the Treasurer of the States.

(2) No person shall purchase any States' ticket or any adhesive stamp, except from a person duly authorised by the Treasurer of the States to sell the same: provided always that nothing in this regulation shall apply to a person purchasing a States' ticket or adhesive stamp from the proprietor of the entertainment for the purpose of being admitted to the entertainment.

(3) Subject to the provisions of these Regulations or except as allowed by the Treasurer of the States no person shall mark or cause to be marked in any manner any States' ticket or adhesive stamp.

(4) No person, other than an officer duly appointed by the Treasurer of the States, shall imprint or impress any impressed or embossed stamp upon any ticket issued or used, or intended to be issued or used, for the purpose of authorising admission to an entertainment.

(5) If any person acts in contravention of any of the dispositions of subsections 2, 3 and 4 of this Article he shall be liable in respect of each offence to a fine, at the discretion of the Court, which shall not exceed Fifty Pounds.

ARTICLE IV

Admission
tickets

(1) The proprietor shall not issue or have in his possession at the place of entertainment any ticket being a ticket authorising or intended to be issued for the purpose of authorising any person to be admitted to the entertainment unless the price of admission is legibly printed, stamped, or otherwise marked on the ticket.

For the purpose of this Regulation the price of admission means the price either inclusive or exclusive of the duty, and there shall be printed on every such ticket as aforesaid a statement whether the price printed thereon in accordance with the requirements of this

Regulation includes the duty or excludes the duty, as the case may be.

Provided that where States' tickets issued under Article III of these Regulations are used it shall not be an infringement of this Article if, instead of the particulars therein prescribed, there are legibly printed on such tickets the maximum and minimum limits of the admission prices to which the amount of duty printed thereon is appropriate.

Provided also that with respect to existing stocks of tickets held by a proprietor at the time of the coming into force of these Regulations the Treasurer of the States may by order in writing under his hand waive the requirements of this Regulation such waiver to remain in force for so long as the Treasurer of the States may determine.

(2) The proprietor shall not issue an adhesive stamp to any person otherwise than securely fixed to a ticket issued for the purpose of authorising admission to the entertainment.

(3) The proprietor shall not on any payment for admission to the entertainment being made issue in respect of that payment any ticket authorising admission to the entertainment other than a States' ticket denoting the proper amount of duty chargeable in respect of that payment, or a proprietor's ticket bearing an impressed or adhesive stamp denoting that amount.

The provisions of this Regulation shall not apply in any case where the proprietor of the entertainment has made arrangements approved by the Treasurer of the States for furnishing returns of payments for admission and has given security to the satisfaction of the Treasurer of the States for the payment of duty.

(4) If any person acts in contravention of or fails to comply with any of the requirements of this Article he shall be liable in respect of each offence to a fine, at the discretion of the Court, which shall not exceed Fifty Pounds.

ARTICLE V

Regulations
for the
use of
tickets

(1) Subject to the provisions of these Regulations the proprietor shall not deface, cut, tear, or diminish any States' ticket before it is issued to the person paying for admission, or any proprietor's ticket bearing an impressed or adhesive stamp before such ticket is so issued, or admit any person to an entertainment with a States' ticket, or a proprietor's ticket which has been defaced, cut, torn, or diminished.

(2) No person being the holder of a States' ticket or of a proprietor's ticket, issued for the purpose of authorising admission to an entertainment, shall deface, cut, tear, or diminish such ticket.

(3) The proprietor shall collect the tickets of all persons about to be admitted to the entertainment with a States' or proprietor's ticket, and every person about to be so admitted with such a ticket shall, immediately before admission to the entertainment, deliver the ticket to the person who is collecting the tickets.

(4) When a ticket is so collected the proprietor shall forthwith deface the stamp on the ticket by tearing the ticket into two portions across the stamp, and shall return one portion of the torn ticket to the person to be admitted to the entertainment and shall retain and keep till midday on the day following the conclusion of the entertainment the other portion thereof.

(5) If any person acts in contravention of or fails to comply with any of the requirements of this Article he shall be liable in respect of each offence to a fine, at the discretion of the Court, which shall not exceed Fifty Pounds.

ARTICLE VI

(1) The proprietor shall not issue any States' ticket purporting or intended to authorise the admission of more than one person, and shall not admit to the entertainment more than one person by virtue of one States' ticket.

No person shall make use of one States' ticket for the purpose of obtaining or attempting to obtain admission to an entertainment for himself together with any other person.

(2) Where the proprietor issues any ticket purporting or intended to authorise the admission to the entertainment of more than one person, he shall cause the ticket to be clearly marked with the number of persons so authorised to be admitted and the total price charged for the ticket, and he shall not admit to the entertainment by virtue of that ticket a greater number of persons than that marked on the ticket.

For the purpose of calculating the duty chargeable in such a case there shall be deemed to be as many payments for admission as there are persons authorised to be admitted under the ticket, and each of those payments shall be deemed to be equal in amount to the total price charged for the ticket divided by the total number of persons so authorised.

(3) Where the proprietor issues tickets in the form of a book or sheet he shall print on each such ticket either the price of admission chargeable in respect of a single ticket, or the number of tickets in the book or sheet together with the total sum paid therefor.

Unless the proprietor has made arrangements approved by the Treasurer of the States for furnishing returns of payments and has given security to the satisfaction of the Treasurer of the States for payment of the duty, he shall, before issuing any such book or sheet of tickets as aforesaid:—

- (a) either affix to each ticket in such book or sheet an adhesive stamp appropriate to the sum payable in respect of a single ticket; or
- (b) affix to the cover of the book or the principal part of the sheet an adhesive stamp or stamps equal to the aggregate amount of duty payable in respect of all the tickets in the book or sheet; or

- (c) cause the cover of the book or the principal part of the sheet to be impressed with a stamp equal to the aggregate amount of duty payable in respect of all the tickets in the book or sheet:

Where the book or sheet has been stamped by means of an impressed or an adhesive stamp on the cover of the book or the principal part of the sheet as aforesaid, the proprietor shall forthwith deface the stamp by writing in ink on the face of the stamp the date of issue of the book or sheet, and such stamp shall not be required to be defaced at the time of admission to the entertainment in the manner prescribed by Article V (4) hereof.

(4) Where the duty is calculated and paid on a lump sum paid for a season ticket or for a ticket authorising admission to any entertainment during a certain period of time, the proprietor shall before issuing the ticket mark it with the name of the person to whom it is to be issued, and shall not admit to the entertainment by virtue of that ticket any person other than the person named on the ticket, and no person other than the person named on the ticket shall obtain or attempt to obtain admission to the entertainment by virtue of that ticket.

Unless the proprietor of the entertainment has made arrangements approved by the Treasurer of the States for furnishing returns of payments for admission and has given security to the satisfaction of the Treasurer of the States for the payment of duty he shall, before issuing any such ticket as aforesaid:

- (a) either affix thereto an adhesive stamp denoting the proper amount of duty chargeable thereon;
or
(b) cause the ticket to be impressed with a stamp denoting that amount;

and shall deface the stamp by writing in ink on the face thereof the date of issue of the ticket, and any such stamp shall not require to be defaced at the time of admission to the entertainment in the manner prescribed in Article V (4) hereof.

(5) The proprietor shall not admit any person to the entertainment without payment unless that person is the holder of a ticket or other document entitling him to be admitted without payment and clearly marked "Complimentary" or "Free", or of a badge recognised by the proprietor as entitling the holder thereof to be so recognised.

No person shall enter or otherwise obtain admission to an entertainment without payment unless he is the holder of such a ticket, document, or badge as aforesaid.

(6) Where the duty is calculated and paid on a lump sum paid as a subscription or contribution to any club, association, or society, the committee or other persons responsible for the management of the club, association, or society, shall issue to the person making the payment a card of membership or other voucher, and shall before issuing such card or voucher mark it with the name of the person to whom it is to be issued. The said committee or other persons shall not admit to the entertainment by virtue of any card or voucher so issued as aforesaid any person other than the person so named on such card or voucher, and no person other than the person so named shall obtain or attempt to obtain admission to the entertainment by virtue of that card or voucher.

Unless the said committee or other persons have made arrangements approved by the Treasurer of the States for furnishing returns of payments for admission and have given security to the satisfaction of the Treasurer of the States for the payment of duty they shall, before issuing such card or voucher:—

- (a) either affix thereto an adhesive stamp denoting the proper duty; or
- (b) cause the card or voucher to be impressed with a stamp denoting such duty,

and shall deface the stamp by writing in ink on the face of the stamp the date of issue of the card or voucher, and such stamp shall not be required to be defaced at the

time of admission to the entertainment in the manner prescribed in Article V (4) hereof.

(7) If any person acts in contravention of or fails to comply with any of the requirements of this Article he shall be liable in respect of each offence to a fine, at the discretion of the Court, which shall not exceed Fifty Pounds.

ARTICLE VII

Records
and
inspections

(1) The Treasurer of the States may require a proprietor to keep registers of payments for admission and records of all States' tickets and adhesive stamps purchased and used, and of all proprietors' tickets bearing an impressed stamp stamped and used in such form as the Treasurer of the States may prescribe, and to issue tickets in such manner as the Treasurer of the States may prescribe, and it shall be the duty of the proprietor to comply with such requirements.

(2) Any officer authorised by the Treasurer of the States may enter any place of entertainment while the entertainment is proceeding, and any place ordinarily used as a place of entertainment at any reasonable times, with a view to seeing whether the provisions of these Regulations are being complied with, and any person who prevents or obstructs the entry of any officer shall be guilty of a contravention within the meaning of sub-section (5) of this Article.

(3) The proprietor shall at all reasonable times on demand by an officer produce to that officer books and records kept by the proprietor in connection with the entertainment, and all States' or other tickets and all portions of any tickets and all adhesive stamps for the time being in his possession, and shall allow the officer to inspect and take an account of the same or to remove the same for the purpose of examination or inquiry.

(4) Every person who has been admitted to an entertainment in respect of which the proprietor has not made arrangements approved by the Treasurer of the

States for furnishing returns of payments for admission and given security to the Treasurer of the States for the payment of duty, shall upon demand made during the course of or immediately before or after the entertainment produce to the officer the ticket, badge, card of membership, voucher, or document by means of which he was admitted, or a portion of the ticket by means of which he was admitted, bearing a stamp defaced in accordance with Article V (4) hereof, or the stamped cover of the book or the stamped principal part of the sheet from which the ticket by means of which he was admitted was taken.

(5) If any person acts in contravention of, or fails to comply with any of the requirements of this Article he shall be liable in respect of each offence to a fine, at the discretion of the Court, which shall not exceed Fifty Pounds.

ARTICLE VIII

Where a proprietor has made arrangements approved by the Treasurer of the States for furnishing returns of payments for admission, and has given security for the payment of the duty, the Treasurer of the States may at any time thereafter, either on his own motion or at the request of the proprietor, and without prejudice to the powers of the Treasurer of the States subsequently to grant his approval to any arrangements, declare that any arrangements so approved shall on the date specified in that behalf in the declaration cease to be in force, and the arrangements shall cease to be in force accordingly.

ARTICLE IX

The Treasurer of the States may make orders for controlling the use of barriers or mechanical contrivances (including the prevention of the use of the same barrier or mechanical contrivance for payments of a different amount) and for securing proper records of admission by means of barriers or mechanical contrivances.

If any person acts in contravention of or fails to comply with the requirements of any such order he shall be liable in respect of each offence to a fine, at the discretion of the Court, which shall not exceed Fifty Pounds.

**Ordonnance supplémentaire à l'Ordonnance provisoire
relative à la Perception de la Taxe sur la Recette
des Divertissements
(Le 9 février 1935)**

Vu l'Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 5 juin 1934 sanctionnant la loi intitulée "Loi amplifiant les Pouvoirs de Réglementation par Ordonnance de la Perception de la Taxe sur la Recette des Divertissements":

Vu aussi la Délibération des Etats en date du 30 janvier 1935 relative aux définitions des mots "entertainment" et "admission":

La Cour, ouïes les conclusions des Officiers du Roi. a ordonné et ordonne comme suit, savoir: —

1.— L'Article I sous le titre "Regulations" contenu dans la Cédule annexée à l'Ordonnance provisoire relative à la Perception de la Taxe sur la Recette des Divertissements passée le 2 juillet 1932 est présentement rappelé et sera l'Article qui suit substitué à sa place pour former désormais partie de la dite Cédule: —

REGULATIONS

ARTICLE I

Definitions (1) In these Regulations:—

The expression "entertainment" includes any exhibition, performance, amusement, game, or sport, to which persons are admitted for payment. The expression "admission to an entertainment" includes admission to any place in which the entertainment is held.

The expression "admission" means admission as a spectator or one of an audience.

The expression “ proprietor ” in relation to any entertainments includes any person responsible for the management thereof.

The expression “ States’ ticket ” means a ticket supplied by the Treasurer of the States imprinted or impressed with a stamp denoting duty.

The expression “ proprietor’s ticket ” means a ticket supplied by the proprietor and bearing either an impressed or an adhesive stamp denoting that the proper duty has been paid.

The expression “ officer ” means any person appointed or authorised by the Treasurer of the States.

The expression “ duty ” means Entertainments duty.

The expression “ stamp ” means a stamp for the time being authorised or approved by the Treasurer of the States for the payment of Entertainments duty.

(2) Any reference in these Regulations to admission to a place of entertainment or to a person admitted to a place of entertainment shall be deemed to include a reference to the admission to another part of the place of entertainment for admission to which part a payment involving duty or more duty is required of a person who has been admitted to one part of that place of entertainment, and to such a person admitted to such other part of the place of entertainment, and these Regulations shall have effect accordingly.

The Entertainments Duty (Exemptions) Ordinance, 1948
(11th December, 1948)

THE COURT, in pursuance of the Resolution of the States of the 20th day of October, 1948, and having heard His Majesty’s Procureur thereon, hereby orders:—

1. The enactments in the Schedule hereto are hereby Repeals repealed.

Exemptions
from Enter-
tainments
Duty

*2. Entertainments Duty within the meaning of the “Ordonnance relative à la Perception de la Taxe sur la Recette des Divertissements”, passed on the 2nd day of July, 1932, (hereinafter in this Ordinance called “the 1932 Ordinance”), shall not be charged on payments for admission to any entertainment which consists of one or more of the following items, that is to say —

- (a) an agricultural, horticultural, cattle, poultry, cage-bird, dog or other animal show, provided that there is not exhibited thereat any other entertainment, not being an entertainment totally exempted from payment of duty under the provisions of this section;
- (b) an Eisteddfod competition;
- (c) an entertainment organised by or on behalf of the Arts Council of Great Britain.
- (d) an entertainment or bazaar the whole of the net profits of which are devoted to a charitable object;
- (e) an entertainment organised by or on behalf of a school or college, the whole of the net profits of which entertainment are devoted to an object or purpose connected with that school or college, provided that the majority in number of the performers are pupils, former pupils or members of the staff of such school or college;
- (f) a lecture or exhibition of educational value.

Duty charged
at half
the rate

*3. Entertainments Duty shall be charged at one half of the ordinary rate on payments for admission to a stage play, ballet, musical performance (whether vocal or instrumental) or sporting or athletic contest or performance which does not, in the opinion of the States Board of Administration, qualify for total exemption from duty under the last preceding section.

Powers of
Board of
Admini-
stration

4. The States Board of Administration shall have power in their absolute discretion to decide whether or not an entertainment qualifies for total or partial

* Amended on 11th December, 1948.

exemption, as the case may be, under either of the two last preceding sections.

5. Entertainments Duty shall be charged on payment ^{Tickets of membership} for a ticket of membership of a body or organisation only when such ticket entitles the holder thereof to admission to an entertainment:

PROVIDED that —

- (1) no Entertainments Duty shall be payable in respect of such a ticket if the entertainment in question consists solely of one or more of the items set out in section 2 of this Law;
- (2) if that entertainment contains one or more of the items set out in section 3 of this Law, and does not contain any item of entertainment chargeable at the ordinary rate of Entertainments Duty, then that Duty shall be payable at one third of the ordinary rate;
- (3) where, in assessing a sum of money payable under the provisions of this Ordinance, the calculation gives rise to a sum partly expressed as a fraction of a penny, such fraction shall, for the purposes of this Ordinance, be deemed to be increased, if the fraction be less than a halfpenny, then to a halfpenny, and if the fraction be more than a halfpenny, then to a penny.

6. The exemption conferred by section 2 of this Ordinance shall apply to entertainments consisting of one or more of the items specified in paragraphs (d), (e) and (f) of that section on condition that the proprietor of the entertainment has, at least nine days before the day on which such entertainment is first held, obtained from the Board a certificate in writing granting the exemption. Every application for such a certificate shall be in writing, signed by the proprietor, and shall contain such information concerning the entertainment as the Board may require, which information shall include, where items specified in either of the said paragraphs ^{Exemption certificates}

(*d*) or (*e*) are concerned, a statement of the object or purpose to which the net profits are to be devoted.

Statement of
net profits

7. (1) At any time within a period of thirty days next after the day on which there was last held an entertainment consisting of or comprising items specified in either of paragraphs (*d*) or (*e*) of section 2 of this Ordinance and in respect of which a certificate has been obtained under the last preceding section, the Board may require, by a notice in writing sent to the proprietor, the production by him, within fourteen days after the receipt of such notice, of a written statement of the amount of the net profit of the entertainment, and of such evidence as shall satisfy the Board —

- (*a*) as to the correctness of the amount of net profit shown in the statement; and
- (*b*) that such profit has been paid to or appropriated to the use of the person administering the object or purpose shown in the proprietor's application as the intended beneficiary.

(2) If the proprietor fails or refuses to comply with the requirements of the Board under the last preceding sub-section, he shall be liable on conviction to a fine not exceeding fifty pounds.

Effect of
repeals

8. The repeals effected by this Ordinance shall not affect —

- (1) any liability to comply with a requirement of the Board made under a repealed Ordinance and not complied with at the commencement of this Ordinance;
- (2) any fine in respect of non-compliance with any such requirement;
- (3) any legal proceedings in respect of any such fine; and any such legal proceedings may be instituted, continued or enforced, and any such fine may be imposed as if no such repeal had been effected.

Definitions

9. In this Ordinance, the expression "the Board" means the States Board of Administration, and the

expressions “ admission ”, “ entertainment ” and “ proprietor ” have the meanings respectively assigned to them by the “ Ordonnance supplémentaire à l’Ordonnance relative à la Perception de la Taxe sur la Recette des Divertissements ” passed on the 9th day of February, 1935, (hereinafter in this Ordinance referred to as “ the 1935 Ordinance ”).

10. This Ordinance may be cited as the Entertainments Citation Duty (Exemptions) Ordinance, 1948, and the 1932 Ordinance and the 1935 Ordinance may together be cited as the Entertainments Duty Ordinances, 1932 and 1935.

11. This Ordinance shall come into force on the 20th day of December, 1948.

SCHEDULE

“ Ordonnance exemptant les Recettes de certains Divertissements de la Taxe sur la Recette des Divertissements ”, passed on the 11th day of July, 1936.

“ Ordonnance de 1947 portant amendement à l’Ordonnance exemptant les Recettes de certains Divertissements de la Taxe sur la Recette des Divertissements ”.

**Ordonnance relative à l’Exportation des Huiles
Lubrifiantes, le Pétrole et Huiles Combustibles,
l’Essence pour les Moteurs et l’Alcool Méthylique
aux Iles de Sercq, d’Herm et de Jethou
(Le 3 décembre 1932)**

Vu l’Ordre de Sa Majesté en Conseil en date du 8 août 1932 enregistré sur les records de cette Ile le 3 septembre 1932 autorisant les Chefs Plaids de l’Ile de Sercq à lever des impôts ou droits sur les huiles lubrifiantes, le pétrole (anglicé “ paraffin ”) et huiles combustibles, l’essence pour les moteurs (anglicé “ motor spirit ”) et l’alcool méthylique (anglicé “ methylated spirit ”) importés dans l’Ile de Sercq.

La Cour, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

Interprétation 1.— Dans cette Ordonnance l'expression "Huiles et Essences" signifie collectivement et respectivement les huiles lubrifiantes, le pétrole (anglicé "paraffin"), les huiles combustibles, l'essence pour les moteurs (anglicé "motor spirit") et l'alcool méthylique (anglicé "methylated spirit"). Le mot "navire" signifie tout vaisseau, barque, bateau ou autre bâtiment de mer et tout vaisseau aérien.

Exportation aux Iles de Sercq, d'Herm, de Jethou, etc. 2.— Il est défendu sous peine d'une amende à discrétion de la Cour mais n'excédant pas Deux livres sterling d'exporter des Huiles et Essences hors de cette Ile aux Iles* de Sercq, d'Herm, de Jethou ou aux dépendances des dites Iles à moins que le propriétaire ou consignateur des Huiles et Essences ne dépose au Bureau du Receveur de l'Impôt (c'est à dire le Superviseur des Etats) entre les neuf heures du matin et les quatre heures de l'après-midi du jour précédant l'embarquement des Huiles et Essences une notification par écrit* en double sous son seing, datée du jour qu'elle sera remise, énonçant: —

Le nombre et l'espèce des futailles ou autres vaisseaux ou emballages qui contiennent les huiles et essences avec les marques et numéros qu'ils portent respectivement,

La sorte et la quantité des huiles et essences.

Le nom du navire au bord duquel il se propose d'embarquer les huiles et essences,

Le nom et l'adresse du consignataire.

Ensuite de quoi la quantité et l'espèce des huiles et essences seront vérifiés par le Receveur de l'Impôt ou son autorisé dans tel lieu dans l'enceinte du Havre de Saint Pierre-Port qu'il indiquera; les huiles et essences seront embarquées sous les ordres et la surveillance du Maître de Port ou son subordonné. La mise en magasin

* Amended on 13th April, 1949.

et l'embarquement se feront aux frais et risque du propriétaire.

Dans le cas d'une exportation à l'Île de Sercq, une des copies de la dite notification sera transmise aux Autorités de la dite Île de Sercq par l'intermédiaire de l'Agent ou du maître du navire transportant les huiles et essences.

3.—Tout maître ou agent responsable de tout navire ^{Devoirs} qui apportera en cette Île, des Îles de Sercq, d'Herm, ^{du maître} de Jethou ou des dépendances des dites Îles, des huiles ^{ou agent} et essences sera tenu de prévenir le Receveur de l'Impôt lors du débarquement des huiles et essences, sous peine d'une amende à discrétion de Justice mais n'excédant pas Deux livres sterling.

4.—Le maître ou l'agent responsable de tout navire qui apportera en cette Île des Îles de Sercq, d'Herm, de Jethou ou des dépendances des dites Îles des huiles et essences sera tenu dans les vingt-quatre heures de son arrivée et avant d'en débarquer aucune partie de déposer au bureau du Receveur de l'Impôt une notification par écrit sous son seing, datée du jour qu'elle sera remise, énonçant:—

Le nombre et l'espèce des futailles ou autres vaisseaux ou emballages qui contiennent les huiles et essences avec les marques et numéros qu'ils portent respectivement,

La sorte et la quantité des huiles et essences,

Le nom du navire qui les a apportés,

Le nom et l'adresse du consignataire,

le tout sous peine d'une amende à discrétion de Justice contre le maître ou le propriétaire de tel navire qui n'excédera pas Cinquante livres sterling.

5.—Il est défendu sous peine d'une amende à ^{Quantités} discrétion de Justice qui n'excédera pas Cinquante livres sterling d'importer des huiles et essences des Îles de Sercq, d'Herm, et de Jethou ou des dépendances des dites Îles en moindre quantités de vingt gallons.

**Ordonnance supplémentaire à l'Ordonnance relative aux
Huiles ou Essences Minérales ou autres substances
de la même nature du 18 janvier 1932.**

(Le 10 novembre 1934)

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé l'Article 10 (1) de l'Ordonnance relative aux Huiles ou Essences Minérales ou autres substances de la même nature passée le 23 mai 1925 et rendue permanente le 18 janvier 1932, et y a substitué l'article suivant rédigé en anglais, lequel sera censé former partie de la dite Ordonnance: —

Alterations
or additions
to licensed
stores, etc.

10. (1) (a) No material alteration or addition shall be made to any licensed store, nor shall any licensed tank, safe or other receptacle in which inflammable oil is or has been kept be removed therefrom without the sanction of the Board, and in the event of sanction being given, note thereof shall be endorsed on the licence.

Licensed
tanks, etc.,
no longer
used

(b) In the event of any licensed tank, safe or other receptacle in which inflammable oil is or has been kept being no longer used or intended to be used for such purpose a notice in writing to that effect shall thereupon be given to the Inspector by the person to whom the licence in respect of such tank, safe or other receptacle has been granted, and no such tank, safe or other receptacle shall be dismantled, either in whole or in part, or moved or altered in any material respect otherwise than in such manner and subject to such conditions as the Inspector shall prescribe.

**Ordonnance de 1948 portant amendement à l'Ordonnance
relative aux Huiles ou Essences Minérales ou
autres substances de la même nature.
(26th June, 1948).**

THE COURT, on the representations of the States Board of Administration, and having heard the Law Officers of the Crown thereon, hereby orders:—

Regulation 15 contained in Article 7 of the Ordinance entitled *Ordonnance relative aux Huiles ou Essences Minérales ou autres substances de la même nature* made permanent on the 18th day of January, 1932, is hereby repealed and the following regulation shall be substituted therefor:—

“The occupier of a licensed store shall at all times have available in the immediate vicinity thereof:— Dry sand
and fire
extinguishing
apparatus

- (a) Such supplies of dry sand as the Inspector may consider adequate.
- (b) Such fire extinguishing apparatus of a type approved, in that behalf, by the Board of Administration, in such quantity as the Board of Administration may direct.”

**Ordonnance prohibant l'Importation et l'Elevage
de Rats Musqués.
(Le 16 juillet 1932)**

Le Comité des Etats pour l'Agriculture et la Pêche ayant représenté à la Cour que l'introduction des rats musqués en Europe a été marquée par des conséquences funestes en divers pays où les activités de ces animaux ont causé des dégâts ruineux aux routes, ponts, bords des cours d'eau, et digues et aussi aux récoltes, et ayant conseillé des mesures protectrices contre l'introduction de ces animaux en cette Ile.

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

Interprétation

1.—Dans cette Ordonnance

(1) “ Rat Musqué ” signifie tout animal de l’espèce désignée “ *Fiber zibethicus* ” ou “ *Ondatra zibethica* ” et communément appelé en anglais “ Musk Rat ” ou “ Musquash ”.

(2) “ Importateur ” comprend toute personne qui, à titre de propriétaire, consignateur, consignataire, agent ou transporteur, a la possession, custodie ou contrôle d’un rat musqué importé, apporté ou débarqué en cette Ile.

(3) “ Navire ” comprend tout vaisseau de mer et tout vaisseau aerien.

Défense d’importer rats musqués

2.—Il est défendu d’importer, d’apporter ou de débarquer en cette Ile aucun rat musqué sous peine d’une amende à discrétion de la Cour mais n’excédant pas £10 sterling contre l’importateur de tout rat musqué ainsi introduit en cette Ile et sera tel rat musqué saisi et détruit par le Superviseur des Etats.

Défense de garder rats musqués

3.—Il est défendu de garder un rat musqué ou d’élever des rats musqués sous peine d’une amende à discrétion de la Cour mais n’excédant pas £10 sterling. Et pourra la Cour en outre l’amende, ordonner la destruction de tout rat musqué gardé ou élevé en contravention à cet article.

Responsabilité du maître de tout navire

4.—Le Maître ou autre officier en charge de tout navire venant à cette Ile, s’il a raison de croire qu’un rat musqué est porté à bord du navire, portera les dispositions de cette Ordonnance à la connaissance de la personne s’il y en a ayant la custodie ou contrôle du rat musqué, et dès l’arrivée du navire il en fera rapport au Maître du Port lequel en avertira le Superviseur des Etats et un membre de la Police Salarisée de cette Ile le tout sous peine d’une amende n’excédant pas £10 stg.

**Ordonnance relative à l'Inspection des Produits du Sol
(autres que les Tomates) exportés de cette Ile.
(Le 24 février 1934)**

Attendu que l'importance de l'industrie de la culture et de l'exportation de produits agricoles et horticoles de cette Ile exige la prise de mesures qui assureront autant que possible à tels produits la position favorable sur le marché qu'elles méritent vis-à-vis des produits d'autres pays exportateurs et du Royaume Uni:

Attendu que la Cour a déjà réglementé le Triage et l'emballage des Tomates exportées de cette Ile et que l'expérience a démontré qu'il est essentiel dans l'intérêt des cultivateurs et exportateurs des autres produits agricoles et horticoles de réglementer l'exportation d'iceux:

Vu les représentations à cet effet du Comité des Etats dit "States Horticultural Committee":

LA COUR, ouïes les conclusions du Contrôle du Roi, a rappelé et rappelle l'Ordonnance provisoire relative à l'Inspection des Produits du Sol (autres que les Tomates) exportés de cette Ile passée le 3 septembre 1932 et, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne:—

ARTICLE I.

Definitions.

For the purposes of this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby assigned to them respectively, that is to say:—

"Produce" shall mean all agricultural and horticultural produce (other than tomatoes) intended for export from this Island to wholesale merchants for distribution to retailers or consumers.

"The Inspector" shall mean any official appointed by the States Board of Administration and sworn before the Royal Court as a Special Constable to examine produce to which this Ordinance relates.

* “Exporter” shall mean any person whose name, trade-name, mark, number, description or address appears upon any container of produce delivered at the Harbour of Saint Peter-Port (or at such other Harbour in this Island as may from time to time be authorised for the shipment of produce) for the purpose of being exported from this Island. Provided that, if such person be a Company, the Managing Director, Manager or Secretary thereof shall be deemed to be the Exporter.

“Fit for market” shall mean:

(1) Packed in a clean container, clean, in such condition, of such quality and so packed on the date of exportation from this Island that it can reasonably be expected that at the time at which the produce would normally reach the consignee to whom it is addressed it will be of merchantable quality: and

(2) In the case of produce commonly graded or reasonably susceptible of being graded, properly graded.

“Merchantable quality” shall mean of such quality and in such condition that a reasonable man, acting reasonably, would, after a full examination, accept the goods in the circumstances of the case in performance of his offer to buy them whether he buys for his own use or to sell again.

“True to indicated quantity” shall mean weighing or consisting of not less than the weight or other measure of quantity indicated by the statement of net weight or other quantity on or attached to the container.

“Person” shall include a Company.

Words in the singular shall include the plural and vice versa.

“States Supervisor” shall mean the chief executive officer for the time being of the States Board of Administration.

* Amended on 31st August, 1946.

ARTICLE II. §

Port of Shipment.

It is forbidden to ship produce otherwise than from the Harbour of Saint Peter-Port without the authority in that behalf of the States Supervisor. Any person who shall act or attempt to act in contravention of this Article shall be guilty of a breach of this Ordinance and shall be liable to prosecution in respect thereof.

ARTICLE III. ‡

ARTICLE IV.

Inspection.

1.—The Inspector, on the production by him, if required, of a certificate of his appointment signed by the States Supervisor, is hereby empowered to examine all produce which shall arrive within the limits of any Harbour* in this Island after the commencement of this present Ordinance.

2.—The Inspector may open or cause to be opened and may examine and count or weigh the contents of any container in which produce so arriving is packed and may order the removal of any load or consignment of such produce or any part thereof from its place or position on or near the Harbour* at which such load or consignment is and may order the unloading or separation of any such load or consignment.

3.—†

4.—Whenever the Inspector:

(a) shall detain a container, he shall forthwith acquaint the exporter thereof or his agent of such detention

§ Amended on 31st August, 1946.

‡ Substituted on 4th May, 1940.

* "or Airport" inserted on 31st August, 1946.

† New Section substituted on 4th May, 1940.

and of his decision in respect of such container and/or of the produce therein:

- (b) shall detain a container and shall decide not to permit such container or the produce therein to proceed under one or other of the provisos to Section 3 of this Article he shall as soon as may be furnish the States Supervisor with a written report on the matter and such container and produce shall be dealt with or disposed of in such manner as the States Supervisor may direct:
- (c) shall detain a container by reason of the produce therein being not true to indicated quantity, he shall as soon as may be furnish the States Supervisor with a written report on the matter which report shall, if possible, contain the name and address of some person who can corroborate the contents of such report.

5.—The States Supervisor may and is hereby empowered to confiscate and order the destruction or other disposal of all containers and produce retained by the Inspector in accordance with the provisions of Section 3 of this Article and not permitted by the Inspector to proceed under one or other of the provisos to that Section if in the opinion of the States Supervisor such produce is not fit for market, save only that before such destruction or other disposal is effected the exporter of such containers and produce shall, if he so request, be permitted to cause the same to be examined by a witness or witnesses on his behalf.

6.—*

ARTICLE V.

Proceeds of Disposal, Charges and Expenses.

The States Supervisor shall place to the credit of the General Revenue of the States the proceeds of disposal of all produce disposed of for value after confiscation, and

* Section 6 added on 4th May, 1940.

if there be no such proceeds or if such proceeds shall be less than the charges and expenses incurred by or on behalf of the States Supervisor or the Inspector in respect of the detention, removal, storage or the destruction or other disposal of any produce in exercise of the powers conferred upon them respectively by this Ordinance the deficiency shall be payable by and recoverable from the exporter of such produce.

ARTICLE VI.

Proceedings and Penalties.

Any person who:

- (a) impedes or obstructs the States Supervisor or the Inspector in the exercise of his duties under this Ordinance:
- (b) refuses or neglects to obey a lawful order given by the Inspector in the execution of his duties:
- (c) commits a breach of this Ordinance in respect of which he shall be liable to prosecution under the provisions thereof:

shall be guilty of an offence and shall be liable to prosecution upon conviction before the Police Court Magistrate to a fine not exceeding £10 sterling.

ARTICLE VII.*

Cette Ordonnance ne déroge en rien que ce soit aux dispositions de l'Ordonnance relative à l'Expédition de Fleurs passée le 10 mars 1928 et rendue permanente le 18 janvier 1932.

Ordonnance portant amendement à l'Ordonnance provisoire relative à l'Inspection des Produits du Sol (autres que les Tomates) exportées de cette Ile.

(Le 4 mai 1940)

LA COUR, vu les représentations du Comité des Etats dit "States (Emergency Purposes) Agricultural and Fisheries Committee" et ouïes les conclusions des Officiers

* New Article added on 4th May. 1940.

du Roi, a rappelé et rappelle l'Article III. et la section 3 de l'Article IV. de l'Ordonnance relative à l'Inspection des Produits du Sol (autres que les Tomates) exportées de cette Ile passée le 24 février 1934 et a ordonné et ordonne que l'Article désigné "Article III." et la Section désignée "Article IV.—3," qui suivent seront censés désormais être incorporés dans la susdite Ordonnance (ci-après désignée "the principal Ordinance") à la place des dits Article et Section ainsi rappelés et a de plus ordonné et ordonne que la Section désignée "Article IV.—6" et l'Article désigné "Article VII." qui suivent seront censés désormais être incorporés dans la susdite Ordonnance, la dite Section à la fin de l'Article IV. de la dite Ordonnance et le dit Article immédiatement après l'Article VI. de la dite Ordonnance.

ARTICLE III.

Description and Weight.

1.—Every container of produce (other than potatoes as hereinafter in this Article defined) shall bear either thereon or on a label securely attached thereto, in clearly legible letters and figures, of which the height of each shall be not less than one-eighth of an inch, a brief description sufficient to indicate the nature of the produce contained therein and also, in the case of produce in respect of which weight or quantity commonly enters into the calculation of the price returnable in respect thereof by the consignee, a statement of the net weight or quantity of such produce.

1A.—*

2.—There shall be securely attached to the outside of every container of produce consisting of potatoes a label bearing—

(a) the name or trade name of the exporter or a mark communicated to and approved by the Committee

* New Section added on 31st August, 1946.

and denoting the exporter, of which name or trade name every letter shall be clearly legible and shall be of a height of at least three-eighths of an inch and of which mark the least over-all dimension shall be one inch: and

- (b) on the left upper corner, in clearly legible letters and figures, of which the height of each shall be not less than a quarter of an inch, a statement of the net weight of the produce in the container: and
- (c) on the right lower corner, in clearly legible letters and figures or letters or figures, as the case may require, of which the height of each shall be not less than a quarter of an inch, the potato packer's identification mark allocated by the Committee to the person under whose control the produce has been packed in the container.

Provided that the provisions of paragraph (c) of this Section shall only apply in the case of potatoes packed in the Island of Guernsey.

3.—(a) Potatoes shall not in the Island of Guernsey be packed for export to the United Kingdom except under the control of a person who has made written application to the Committee at the States Office for registration as a potato packer and to whom a potato packer's identification mark has been allocated by the Committee for use by that person on containers of potatoes packed under the control of that person.

(b) Such written application as is referred to in the last foregoing subsection shall —

- (i) be signed by or on behalf of the applicant;
- (ii) bear the date on which it was despatched;
- (iii) contain the full name and postal address of the applicant.

(c) On the receipt of any such written application, it shall be the duty of the Committee to enter in a register

of potato packers to be kept by the Committee particulars concerning the applicant and to allocate to the applicant a potato packer's identification mark and to advise the applicant that he has been registered as a potato packer and inform the applicant of the potato packer's identification mark allocated to him.

4.—(a) Every container of produce consisting of potatoes shall, if the grade of the potatoes in the container is the grade described as "Mids", bear the description "MIDS" stencilled or stamped in red and in clearly legible letters, of which the height of each shall be not less than four inches, on some part of the container other than the top or the bottom thereof.

(b) If the grade of potatoes in a container of produce is the grade described as "Ware", no description of that produce need be marked on the container, and the fact that a container of produce consisting of potatoes is not marked with the word "MIDS" shall be deemed to constitute a description of the potatoes in that container as conforming wholly to the grade described as "Ware" and the container shall be deemed to bear the description "WARE".

Definitions

5.—For the purposes of this Article—

"the Committee" means the States of Guernsey (Emergency Purposes) Agricultural and Fisheries Committee:

"potatoes" shall have the meaning assigned to that expression under the Export of Potatoes Ordinance, 1940, as amended from time to time:

"Mids" means potatoes of which the length is not less than three-quarters of an inch nor more than one and a half inches:

"Ware" means potatoes of which the length is not less than one and a half inches:

Provided that where—

(a) in a container of mids, there are found potatoes of which the length is greater than the prescribed maximum length (in this

proviso referred to as “oversize potatoes”);
or

- (b) in a container of ware, there are found potatoes of which the length is less than the prescribed minimum length (in this proviso referred to as “undersize potatoes”);

then if the aggregate weight of the oversize potatoes or of the undersize potatoes in the container, as the case may be, does not exceed one-tenth of the total weight of the potatoes in the container and no oversize potato is of a length exceeding one and three-quarter inches and no undersize potato is of a length less than one and a quarter inches, the length of the oversize potatoes or of the undersize potatoes, as the case may be, in the container shall be deemed not to be greater than the prescribed maximum length nor less than the prescribed minimum length.

6.—(a) It shall be a breach of this Ordinance in respect of which the exporter shall be liable to prosecution if any of the provisions of subsection (a) of Section 2 of this Article are not complied with. Breach of Ordinance

(b) It shall be a breach of this Ordinance in respect of which the person under whose control potatoes are packed for export in this Island shall be liable to prosecution—

- (i) if any of the provisions of subsection (b) or subsection (c) of that Section are not complied with: or
- (ii) if any of the provisions of subsection (a) of Section 3 of this Article are not complied with: or
- (iii) if the produce in a container is not true to indicated quantity: or
- (iv) if a container of produce consisting of potatoes which is required under this Article to bear the description “MIDS” does not bear that description in the manner prescribed in this Article: or

- (v) if the produce consisting of potatoes in any container does not wholly conform to the description borne or deemed under this Article to be borne on that container: or
- (vi) if the produce consisting of potatoes in any container is not fit for market.

7.—The provisions of this Article shall not apply in the case of produce intended for export otherwise than to the United Kingdom but shall apply to produce consisting of potatoes of the growth of any Island of the Bailiwick of Guernsey.

ARTICLE IV.—3.

Inspection.

3.—If any container—being required by Article III. of this Ordinance so to do—does not bear any description of the produce therein or does not bear any statement of the net weight or quantity of such produce or, bearing such description or such statement, such description or such statement does not conform to the requirements of that Article, or if, after examination, the Inspector shall determine that the produce in any container:

- (a) does not wholly conform to the description borne or deemed under the provisions of Article III. of this Ordinance to be borne on the container thereof: or
- (b) is not true to indicated quantity: or
- (c) is not fit for market:

he may and is hereby empowered to forbid the export thereof and detain such container and the contents thereof. Provided that, if, in the opinion of the Inspector, the produce in a container can be rendered fit for market the Inspector may permit such produce to proceed after it has been rendered fit for market by the exporter thereof or his agent: Provided also that, if the description borne by a container of the produce therein does not conform to the requirements of Article III. of this Ordinance or,

in the opinion of the Inspector, is insufficient or inaccurate and not wilfully misleading, or if the container—being required by Article III. of this Ordinance so to do—bears no description of the produce therein, or bears no statement of the net weight or quantity of such produce or if, the produce being not true to indicated quantity, the Inspector is satisfied that the disparity resulted from inadvertence and not from intent to cheat and defraud, the Inspector may permit such container and the contents thereof to proceed after such description and/or such statement of net weight or quantity shall have been correctly marked on such container in accordance with the provisions of Article III. of this Ordinance by the exporter thereof or his agent.

ARTICLE IV.—6.

6.—Where the produce in a container consists of potatoes, the reference in Section 4 of this Article to the exporter of the produce or his agent and the reference in Section 5 of this Article to the exporter shall be deemed to include a reference to the person whose potato packer's identification mark is borne on the container.

ARTICLE VII.

Proceedings in regard to potatoes.

In the case of a breach by any person of any provision of this Ordinance with regard to produce consisting of potatoes as defined in Article III. of this Ordinance, it shall be the duty of the States Supervisor, after consultation with a representative of the Committee referred to in that Article, to decide whether in all the circumstances within his knowledge, such breach can be adequately dealt with by sending to that person a notification in writing setting out particulars of the breach and warning that person that in the event of a repetition of that breach

that person will be liable to prosecution and if the Supervisor shall decide the matter affirmatively that person shall be notified accordingly and shall not be prosecuted for that breach.

The principal Ordinance as amended by this Ordinance may be cited as "The Produce (other than Tomatoes) Inspection Ordinance, 1934-40".

**Ordonnance portant amendement à l'Ordonnance dite
"The Produce (other than Tomatoes) Inspection
Ordinance 1934-40" (1946).
(Le 31 août 1946)**

LA COUR, ouïes les conclusions du Contrôle du Roi, a ordonné et ordonne, comme suit: —

1.—The Ordonnance provisoire relative à l'Inspection des Produits du Sol (autres que les Tomates) exportés de cette Ile, passed on the twenty-fourth day of February, 1934, is hereby amended as follows:

Amendments
to the
Ordinance
of 4th
February,
1934

- (i) In the definition of "Exporter" contained in Article I. of the said Ordinance—
 - (a) between the words "St. Peter Port" and the words "(or at such other Harbour" there shall be inserted the words "or the States Airport of La Villiaze";
 - (b) between the words "at such other harbour" and the words "in this Island" there shall be inserted the words "or airport";
 - (c) the word "despatch" shall be substituted for the word "shipment".
- (ii) In Article II. of the said Ordinance—
 - (a) For the words "Port of Shipment" there shall be substituted the words "Place of Export".
 - (b) For the word "ship" there shall be substituted the word "export".

- (iii) In Section 1 of Article IV. of the said Ordinance there shall be inserted between the word "Harbour" and the words "in this Island" the words "or Airport".
- (iv) In Section 2 of Article IV. of the said Ordinance there shall be inserted between the word "Harbour" and the words "at which such load" the words "or Airport".

2.—The Ordonnance provisoire portant amendement à l'Ordonnance provisoire relative à l'Inspection des Produits du Sol (autres que les Tomates) exportés de cette Ile, passed on the fourth day of May, 1940, is hereby amended as follows:—

- (i) Between section 1 and section 2 of Article III. of the said Ordinance there shall be inserted the following new section:—

"1.A.* It is forbidden to export grapes as produce from this Island, save in containers containing eight pounds weight, neither more nor less, of grapes.

PROVIDED that this section shall not apply to the export of grapes in cases containing more than fifty-six pounds weight of grapes".

The Produce (other than Tomatoes) Inspection Ordinance, 1934-40, as amended by this Ordinance, may be cited as "The Produce (other than Tomatoes) Inspection Ordinance, 1934-46".

**Ordonnance portant amendement à
l'Ordonnance relative à l'Exportation de
Fruits et autres Produits.
(Le 26 février 1938)**

LA COUR, ouïes les conclusions des Officiers du Roi—
(A) a rappelé et rappelle les deuxième, troisième et quatrième alinéas de l'Article 2 de l'Ordonnance relative à l'Exportation de Fruits et autres Produits rendue permanente aux Chefs Plaids d'après la Saint Michel tenus

* Amended on 3rd October, 1949.

le 5 octobre 1931 (Tome V., p. 335), ci-dessous désignée "l'Ordonnance principale" et y a substitué les Articles suivants lesquels seront censés dorénavant former partie de la dite Ordonnance: —

Règlements 3.—Le Conseil Administratif des Etats (ci-après désigné "le Conseil") aura pouvoir par règlement—

- (a) de fixer les heures auxquelles les fruits, fleurs, autres fruits et marchandises destinés à être exportés de l'Île (ci-après désignés "marchandises pour exportation") devront être apportés au Havre de Saint Pierre Port;
- (b) de fixer l'heure après laquelle, en ce qui concerne des marchandises pour exportation d'une catégorie quelconque ou destinées à être chargées sur un vaisseau quelconque, ne devront plus être apportées au dit Havre:
- (c) de prohiber, soit absolument, soit à défaut de remplir les conditions prescrites par le Conseil, la circulation sur les quais de tout véhicule apportant des marchandises pour exportation et arrivant au dit Havre à une heure autre que l'heure ou plus tard que l'heure, fixée par le Conseil en ce qui concerne telles marchandises pour exportation:
- (d) de prescrire des conditions moyennant lesquelles la circulation sur les quais de tout véhicule apportant des marchandises pour exportation et arrivant au dit Havre à une heure autre que l'heure, ou plus tard que l'heure, fixée par le Conseil pourra avoir lieu, y inclus le paiement aux Etats d'un versement dit "Late Fee" payable d'avance et calculé à tel taux que le Conseil déterminera.

Pénalité 4—(a) Toute personne qui enfreint aucun règlement fait par le Conseil sera passible d'une amende à discrétion de Justice qui n'excédera pas £5 sterling pour chaque infraction.

(b) Les amendes seront applicables moitié à Sa Majesté et moitié aux Etats.

et (B) a ordonné et ordonne:—

(i) que le rappel de la partie de l'Ordonnance principale présentement rappelée n'aura pas l'effet de rappeler aucun règlement fait avant ce jour sous les dispositions de l'Ordonnance principale soit par le Conseil soit par le Superviseur des Etats.

(ii) que l'expression " aucun règlement fait par le Conseil " qui se trouve dans l'Article 4 (a) de cette présente Ordonnance sera censée inclure tout règlement de temps à autre en vigueur fait avant ce jour soit par le Conseil soit par le Superviseur des Etats sous les dispositions de l'Ordonnance principale.

**Ordonnance dite " The Narcissus Pests
Ordinance, 1938."
(5th March, 1938)**

LA COUR, ouïes les conclusions des Officiers du Roi, par voie des dispositions suivantes rédigées en anglais, a ordonné et ordonne comme suit, savoir:—

POWERS OF ENTRY.

1.—An Inspector appointed by the States Committee for Horticulture (and hereinafter styled " the Inspector ") upon production, if required, of written evidence of his appointment under the hand of the States Supervisor, may at all reasonable times enter upon any premises in this Island and examine any narcissus plants or bulbs thereon, and the occupier of the premises shall give to him all reasonable facilities for carrying out the examination.

POWER TO REQUIRE TREATMENT OF
AFFECTED PLANTS AND BULBS.

2.—(1) When, on any premises in this Island, any narcissus plants or bulbs are found by the Inspector to be so infested with any of the pests known as Narcissus Flies

(*Merodon equestris* Fab. *Eumerus strigatus* Fl. and *Eumerus turberculatus* Rdi.) or eelworm (*Anguillulina dipsaci* Kuhn.) or Bulb Scale Mite (*Tarsonemus approximatus* Banks, var. *Narcissus* Ewing), that any such pest is likely to spread to any other premises in this Island he shall, if so directed by the States Committee for Horticulture, by Notice served on the occupier of the premises, require such plants or bulbs as he may determine to be treated in such manner as may be prescribed in the Notice, and for the purpose of such treatment he may require the growing plants and bulbs to be lifted.

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

(3) Nothing in this Ordinance shall prevent an occupier of premises upon whom a Notice has been served under this Article, from completely destroying by fire any plants or bulbs in respect of which a Notice has been served on him, and if he does so destroy them he shall be deemed to have complied with the Notice.

(4) When a Notice has been served under this Article, the Inspector shall ascertain whether the Notice has been complied with.

DISPOSAL OF AFFECTED BULBS.

3.—No person shall remove from any premises in this Island narcissus bulbs infested with any of the pests mentioned in Article 2 of this Ordinance except under, and in accordance with the conditions of, a licence issued by the Inspector, and such licence may prescribe that the bulbs shall be treated in such manner as the Inspector may determine; provided that nothing in this Ordinance shall prevent the owner of bulbs, so infested, from completely destroying them by fire.

SERVICE OF NOTICES.

4.—For the purpose of this Ordinance, 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 registered post in a letter addressed to him there and a Notice purporting to be signed by the Inspector shall be prima facie evidence that it was signed by him as such Inspector.

PENALTIES.

5.—Every person shall be liable on conviction to a fine not exceeding five pounds, or in respect to a second or subsequent offence to a fine not exceeding twenty-five pounds, who wilfully obstructs or impedes the Inspector in the exercise of his powers under Article 1 of this Ordinance or any other Article thereof or who does any act in contravention of this Ordinance or of the terms or conditions of any notice or licence served or issued thereunder, or fails to do any act which he is required to do by this Ordinance or any such Notice or licence.

DEFINITION.

6.—“Narcissus plants and bulbs” includes Daffodil plants and bulbs.

COMMENCEMENT.

7.—(a) The provisions of Article 1 of this Ordinance and those of the provisions of Article 5 thereof which end with the word “Ordinance” where that word first appears in the latter Article shall come into operation forthwith.

(b) The remaining provisions of this Ordinance shall come into operation on the first day of January, 1939.

**Ordonnance relative au Doryphore
(anglicé Colorado Beetle).
(Le 6 mai 1933)**

Attendu qu'en vertu des dispositions de l'Article 15 de la Loi relative au Doryphore (anglicé 'Colorado Beetle'), 1933, les Ordres émis par le Comité des Etats pour l'Agriculture et la Pêche en rapport avec l'administration de la

dite Loi seront publiés de la manière qui sera prescrite par Ordonnance de la Cour Royale, la Cour, ouïes les conclusions des Officiers du Roi, par voie du règlement suivant rédigé en anglais, a ordonné et ordonne:—

1.—The publication of an Order issued by the States Committee for Agriculture and Fisheries under the law entitled “Loi relative au Doryphore (anglicé ‘Colorado Beetle’), 1933” shall be complete when such Order has appeared in the English language in the daily newspapers published in this Island called “The Star” and the “Guernsey Evening Press” respectively in their several issues for each of two days. Provided that in any case which the Committee may decide to be a case of emergency an order therein described as an Emergency Order shall be completely published when it has appeared in the several issues of the said newspapers for one day.

Repeal of
Ordinance
of March
5th, 1932

2.—The Ordinance entitled “Ordonnance provisoire rendant obligatoire la notification du Plantage des Pommes de Terre” of the fifth of March, 1932, is hereby repealed. Provided that it shall be deemed to continue in force for the purposes of prosecutions and penalties in relation to offences thereunder committed before this repeal.

**Ordonnance relative au Doryphore
(anglicé Colorado Beetle), 1938.
(Le 12 juillet 1938)**

LA COUR sur les représentations du Comité des Etats pour l’Agriculture et la Pêche et ouïes les conclusions des Officiers du Roi, a rappelé les dispositions de l’Ordonnance provisoire supplémentaire à l’Ordonnance provisoire relative au Doryphore (anglicé “Colorado Beetle”) passée le 2 juillet 1938, de laquelle Ordonnance les dispositions des Articles 1 et 3 furent suspendues par la Cour le 9 juillet 1938, et, par voie des dispositions suivantes rédigées en anglais, a ordonné et ordonne:—

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

“Board” means the States Board of Administration;

“Colorado Beetle” includes any egg, larva or pupa of the Colorado Beetle and means such beetle or any such larva or pupa, whether dead or alive, and any such egg, whether fertile or sterile;

“Country” includes any of the Channel Islands other than the Island of Guernsey;

“Land” includes rivers and other inland waters;

“Master” means the person in charge of a vessel;

“Sea-borne vessel” includes any aircraft designed to alight on water;

“States’ official” means any official authorised under the hand of the States Supervisor to carry out duties under this Ordinance.

“Vessel” means—

(a) any sea-borne ship or boat, including any yacht, which does not form part of His Majesty’s Navy or belong to a Department of His Majesty’s Government or form part of the Navy of a Foreign State or belong to a Department of the Government of a Foreign State; and

(b) any aircraft other than a “Military Aircraft” or a “State Aircraft” and the expression “Aircraft,” “Military Aircraft” and “State Aircraft” shall have the same meanings as those respectively assigned to them in the Air Navigation (Guernsey Order, 1926.

2.—(1) The Board is hereby empowered to cause every vessel arriving in the Island of Guernsey or within the territorial waters thereof which, during the seven days next preceding its arrival therein, has been in any port or other place which is within twenty kilometres by land of a region known to or believed by the Board to be infested with Colorado Beetle or which is within ten kilometres by sea of any such region, and the crew, passengers, cargo and effects carried in or on that vessel, to be

Definitions

Powers of the Board and duties of Master, etc.

inspected for the purpose of determining whether or not, on the arrival of that vessel, the Colorado Beetle is present therein.

(2) The master of every vessel shall, at the request of any States' official or police officer, furnish to such States' official or police officer, such information as will enable it to be determined whether or not that vessel is a vessel to which the provisions of the last foregoing subsection apply.

(3) The master of every sea-borne vessel shall anchor or moor his vessel at such place or places, whether within or without any harbour in the Island of Guernsey as any States official shall direct and shall not cause his vessel to enter any harbour or to approach or lie alongside any quay or other place in contravention of any direction given to him by a States official.

(4) No member of the crew of, and no other person carried in, any vessel to which the provisions of subsection (1) of this Section apply shall leave that vessel and no cargo or effects carried in any such vessel shall be unloaded until permission so to do has been given to the master of that vessel by a States official.

(5) Every member of the crew of, and every other person carried in, any vessel to which the provisions of subsection (1) of this Section apply shall, on the direction of any States official:

- (a) go to such place, whether on the vessel or elsewhere, as shall be indicated in such direction: and
- (b) there submit to such examination of his or her clothing, baggage and effects and to such measures of de-insectisation thereof as the Board may deem necessary for the purpose of preventing the introduction into the Island of Guernsey by such person, clothing, baggage or effects of the Colorado Beetle.

De-insectisa-
tion of
vessels

3.—The Board may cause such measures as it may deem expedient for the purpose of preventing the introduction into the Island of Guernsey of the Colorado

Beetle to be taken in regard to the de-insectisation of any vessel to which the provisions of subsection (1) of Section 2 of this Ordinance apply.

4.—(1) It shall be an offence knowingly and wilfully to bring into the Island of Guernsey or within the territorial waters thereof any Colorado Beetle.

An offence
to bring
into
Guernsey
any
Colorado
Beetle

(2) Any person of the age of sixteen years and upwards having the care during a journey on any vessel to the Island of Guernsey of another person under the age of sixteen years who permits or knowingly suffers that other person to commit an offence under the last preceding subsection or to do any act which, but for the age of that other person, would be an offence under that subsection, shall be deemed to have committed an offence under that subsection.

(3) Any person committing an offence under this Section shall be liable upon conviction to a fine not exceeding One Hundred Pounds or to a term of imprisonment not exceeding Six Months with or without hard labour or to both such fine and such imprisonment.

5.—The Board, as regards any vessel trading between the Island of Guernsey and any country in whole or in part infested with the Colorado Beetle, may require notices concerning this Ordinance to be posted up therein in such positions as the Board may direct for the purpose of informing persons travelling therein of the provisions of this Ordinance or any thereof and it shall be the duty of the master of any such vessel to keep any such notices duly posted in that vessel in accordance with any such direction of the Board.

Notices on
trading
vessels

6.—If any person does any act in contravention of any of the provisions of this Ordinance, or fails to do any act which he is required to do thereby or to suffer the doing of any act which is lawful thereunder, or wilfully disobeys an order lawfully given to him under this Ordinance, or wilfully obstructs or impedes any official in the exercise of his duties thereunder, that person shall be guilty of an offence and shall be liable upon conviction,

Penalty for
contraven-
tion, etc.

if that offence be one whereof the punishment is not elsewhere in this Ordinance specifically prescribed, to a fine not exceeding Fifty Pounds or to a term of imprisonment with or without hard labour not exceeding Three Months, and in the event of a second or subsequent conviction to a fine not exceeding One Hundred Pounds or to a term of imprisonment with or without hard labour not exceeding Six Months, or to both such fine and such imprisonment.

Security
for
payment
of fines

7.—Any vessel whereof the master has been convicted of an offence under this Ordinance may be seized as security for the payment of any fine inflicted in respect of such offence on that master and the Act of Court recording the conviction of that master shall be sufficient authority to His Majesty's Sheriff to seize and hold that vessel pending the payment of the fine so inflicted.

**Ordonnance donnant effet aux Règlements
du Ministère dit " Board of Trade."**

(Le 4 mars 1933)

**Merchant Shipping (Safety and Load Line Conventions)
Act, 1932.**

Attendu que par un Ordre de Sa Majesté en Conseil en date du 7 février 1933, enregistré sur les Records de cette Ile le 25 février 1933, les dispositions de la Partie II. de l'Acte de Parlement intitulé " Merchant Shipping (Safety and Load Line Conventions) Act, 1932 " ont été étendues au Bailliage de cette Ile, avec les exceptions, adaptations et modifications spécifiées dans la Cédule annexée au dit Ordre, et suivant les dispositions de la Section 64 du dit Acte lequel a été enregistré le même jour.

Attendu que, en vertu des autorisations à cet effet contenues dans le dit Acte, le Ministère de Sa Majesté dit " Board of Trade " a fait des Règlements pour amplifier et donner effet aux dispositions du dit Acte, lesquels

Règlements ont été transmis à Monsieur le Baillif et sont spécifiés dans la première Cédule à cette Ordonnance.

Attendu que l'application des dits Règlements doit être étendue à ce Bailliage pour y avoir effet autant que possible.

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

1.—The Orders, Rules and Regulations issued by the Board of Trade and specified in the first Schedule to this Ordinance with the modifications and adaptations thereof specified in the second Schedule to this Ordinance (and which Orders, Rules and Regulations shall be registered by being lodged at the Greffe) shall have effect and force of law in the Bailiwick of Guernsey.

Orders,
Rules, and
Regulations
issued by
the Board
of Trade

2.—The Royal Court may by Ordinance from time to time—

Orders,
Rules and
Regulations
may be
added to
or removed
from the
first
Schedule

- (1) Add to the said first Schedule all Orders, Rules and Regulations hereafter issued by the Board of Trade for the purpose of amplifying or giving effect to any part of the said Act of Parliament the application whereof is extended to the said Bailiwick, upon such Orders, Rules and Regulations being transmitted officially to the Bailiff.
- (2) Remove from the said first Schedule any Orders, Rules or Regulations which have been repealed by the Board of Trade.

and all Orders, Rules and Regulations upon being so added to the said first Schedule shall thereby have effect and force of law in the said Bailiwick subject to such adaptations and modifications thereof as may be inserted in the said second Schedule, and the same shall be registered as aforesaid, and all Orders, Rules and Regulations so removed from the said first Schedule shall thereby cease to have effect.

FIRST SCHEDULE.

The Load Line Rules, 1932 (No. 96).

The Load Line (Particulars of Depth of Loading, etc.) Regulations, 1932 (No. 108).

The Load Line Fees (Transitory Provisions) Rules, 1932 (No. 109).

The Timber Cargo Regulations, 1932 (No. 110).

The Load Line Exemption Order, 1932 (No. 522).

The Merchant Shipping (Load Line Convention Certificates Validity), Regulations, 1932 (No. 921).

SECOND SCHEDULE.

Section 2 of the Merchant Shipping (Load Line Convention Certificates Validity) Regulations, 1932 (No. 921) shall have effect as if the words "or the Bailiwick of Guernsey" were inserted after the words "United Kingdom" where they occur therein.

Ordonnance supplémentaire relative à la Pêche.

(Le 8 juillet 1933)

LA COUR, ouïes les conclusions du Contrôle du Roi, a rappelé l'Ordonnance relative à la Pêche du 5 octobre 1931, par laquelle les articles 2, 3 et 4 furent statués en substitution aux articles 2, 3 et 4 de l'Ordonnance relative à la Pêche du 16 janvier 1899, et y a substitué les articles 2, 3 et 4 suivants, lesquels seront censés former partie de la dite Ordonnance relative à la Pêche du 16 janvier 1899: —

" Lady
Crabs "

2.—(1) Il est défendu de pêcher des crabes dits " Lady Crabs " sur les côtes de cette Ile et des Iles d'Herm et de Jethou depuis le premier mai au 31 octobre inclusivement de chaque année.

Ormers

(2) Il est défendu de pêcher des ormers sur les côtes de cette Ile et des Iles d'Herm et de Jethou excepté aux

jours de pêche et aux heures de pêche ci-dessous spécifiés, savoir: —

- (a) Les jours de pêche seront le jour de la nouvelle lune et les trois jours ensuivants et le jour de la pleine lune et les trois jours ensuivants dans la période commençant le *1^{er} novembre et expirant le 30 avril de chaque année. Pourvu que le Dimanche ne sera pas un jour de pêche.
- (b) Les heures de pêche seront entre le soleil levé et le soleil couché.

3.—Il est défendu d'être en possession soit de crabes ^{Possession} susdits soit d'ormers autres que des ormers conservés, ^{de crabes} depuis le 1^{er} mai jusqu'au †31 octobre inclusivement ^{ou d'ormers} de chaque année. Pourvu que celui qui est trouvé en possession de tels crabes ou de tels ormers dans les deux premiers jours du mois de mai ne sera pas censé avoir enfreint les dispositions de cet article à moins qu'il ne soit prouvé que les crabes ou ormers ainsi possédés furent pêchés après le 30 avril

4.—Il est défendu de faire usage dans les baies de cette ^{Stop nets} Ile de rets par le pied (Anglicé "stop nets").

**Ordonnance supplémentaire relative
à la Pêche (Ormers).
(Le 10 octobre 1939)**

LA COUR, ouïes les représentations du Comité des Etats pour l'Agriculture et la Pêche et les conclusions des Officiers du Roi, a ordonné et ordonne: —

Pendant que cette présente Ordonnance restera en vigueur, les Articles 2 et 3 de l'Ordonnance relative à la Pêche du 16 janvier 1899, savoir: les Articles 2 et 3 y

* La date 10 octobre substituée
et
† la date 9 octobre substituée
par l'Ordonnance supplémentaire relative à la Pêche
(Ormers) du 10 octobre 1939.

incorporés aux fins de l'Ordonnance supplémentaire relative à la Pêche du 8 juillet 1933. auront effet sujet aux modifications suivantes: —

- (A) Dans l'alinéa (a) de la sous-section (2) du dit Article 2. la date " 10 octobre " sera substituée à la date " 1^{er} novembre "; et
- (B) La référence dans le dit Article 3 à la défense d'être en possession d'ormers autres que des ormers conservés sera lue comme si, dans tel Article. la date " 9 octobre " fut substituée à la date " 31 octobre ".

**Ordonnance relative à l'arrêt de Gages des Employés.
(Le 8 juillet 1933)**

La Cour. ouïes les conclusions du Contrôleur du Roi, a rappelé l'Ordonnance relative aux Gages des Ouvriers du 13 avril 1863 et y a substitué l'Ordonnance suivante.

Gages des
employés

Les Gages ne seront pas susceptibles d'arrêt en recouvrement de dette à moins que la Cour, à l'instance du créancier et après s'être informée de la nature de la dette et des moyens du débiteur. n'ait expressément autorisé tel arrêt en fixant la proportion des gages qui sera sujette à tel arrêt laquelle proportion n'excédera pas la moitié.

**Ordonnance portant amendement à l'Ordonnance
régulant la procédure à suivre devant la Cour supplémentaire
de Police Correctionnelle et pour le Recouvrement de
Menues Dettes. du 18 janvier 1932.**

(Le 14 octobre 1933)

Sur les représentations de Monsieur le Magistrat qu'il y a une proportion considérable des causes en menues dettes ajournées devant sa Cour qui ne viennent pas à l'audition à cause de règlement préalable fait entre les parties et que dans ces cas les frais de l'audition

compris dans les frais avancés par l'acteur quoique restant indépensés dans les poursuites ne sont pas remboursés à l'acteur.

La Cour, étant d'avis que dans les cas précités, l'équité exige que la partie des frais avancés restant indépensée soit remboursée et aussi que tel remboursement doit être facilité par une modification dans la marche des procédures, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne: —

1.—Les Articles I. et X. de l'Ordonnance réglant la procédure à suivre devant la Cour supplémentaire de Police Correctionnelle et pour le recouvrement de Menues Dettes du 18 janvier 1932 auront effet comme si les phrases formant partie des dits articles respectivement paraissant dans la première colonne de la Cédule à cette Ordonnance furent rayées et furent substituées par les phrases paraissant en face d'icelles respectivement dans la seconde colonne de la dite Cédule.

CEDULE

COLONNE 1.

Article I.— Le Sergent ou son Député livrera au Greffier du Roi les causes lesquelles seront conformes aux ajours, au moins vingt-quatre heures avant l'audition des causes.

Article X.— Dans le cas où les procédures soient interrompues par règlement de la demande, les frais avancés pour procédures non poursuivies seront forfaits.

COLONNE 2.

Les causes, lesquelles seront conformes aux ajours, seront livrées par le Sergent du Roi ou son Député au Greffier du Roi avant l'audition.

Dans le cas où les procédures soient interrompues par le retrait de la cause, les frais avancés restant indépensés seront remboursés à l'acteur par le Sergent du Roi.

Ordonnance supplémentaire à l'Ordonnance réglant la Procédure à suivre devant la Cour Supplémentaire de Police Correctionnelle et pour le Recouvrement de Menues Dettes.

(Le 30 mai 1936)

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir:—

Si, après qu'un débiteur aura été ajourné par un créancier —

(a) à comparaître devant le Magistrat dans les circonstances narrées dans l'Article VII de l'Ordonnance réglant la Procédure à suivre devant la Cour Supplémentaire de Police Correctionnelle et pour le recouvrement de Menues Dettes rendue permanente aux Chefs Plaids d'après Noël 1931. tenus le 18 janvier 1932, ou

(b) à voir le Magistrat autoriser l'arrêt de telle proportion de ses gages que le Magistrat fixera, le débiteur ne comparait pas, le Magistrat — s'il estime qu'il est nécessaire ou désirable avant de faire droit en la matière que le débiteur soit interrogé quant à ses moyens ou quant aux moyens qu'il a eu depuis le jugement rendu contre lui par le Magistrat en faveur du dit créancier, ou quant aux nom et adresse de son employeur — pourra décerner un acte de prise de corps contre tel débiteur et alors il sera du devoir du Prévôt du Roi de produire le dit débiteur devant le Magistrat à une prochaine Séance de la Cour afin qu'il soit interrogé. L'exécution de tel acte sera faite sans frais.

Ordonnance portant amendement à l'Ordonnance relative à la procédure en Matières Criminelles et en Matières d'Enquête.

(Le 19 juin 1937)

ATTENDU que pour assurer la bonne administration de la Justice en matières criminelles il est expédient de faire certains amendements à la Cédule et à la Traduction d'icelle annexées à l'Ordonnance relative à la procédure

en Matières Criminelles et en Matières d'Enquêtes passée le 5 mai 1923, et renouvelée comme Ordonnance permanente aux Chefs Plaids d'après Noël 1931, tenus le 18 janvier 1932:

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle la dite Cédule et la traduction d'icelle et y a substitué la Cédule suivante laquelle sera censée dorénavant former partie de la dite Ordonnance, savoir: —

Cédule

CAUTION USUELLE EN FRANÇAIS

Ayant entendu le témoignage, désirez-vous dire quelque chose en réponse à l'acte d'accusation? Vous n'êtes tenu de rien dire à moins que vous ne désiriez le faire, mais tout ce que vous direz sera pris par écrit et pourra être donné en témoignage lors du procès contre vous.

CAUTION USUELLE EN ANGLAIS

Having heard the evidence, do you wish to say anything in answer to the charge? You are not obliged to say anything unless you desire to do so, but whatever you say will be taken down in writing and may be given in evidence upon your trial.

Ordonnance pour la Protection des Pigeons

(Le 21 octobre 1933)

Attendu que de temps en temps des pigeons voyageurs sont apportés en grand nombre du Royaume Uni en cette Ile pour être élargis afin qu'ils fassent la volée de retour.

Attendu que quelques uns de tels pigeons restent dans l'Ile après élargissement, et ainsi devenant des épaves sont sujets à être attrapés et maltraités.

Attendu qu'il y a lieu de statuer sur la protection tant de tels pigeons que des pigeons gardés en cette Ile.

La Cour. ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne: —

An offence to kill, wound, or take house doves or pigeons

1.—Whosoever shall unlawfully and wilfully kill, wound, or take any house dove or pigeon under such circumstances as shall not amount to larceny or shall unlawfully and wilfully attempt by means of any bait, hook or other device or without such means to take any house dove or pigeon, shall be guilty of an offence and on conviction shall be liable to a fine at the discretion of the Court but not exceeding £5.

Birds in possession or on premises of any person

2.— If any such bird taken as aforesaid shall be found in the possession or detained on the premises of any person, a Police Officer may take possession thereof and the same shall be disposed of as the Inspector of the States Police shall direct; and any person in whose possession or on whose premises such bird shall be so found (such person knowing that the bird had been taken as aforesaid) shall be guilty of an offence and shall, on conviction, be liable to such fine as aforesaid.

Oral warning to attend Court

3.— For the purpose of the prosecution of an alleged offence under this Ordinance, every person on receiving an oral warning from a Police Officer to attend at Court shall be bound to attend at Court in accordance with such warning.

Parents of young persons

4.—Where a person charged with an offence under this Ordinance is a young person under the age of sixteen years the father or mother or other person having the custody of the young person so charged shall be bound to attend at Court for the hearing of the charge if so warned by a Police Officer, and may be ordered by the Court to pay the whole or any part of the fine which may be inflicted on such young person. Provided that a payment so ordered shall in the event of default be recoverable only by civil process.

**Ordonnance prohibitant la Prise de Photographies dans
l'Edifice de la Cour Royale et dans les environs d'icelui
(Le 16 février 1935)**

La Cour Royale, dans le but d'assurer le bon ordre dans l'administration de la Justice et pour obvier la molestation des personnes y prenant part, et ouïes les conclusions des Officiers du Roi, par voie des règlements qui ensuivent rédigés en anglais a ordonné et ordonne:

1.—Save with the express permission of the Royal Court, no person shall — Taking and publication of photographs, etc.

(a) take or attempt to take in any court any photograph, or with a view to publication make or attempt to make in any court any portrait or sketch, of any person, being a judge of the court or a witness in or a party to any proceedings before the court, whether civil or criminal;

(b) publish any photograph, portrait or sketch taken or made in contravention of the foregoing provisions of this section or any reproduction thereof;

and if any person acts in contravention of this section he shall, on conviction, be liable in respect of each offence to a fine not exceeding fifty pounds.

2.—For the purposes of the foregoing section — Interpretation

(a) the expression "court" means any court of justice held within the precincts of the Royal Court building;

(b) the expression "judge" includes Bailiff, Lieutenant-Bailiff, Jurat and Magistrate;

(c) a photograph, portrait or sketch shall be deemed to be a photograph, portrait or sketch taken or made in court if it is taken or made in any court-room or other place in the Royal Court building or in the precincts of that building, or if it is a photograph, portrait or sketch taken or made of the person while he is entering or leaving such court-room or building or precincts as aforesaid.

Powers of
Police

3.—Where a person is seen or found offending or is reasonably suspected of offending against the provisions of this Ordinance any Court Official or Police Officer may detain and search him and may demand his name and address and such Official or Officer may, whether so detaining the person or not, seize and, pending prosecution, detain any camera, plate, film, sketch-book or other appliance or thing to which the offence or suspected offence relates.

Cameras,
sketch-books,
etc., to be
forfeited

4.—Upon conviction of any person for an offence under this Ordinance, the Royal Court may order that any camera, plate, film, sketch-book or other appliance or thing by or in respect of which the offence was committed shall be forfeited or otherwise dealt with as the Court may direct.

Ordonnance relative au Poisson Importé. 1935
(Le 6 juillet 1935)

La Cour, sur les représentations du Comité des Etats pour l'Agriculture et la Pêche et ouïes les conclusions des Officiers du Roi, par voie des Règlements suivants rédigés en anglais, a ordonné et ordonne:—

Sale of
imported
fish

1.—It shall not be lawful after the 13th day of July, 1935, to sell or to expose for sale in the Island of Guernsey any mackerel, whiting, conger, skate or shrimps imported into the said Island unless at the time of the sale and exposure for sale thereof a clearly visible notice bearing the word "Imported" in clearly legible letters of which each shall be not less than one inch in height, is exhibited on or in close proximity to the same.

Definition

2.—In the foregoing section, the expression "imported into this Island" means imported into this Island from elsewhere than the other Islands of the Bailiwick.

Exception

3.—The landing in this Island of mackerel, whiting, conger, skate or shrimps caught by a person or persons

residing in the Bailiwick shall not, for the purposes of this Ordinance, be deemed to constitute an importation thereof.

4.—If any person shall contravene the provisions of Penalty this Ordinance he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding £10.

**Ordonnance supplémentaire relative aux
Routes, Rues et Chemins.
(Le 2 novembre 1935)**

La Cour, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle le 4ième alinéa de l'Ordonnance supplémentaire relative aux Routes, Rues et Chemins passée aux Chefs Plaids d'après Pâques tenus le 13 avril 1863 et a ordonné et ordonne que l'alinéa suivant y soit substitué:

4. (a) Seront passibles d'une amende qui ne sera pas moins que Dix chelins sterling et n'excédera pas Cinq Livres sterling: Effets ou marchandises projetant sur la voie publique

(i) Ceux qui auront suspendu ou attaché des effets ou marchandises en dehors d'une maison ou edifice dans la Paroisse de Saint Pierre-Port de manière à projeter sur la voie publique:

(ii) Ceux qui auront embarrassé la voie publique dans la dite Paroisse en y étalant des effets ou marchandises de manière à mettre obstacle à la liberté de passer par icelle.

(b) L'expression "la voie publique" ci-dessus employée incluera les Arcades Commerciales.

**Ordonnance par rapport à la Salubrité Publique
(Le 30 novembre 1935)**

Vu que, dans le but de se conformer aux dispositions de l'Article 20 de l'Ordonnance Générale relative aux Routes, Rues et Chemins passée aux Chefs Plaids d'après Noël tenus le 20 janvier 1840, les Connétables et Douzeniers de la Ville et Paroisse de Saint Pierre-Port

ont établi au haut de l'Escalier dit "Market Steps" une huche pour la réception des saletés balayées, pots cassés et autres articles, à l'exception de décombres de maison, provenant des ménages situés dans les Arcades Commerciales, étant des voies publiques par dessus desquelles la circulation de véhicules est interdite:

Vu l'abus qui se commet par rapport à l'usage de telle huche par le dépôt en dedans et autour d'icelle de rebut dit "Trade Refuse" que le boueur employé par les dits Connétables et Douzeniers n'est pas tenu d'accepter:

La Cour, ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne: —

Trade
refuse near
the top of
Market Steps

1.— It is forbidden to deposit Trade Refuse in, on or near the Refuse Bin situate near the top of the Market Steps, or in, on or near any other Refuse Bin provided by the Constables and Douzaine of any Parish for the deposit therein of Household Rubbish.

Penalty

2.— Every person who shall infringe the provisions of this Ordinance and every person who shall aid, abet, counsel, procure or command the infringement of those provisions, shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding Two Pounds.

Ordonnance étendant la signification de l'expression

" Importer en cette Ile."

(Le 8 février 1936)

SUR les représentations faites à la Cour par le Conseil Administratif des Etats que, quoique pour la protection des habitants de cette Ile l'importation en cette Ile de certains bétail, oiseaux, produits, marchandises, objets et effets est prohibée par certaines Ordonnances de la Cour Royale, le déchargement d'iceux en cette Ile en transit pour les autres Iles du Bailliage et ailleurs, malgré que tel déchargement puisse diminuer la sécurité visée par telles prohibitions, parait en certains cas ne pas constituer

une importation en cette Ile tombant sous l'empire de telles prohibitions:

LA COUR, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit savoir: —

1.—Dans toute Ordonnance passée ci-après à moins “ Importer en cette Ile ” que telle Ordonnance ne s'exprime expressément en sens contraire, et dans toute Ordonnance passée avant cette présente date, dans laquelle se trouve une prohibition, soit absolue soit sans la permission préalable de la Cour Royale ou d'un fonctionnaire des Etats et soit avec ou sans distinction de pays d'origine, d'importer en cette Ile de Guernesey du bétail, des oiseaux, des produits du sol, des marchandises, ou tous autres objets ou effets quelconques ou dans laquelle permission d'y importer tels bétail, oiseaux, produits du sol, marchandises, objets ou effets n'est octroyée que moyennant la production de certaines déclarations, certificats ou autres écrits, alors et dans chacun de tels cas l'expression “ importer en cette Ile ” et l'expression équivalente conçue en d'autres mots soit en français soit en anglais signifiera décharger ou faire ou laisser décharger en cette Ile en aucune manière (même par transbordement) de tout navire, vaisseau bateau ou navire aérien et ce nonobstant que le bétail, les oiseaux, produits, marchandises, objets ou effets déchargés soient destinés à être transportés hors de cette Ile après déchargement.

Ordonnance au sujet des termes à écrire.
(Le 8 février 1936)

LA COUR, vu l'accélération de communications qui a eu lieu depuis la passation de l'Ordonnance au sujet des Termes à Ecrire passée le 3 mars 1888 et rendue permanente aux Chefs Plaids d'après Pâques tenus le 22 avril 1895 et ouïes les conclusions des Officiers du Roi, a rappelé et rappelle la dite Ordonnance et a ordonné et

ordonne que les termes à écrire aux absents seront à l'avenir comme suit: —

Jersey, Auregny et Serk	... six jours
La Grande Bretagne huit jours
L'Irlande	... douze jours
La France, la Belgique, la Hollande et le Danemark quinze jours
Le restant du Continent de l'Europe ...	vingt jours
Les îles de la Méditerranée, la Côte du Nord de l'Afrique, Madère, les Açores et les Canaries trente jours
L'Amérique du Nord en déçà du Mississippi trente jours
L'Amérique du Sud, les Indes Occiden- tales, l'Amérique du Nord au delà du Mississippi, et le restant de l'Afrique soixante jours
Les Indes Orientales soixante jours
Le restant du Continent de l'Asie, à l'exception de la Chine et des pays voisins quatre-vingt- dix jours
L'Australie, la Nouvelle Zélande, la Chine et les pays voisins cent quinze- jours
La Polynésie ou Iles de la Mer Pacifique et les Iles de la mer du sud	cent quatre- vingt jours

Et suffira le laps à compter de ce jour du terme à écrire applicable au cas en vertu de cette présente Ordonnance pour compléter tout terme à écrire déjà commencé.

**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.

**Ordonnance relative à l'Inspection des Appareils à
Incendie dans les Salles Publiques.**

(Le 23 février 1936)

LA COUR, dans le but de protéger le public fréquentant les Salles Publiques en cette Ile contre les dangers d'incendie et pour assurer un service efficace d'inspection des Appareils à Incendie se trouvant tant dans les Salles Publiques que dans les Institutions particulières en cette Ile, et ouies les conclusions des Officiers du Roi, a ordonné et ordonne, par voie des dispositions suivantes rédigées en anglais, comme suit, savoir:—

Definitions

1.—For the purpose of this Ordinance, the following expressions shall have the meanings hereby assigned to them:

“Committee” means the States Committee for the Construction of Houses.

“Inspector” means the Chief Officer of the Guernsey Fire Brigade or other officer for the time being in charge thereof.

“Licencee” shall include any person named as one of the Licencees of a Public Hall in the Licence thereof save that, as regards the delivery of a copy of any report of the Inspector or the communication of a decision of the Committee, delivery or communication thereof to the person first named in the Licence shall be deemed delivery or communication of the same to all the Licencees named in the Licence.

Inspection
of fire-
fighting
appliances
in Public
Halls

2.—(a) The Inspector shall inspect and, to the extent which he may deem expedient, test on two occasions in every calendar year the whole of the fire-fighting appliances kept in and about every building in this Island which is licensed for the time being as a Public Hall (Salle Publique) and for the purpose of inspecting and testing the same the Inspector is hereby empowered to enter any Public Hall and every part thereof at any reasonable hour upon giving twenty-four hours' notice of the date and hour of his visit.

(b) One of such inspections and tests shall be made between the 15th day of April and the 1st day of June, and the other between the 15th day of October and the 1st day of December.

(c) At each of such inspections and tests, the Inspector shall ascertain as regards each Public Hall, that the conditions contained in the Licence of that Public Hall with regard to the number and kind of fire-fighting appliances to be kept in and about the same are complied with and that all of the fire-fighting appliances in and about that Public Hall are in all respects fit for use for the several purposes for which they are intended and that they are placed in such positions as to be readily accessible and available to the greatest likely advantage in case of fire.

(d) The Inspector shall make a report in writing to the Committee concerning each inspection and test made by him and shall deliver a signed copy of his report concerning any Public Hall to the Licencee thereof. ^{Inspector's report}

(e) Such report shall describe in detail those of the fire-fighting appliances which are defective or which, being required by the Licence of a Public Hall to be provided in or about the same, are not so provided, or which the Inspector in the exercise of his discretion requires to be replaced by similar or other appliances conforming with the conditions with regard to the fire-fighting appliances contained in that Licence. ^{Defective appliances etc.}

(f) Upon the receipt by the Licencee of a Public Hall of the copy of the Inspector's report referred to in subsection (d) of this section, the Licencee, subject to the proviso as to an appeal hereinafter contained, shall forthwith proceed to instal, in accordance with the requirements of the report, all fire-fighting appliances which shall be stated in the report to be missing and to replace, in accordance with the requirements of the report, all fire-fighting appliances therein stated to be defective or to require replacement. ^{Licencee to instal appliances as required}

Appeals

Provided that the Licencee of a Public Hall shall be entitled to appeal to the Committee against any requirement contained in a report of the Inspector on giving notice in writing of such appeal to the Committee within forty-eight hours after the receipt by the Licencee of a copy of such report and thereupon the Committee, of which not less than four members shall constitute a quorum for the purpose, shall, within seven days after the receipt of such notice of appeal, hear the Licencee and the Inspector and give a decision in the matter. Such decision shall be forthwith communicated in writing to the Licencee and, upon the receipt thereof by the Licencee, the provisions of sub-section (f) of this section shall apply in the same manner as they apply upon the receipt by a Licencee of a Public Hall of a copy of a report of the Inspector save that no appeal shall lie from the decision of the Committee.

Further inspections

(g) It shall be the duty of the Licencee of a Public Hall to advise the Inspector forthwith when the requirements contained in a report of the Inspector concerning that Public Hall or in a decision of the Committee given on appeal from any such report have been carried out and the Inspector is hereby empowered to make such further inspections of the fire-fighting appliances in and about that Public Hall as may be necessary for the purpose of ascertaining that such requirements have been carried out, and when the Inspector is satisfied that the same have been wholly complied with he shall report in writing accordingly to the Committee and shall deliver a signed copy of his report to the Licencee.

Inadequate or unsuitably placed appliances

(h) It shall be the duty of the Inspector, if in his opinion the fire-fighting appliances in or about any Public Hall, notwithstanding that they comply with the conditions with regard to fire-fighting appliances contained in the Licence of that Public Hall, are for any reason inadequate or unsuitable or unsuitably placed, to report in writing upon the matter to the Committee. The Committee shall bring the matter to the notice of the Royal Court at the

first opportunity, and the Royal Court, the Licencee being cited to appear, may make such order by way of variation of or addition to the conditions of the Licence of that Public Hall as it may deem proper.

3.—If any person shall obstruct or impede the Inspector in the exercise of the powers and duties hereby conferred upon him or shall contravene any of the provisions of this Ordinance, that person shall be guilty of an offence and shall be liable to a fine not exceeding £100 sterling, and if the person found guilty of an offence hereunder shall be the Licencee of the Public Hall, the Royal Court in its discretion may suspend or cancel the licence of that Public Hall.

4.—The person or persons entrusted with the management of any private institution in this Island shall, upon application to the Committee and upon payment of the appropriate fee specified in the Schedule hereto, be entitled to require the Inspector to inspect and test on not more than two occasions in each calendar year on such dates as the Inspector may reasonably decide the fire-fighting appliances in and about that institution and to furnish them with a report concerning the same.

5.—The fees payable in respect of every inspection and test made by the Inspector shall be paid to the States Treasurer and the amount of the fees so payable shall be the amounts specified in the Schedule hereto.

SCHEDULES OF FEES PAYABLE.

In respect of a Public Hall habitually used as such by the Occupier for a Commercial Purpose.

	£	s.	d.
For each half-yearly inspection and for the report of the Inspector thereon	0	10	6
For each necessary supplementary inspection and for the report of the Inspector thereon	0	7	6

In respect of every other Public Hall.

For each half-yearly inspection and for the report of the Inspector thereon	0	7	6
For each necessary supplementary inspection and for the report of the Inspector thereon	0	5	0

In respect of a Private Institution.

For each inspection and for the report of the Inspector thereon	0	7	6
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Ordonnance relative à la Santé Publique, 1936

(Le 14 mars 1936)

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Ordonnance relative à la Santé Publique, 1936

(Le 14 mars 1936)

Attendu que toutes matières touchant la Santé Publique dans l'Île de Guernesey ont été et sont de temps en temps réglées par Ordonnance de la Cour Royale:

VU aussi les dispositions de l'Article 4 de la Loi intitulée "Loi relative à la Santé Publique, 1934":

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

PART 1.

SHORT TITLE AND DEFINITIONS.

ARTICLE I.

1.—This Ordinance may be cited at the Public Health Short Title Ordinance, 1936.

2.—In this Ordinance, unless the context otherwise Definitions requires the following expressions have the meanings and application hereby respectively assigned to them:—

"Board" means the States Board of Health.

"Dwelling-house" includes any yard, garden, out-house, and appurtenances belonging thereto and usually enjoyed therewith.

"Master" means the person having the charge, management or control of any premises or part of any premises, and where the premises are wholly let out in separate tenements or are a lodging-house wholly or

partially let to lodgers, includes the person receiving the rent payable by the tenants or lodgers, either on his own account or as agent of another person.

“Medical Officer of Health” means the Medical Officer of Health appointed by the States and includes the Deputy or Acting Medical Officer of Health for the time being.

“Nuisance” shall have the several applications assigned to it in the Law intituled “Loi relative à la Santé Publique, 1934” sanctioned by an Order of His Majesty in Council registered on the Records of this Island on the 17th day of March, 1934.

“Occupier” includes any person in actual occupation of premises or land without regard to the title under which he occupies, and, in the case of premises subdivided and let to lodgers or various tenants, the person receiving the rent payable by the lodgers or tenants whether on his own account or as agent for any person entitled thereto or interested therein.

“Owner” includes the person who is receiving or entitled to receive the rent of any premises or land, whether on his own account, or on behalf of himself and another or others, or as an agent or trustee, or who would so receive or be entitled to receive the rent if the premises or land were let.

“Person” includes a company, association or body of persons corporate or unincorporate.

“Premises” includes a building, vessel, tent, van, shed, structure or place, open or enclosed.

“Sanitary Authority” includes the Board, the Medical Officer of Health and the Constables of the several parishes of the Island acting within their respective parishes, and any of them.

“Sanitary Inspector” includes the Medical Officer of Health, every officer subordinate to him appointed by the Board to perform duties of inspection, and the Constables of the several parishes of the Island, acting within their respective parishes, and any of them.

“Sanitary installation” includes water-closets, urinals, earth-closets and sinks together with the structure comprising the same, and the drains, cesspools or other accommodation necessary for the proper disposal of sewage, slop and waste water.

“The Law” means the Law entitled “Loi relative à la Santé Publique, 1934”.

The $\left. \begin{array}{l} \text{singular} \\ \text{masculine} \end{array} \right\}$ includes the $\left\{ \begin{array}{l} \text{plural} \\ \text{feminine} \end{array} \right.$ and
 vice versa.

PART 2.

NUISANCES.

ARTICLE II.

PROCEEDINGS AND PENALTY FOR CAUSING OR
 PERMITTING A NUISANCE.

1.—Any person who causes or permits —, Penalty

(a) any nuisance to exist;

(b) to pass into any sewer or into any drain connected therewith —

(i) any matter or substance by which the free flow of sewage or surface or storm water may be impeded or by which the sewer or drain may be injured;

(ii) any carbide of calcium, petrol or any product of petroleum which gives off an inflammable vapour;

shall be liable to a fine not exceeding Ten Pounds:

Provided that —

Firstly, where a person is summoned before any Court in respect of a nuisance arising from an accumulation or deposit, no penalty shall be imposed if it be proved to the satisfaction of the Court that the accumulation or deposit is necessary for the effectual carrying on of any business or manufacture, and that the accumulation

or deposit has not been kept longer than is necessary for the purposes of the business or manufacture, and that the best available means have been taken for preventing injury thereby to the public health;

Secondly, where a person is summoned before any Court in respect of a nuisance arising from a fireplace or furnace which does not consume the smoke arising from the combustible used in such fireplace or furnace, the Court shall hold that no nuisance is created within the meaning of the Law and of this Ordinance and dismiss the complaint if it is satisfied that such fireplace or furnace is constructed in such manner as to consume as far as practicable, having regard to the nature of the manufacture or trade, all smoke arising therefrom, and that such fireplace or furnace has been carefully attended to by the person having the charge thereof.

Nuisance
caused by
two or more
persons

2.—Where any nuisance appears to be wholly or partially caused by the acts or defaults of two or more persons, it shall be lawful for the Board to summon any one or more of such persons before the Court in respect of the nuisance; and any one or more of such persons, who, in the judgment of the Court, has, by his or their acts or defaults, contributed to the existence of the nuisance may be fined or otherwise punished under this Article, notwithstanding that the acts or defaults of any one of such persons would not separately have caused the nuisance.

ARTICLE III.

ABATEMENT OF NUISANCES.

Duty of
Board

1.—It shall be the duty of the Board to cause to be made from time to time inspection by one or more sanitary inspectors of such premises in this Island as may be necessary, in the opinion of the Board, in order to ascertain what nuisances exist calling for abatement, and to enforce the provisions of this Ordinance in order to abate such nuisances.

Provided that entry and inspection shall be made only between the hours of ten o'clock in the morning and six o'clock in the evening, except in the case of a nuisance arising in respect of any business, as regards which entry and inspection may be made, at any hour when that business is in progress or is usually carried on.

2.—Every sanitary inspector appointed by the Board and subordinate to the Medical Officer of Health, shall be furnished with a certificate of appointment, signed by the President or Acting President of the Board or by the Medical Officer of Health, stating that such sanitary inspector is authorised by the Board to enter on premises and to perform thereon the duties for which such entry is demanded or effected; and, on applying for admission to any premises for the purposes of this Ordinance, a sanitary inspector shall, if so required, produce his certificate to the occupier.

Sanitary
Inspector
to have
written
authority

3.—Where after entry on and examination of any premises or otherwise, the Sanitary Authority has ascertained that a nuisance exists, it may, if, in its opinion, the continued existence of the nuisance involves imminent danger to the public health and that the cost of abating the nuisance will not exceed £10, require the person liable so to do to abate the nuisance forthwith, and, in default of compliance with such requisition, the Sanitary Authority may itself cause the nuisance to be abated at the expense of the person liable in respect thereof.

Power of
sanitary
authority to
abate minor
nuisance

Where a nuisance has been abated by the Medical Officer of Health, he shall notify the Constables of the Parish concerned of the action taken, and, where a nuisance has been abated by the Constables of a Parish, they shall notify the Medical Officer of Health of the action taken.

4.—*

5.—*

* New Section 4 substituted for Sections 4 and 5 by the Public Health Ordinance, 1936, Amendment Ordinance, 1950.

Right of
Appeal
where cost
exceeds £10

6.— If in any case the cost of abating a nuisance will exceed ten pounds, any person aggrieved by the terms of a notice requiring the abatement of such nuisance may if the conditions specified in this section are fulfilled, appeal therefrom to the Royal Court sitting as an Ordinary Court, and may apply for an order that the notice be set aside or varied in such manner as to the Court shall seem just, and the order of the Court so obtained shall be final.

The conditions to be fulfilled for the purposes of this section are as follows:—

- (a) Notification in writing of intention to appeal shall, within three days after the date of the receipt of the notice, be delivered by the person intending to appeal therefrom to the Medical Officer of Health *or to the Sanitary Authority by whom the notice was served.**
- (b) The appeal shall be brought within seven days after the date of the service of the notice in respect of which the appeal is made, or, if within such period no sitting of the Ordinary Court be held, then at the sitting of the Ordinary Court next held after the expiration of that period.

In any case in which notification of intention to appeal has been delivered in accordance with the provisions of this section, no liability to penalty shall arise, nor shall any proceedings be taken or work be done by the Sanitary Authority under the notice until after the determination of such appeal, unless such appeal ceases to be prosecuted.

† It shall be the duty of any Sanitary Authority to whom a notification of intention to appeal as aforesaid is delivered to transmit the same forthwith to the Medical Officer of Health.

* Words in italics deleted by the Public Health Ordinance, 1936, Amendment Ordinance, 1950.

† This paragraph deleted by the Public Health Ordinance, 1936, Amendment Ordinance, 1950.

7.—Subject to the provisions of the foregoing section, where a person upon whom a notice to abate a nuisance has been served makes default in complying with any requisition contained in such notice within the time specified therein, or if the nuisance, although temporarily abated since the service of the notice is, in the opinion of the Medical Officer of Health, likely to recur on the same premises, the Board may summon such person to appear before the Ordinary Court, and if it shall appear to the Court that the person upon whom the notice was served is the person liable to abate the nuisance and that his default in so doing is wilful and without just cause, the person making such default shall be liable to a fine not exceeding £20, and the Court may make such further order as to the abatement and prohibition of recurrence of the nuisance as to the Court shall seem just. No appeal shall lie from the decision of the Ordinary Court.

Penalty for default in complying with notice to abate a nuisance

8.—If in any proceedings before the Ordinary Court in respect of default in complying with a requisition contained in a notice to abate a nuisance the Court shall have made

Penalty for failure to obey order of Court

- (a) an order directing the person so in default to comply with all or any of the requisitions contained in the notice, or otherwise to abate the nuisance in such manner and within such period as may be specified in the order, and to do any works necessary for that purpose; or
 - (b) an order prohibiting the recurrence of the nuisance and directing the execution of any works necessary to prevent the recurrence; or
 - (c) an order both requiring the abatement and prohibiting the recurrence; or
 - (d) when the nuisance proved to exist is such as to render the premises, in the judgment of the Court, unfit for human habitation, an order prohibiting the use thereof for that purpose;
- any person who fails to comply with such order of the Court shall be liable on conviction before the Royal Court

sitting as a Full Court to a fine not exceeding One hundred pounds, and the Court may make such further order as to the abatement and prevention of recurrence of the nuisance by the Sanitary Authority as to the Court shall seem expedient. No appeal shall lie from the decision of the Royal Court.

Liability for expenses of Sanitary Authority in abating a nuisance

9.—Where any person has failed to obey an order of the Court relating to the abatement or prevention of the recurrence of a nuisance, and in consequence of such failure the Sanitary Authority has abated the nuisance, such person shall, in addition to any penalty imposed by the Court in respect of his failure to obey such order, be liable for all the expenses incurred by the Sanitary Authority in abating or preventing the recurrence of the nuisance.

ARTICLE IV.

POWERS OF THE SANITARY AUTHORITY.

Requisition of Execution of necessary works. Closing Orders and Eviction Proceedings

1.—The Sanitary Authority is hereby empowered to require —

- (a) the execution of all such works and the doing of all such things as, in the circumstances of each case, may appear to the Sanitary Authority to be necessary for the abatement and the prevention of the recurrence of any nuisance: —
- (b) the evacuation, within such time and during such period as may be expedient, of any premises or any part thereof which, by reason of their condition, lack of sufficient sanitary installation or otherwise, are, in the opinion of the Sanitary Authority, unfit for occupation.

In any case in which the evacuation of any premises is required under this Ordinance, notice in writing to that effect shall be served by the Sanitary Authority on both the owner and the occupier of such premises. If the premises are not evacuated within the time specified in the notice or are re-occupied before the expiration of

the period specified in the notice, then, unless eviction proceedings at the instance of the owner of those premises or the execution of a judgment in pursuance thereof are or is still pending, the Sanitary Authority may take eviction proceedings against the occupier of those premises. The Sanitary Authority shall cite the owner to appear as a party to such proceedings, and the owner and occupier shall each be entitled to show cause why an eviction order should not be granted. The award of costs in the proceedings shall be in the discretion of the Court.

2.—If in any case a notice requiring the abatement of a nuisance has been duly served on the owner or occupier of the premises on which a nuisance exists, and there has been failure or delay in complying with any of the requisitions of such notice, or if such owner or occupier cannot be found, the Sanitary Authority is hereby empowered, subject to the provisions of this Ordinance, to enter on the premises and abate the nuisance at the expense of the person responsible for the existence thereof.

Execution
of work
left undone

ARTICLE V.

POWERS OF THE MEDICAL OFFICER OF HEALTH TO SPECIFY METHOD OF ABATING PARTICULAR NUISANCES.

The Medical Officer of Health, when specifying the steps required to be taken in order to abate or prevent the recurrence of a nuisance, is hereby further empowered to do or to require to be done such of the acts herein mentioned as may appear to him to be necessary according to the circumstances of each of the following cases, that is to say:—

Where it appears to the Medical Officer of Health that —

1.—Any premises or part of premises or any fixture or appliance therein —

Filthy or
verminous
premises

- (a) are or is in such a filthy or unwholesome condition that the health of any person is, or is likely to be, affected or endangered thereby;
- (b) are or is or contains any article infested with vermin;

the Medical Officer of Health may require such premises or part thereof, or such fixture, appliance or article therein, to be cleansed and purified within such time and by such means as he may prescribe; and for such purpose he may require, among other things, the removal of wallpaper or other covering on the walls, the white-washing or distempering of the walls and ceilings, the removal and repair or replacement of the floorboards, and the taking of such other steps as he may deem necessary for the destruction and extermination of vermin.

Foul ditches,
middens,
cesspools, etc.

2.—Any pool, ditch, gutter, watercourse, midden, privy, urinal, cesspool, drain or ashpit is so foul or in such a state as to be a nuisance or injurious to the public health, the Medical Officer of Health may require such pool, ditch, gutter, watercourse, midden or cesspool to be drained and the ground over or around such cesspool, drain or ashpit to be opened for the examination thereof; and the Medical Officer of Health may further require the cleansing and purifying of such pool, ditch, gutter, watercourse, midden, privy, urinal, cesspool, drain or ashpit within such time and by such means as he may prescribe, and the execution of such permanent or structural works as may appear to him to be necessary in order to abate and prevent the recurrence of the nuisance.

Overcrowding

3.—Any dwelling-house or part of a dwelling-house or any shop, factory, workshop or workplace is so overcrowded as to be dangerous or injurious to the health of the inmates thereof or the persons employed therein, the Medical Officer of Health may determine the maximum number of persons to be permitted to inhabit such house or part of such house, or to occupy or be

employed in such shop, factory, workshop or workplace; and the Medical Officer of Health may require the removal and exclusion therefrom of so many of the inmates or employees as are in excess of that number.

For the purposes of this section the following provisions shall have effect, that is to say:—

- (a) A dwelling-house or part of a dwelling-house shall not be deemed to be so overcrowded as to be dangerous or injurious to the health of the inmates thereof, if the number of cubic feet of space in any room therein bears to the number of persons inhabiting such room at any time between nine o'clock in the evening and six o'clock in the morning a proportion of not less than three hundred.
- (b) A shop, factory, workshop or workplace shall not be deemed to be so overcrowded as to be dangerous or injurious to the health of the persons employed therein, if the number of cubic feet of space in any room therein bears to the number of persons employed in the room a proportion of not less than two hundred and fifty.
- (c) In considering whether any dwelling-house or part of a dwelling-house which is used also as a shop, factory, workshop or workplace, or whether any shop, factory, workshop or workplace used also as a dwelling-house, is a nuisance by reason of overcrowding, the Medical Officer of Health shall have regard to the circumstances of such other user.

4.—Any occupied dwelling-house, or any shop, factory, workshop or other building occupied by persons for more than three hours at a time, is without a proper and sufficient supply of water, and that such supply of water can be furnished thereto at a cost not exceeding the water rate authorised by the Law relating to the supply of water by the States to the Inhabitants of this Island for the time being in force, the Medical Officer of Health

may require the owner of such house, shop, factory, workshop or other building to obtain such supply within a specified time, and to do all such works as may be necessary for that purpose.

Insufficient
or defective
sanitary
installation

5.—Any of the following premises, that is to say:—

- (a) any occupied dwelling-house;
- (b) any shop, factory, workshop or other building occupied by persons for more than three hours at a time;
- (c) any public hall, building certified for use for public meetings or public gatherings or refreshment house;

is not provided with a sufficient and suitable sanitary installation, having regard to the number of persons who may at any one time occupy or be present in such premises, the Medical Officer of Health may determine the extent and character of the sanitary installation requisite as regards such premises, and may require the owner thereof to make such alterations and additions thereto as may be necessary, and to provide and install in connection therewith within such time as the Medical Officer of Health may specify, a sanitary installation of such extent and character.

Shops, fac-
tories, &c.,
unclean or in-
sufficiently
ventilated

6.—Any shop, factory, workshop or workplace is not kept in such a cleanly state, or is not ventilated in such a manner, as to render harmless as far as practicable any gases, vapours, dust or other impurities generated in the course of the work carried on therein that are a nuisance or injurious to health, the Medical Officer of Health may require, among other things—

- (a) the inside walls, ceilings or tops of rooms (whether such walls, ceilings or tops are plastered or not) and the passages and staircases to be cleansed and purified and varnished, limewashed or distempered;
- (b) the provision of additional, or the enlargement of existing, windows, louvres or other means of ventilation;

- (c) the provision and installation and use of a fan or fans or other mechanical means of ventilation, together with the mechanism necessary to work the same.

7.—Any cistern used for the supply of water for domestic purposes is so placed, constructed or kept as to render the water therein liable to contamination, and thereby to cause, or be likely to cause, risk to health, the Medical Officer may require the cistern to be—

Contamina-
tion of water
cistern

- (a) drained, cleaned and purified; and
- (b) removed to such place, reconstructed, altered and thereafter kept in such manner and in such condition as to the Medical Officer of Health may appear necessary in order to avoid the risk of contamination.

8.—Any well, spring or stream the water from which is used for domestic purposes or for watering milch cows or in connection with any dairy or other place where the preparation or treatment of any article of food for human consumption is undertaken, is contaminated or is likely to become contaminated, thereby causing or being likely to cause risk to health, the Medical Officer of Health may require such work as may be necessary and practicable to be undertaken for the purpose of purifying the water in such well, spring or stream and of avoiding the contamination thereof and if, in the opinion of the Medical Officer of Health, the purification and avoidance of contamination thereof is impossible or impracticable, he may require that the water from such well, spring or stream be no longer used for any of the purposes aforesaid and that the well, spring or stream be rendered inaccessible for use as aforesaid and that an alternative supply of water be provided.

Contamina-
tion of well,
spring or
stream

9.—Nothing contained in this Article shall be deemed to limit or in any way affect the right of appeal conferred under the provisions of Section 6 of Article III. of this Ordinance.

Saving Right
of Appeal

PART 3.

INFECTIOUS AND CONTAGIOUS DISEASES.

ARTICLE VI.

DEFINITION OF INFECTIOUS AND CONTAGIOUS
DISEASES.

The following are diseases liable to be dealt with under this Ordinance:—

Cerebro Spinal Fever.
 Cholera.
 Diphtheria.
 Dysentery.
 Encephalitis Lethargica.
 Typhus.
 Typhoid Fever.
 Para Typhoid Fever.
 Relapsing Fever.
 Continued Fever.
 Plague.
 Acute Poliomyelitis.
 Acute polioencephalitis.
 Scarlet Fever.
 Small Pox.
 *Ophthalmia Neonatorum.
 *Puerperal Septicaemia.
 *Puerperal Sepsis.
 *Tuberculosis.
 *Scabies. †

Provided that with regard to the five diseases marked with an asterisk, only Article VII. of this Part of this Ordinance shall apply.

† Asterisk deleted and additions made to list by The Public Health Amendment Ordinance, 1949.

In any case in which any of such five diseases is present or suspected, the Medical Officer of Health shall take such steps as, in his opinion, are necessary in order to prevent the spreading thereof.

ARTICLE VIi.

NOTIFICATION OF DISEASE.

1.—Where an inmate of any premises used for human habitation is suffering from an infectious or contagious disease, the following provisions shall have effect, that is to say:—

- (a) the head of the family to which such inmate (in this Ordinance referred to as the patient) belongs, and, in his default, the nearest relatives of the patient present in the premises, or being in attendance on the patient, and in default of such relatives, every person in charge of or in attendance on the patient, and in default of any such person, the master of the premises, shall, as soon as he becomes aware that the patient is suffering from an infectious or contagious disease, send notice thereof to the Medical Officer of Health.
- (b) every medical practitioner attending on or called in to visit the patient shall forthwith, on becoming aware that the patient is suffering from an infectious or contagious disease, send to the Medical Officer of Health a certificate stating:
- (i) the name of the patient;
 - (ii) the situation of the premises;
 - (iii) the disease from which, in the opinion of the medical practitioner, the patient is suffering.

2.—Every person required by the foregoing section to give notice or send a certificate who fails so to do shall be liable to a fine not exceeding £5.

Provided that, if a person is not required to give notice in the first instance, but only in default of some other person, he shall not be liable to any fine if he

Notification
by head of
family, &c.

By Medical
practitioner

Penalty for
failure to
notify

satisfies the Court that he had reasonable cause to believe that the notice had been duly given.

Certificate
Payment for

3.—The Board shall pay to the medical practitioner the sum of one shilling and sixpence in respect of each certificate sent by him to the Medical Officer of Health under this Article.

ARTICLE VIII.

PREVENTION OF SPREAD OF INFECTION.

Powers of
M.O.H.:
Isolation of
patient

1.—On the receipt of a certificate from a medical practitioner or other notification that any person is suffering from an infectious or contagious disease, the Medical Officer of Health may enter and inspect the premises in which the patient resides, and may order the patient to be isolated therein; or, if in the opinion of the Medical Officer of Health, the premises are such that adequate precautions to prevent the spread of infection cannot be taken therein, he may order the patient to be removed therefrom forthwith, or within such time as he may specify, and conveyed to an isolation hospital or other suitable place at the expense of the States.

Disinfection
of premises

2.—(a) Where on examination of any premises or part of premises, or otherwise, it appears to the Medical Officer of Health that the cleansing and disinfecting thereof and of any articles therein likely to retain infection, or the destruction of those articles, would tend to prevent or check the spread of infection, the Medical Officer of Health may require that the premises or part thereof shall be cleansed and disinfected and that the articles therein shall be cleansed and disinfected or destroyed by a sanitary inspector under the supervision of the Medical Officer of Health, and at the cost of the States.

Compensa-
tion for
articles
destroyed

(b) In any case in which the Medical Officer of Health has required the destruction of any article under this section, the Board, on proof of the destruction of the article, is hereby authorised to pay to the owner thereof such compensation for the loss thereof as to the Board

shall seem just. In the event of a dispute arising as to the value of such article such dispute shall be settled by arbitration before the Police Court Magistrate, whose decision thereon shall be final.

3.—Where it appears to the Medical Officer of Health that any person has come in contact with a patient suffering from an infectious or contagious disease, or that any person who resides in the premises occupied by the patient is likely to become infected, the Medical Officer of Health may require such person to be isolated and examined by a medical practitioner, and to remain in his home or in such premises until a medical practitioner shall certify him to be free from infection.

4.—Every medical practitioner having the care (whether in a hospital or elsewhere) of a patient shall, as soon as he has reason to believe that the patient is no longer infectious or contagious, give notice to that effect to the Medical Officer of Health, and if the Medical Officer of Health is satisfied that the isolation of the patient is no longer necessary, and that the premises (other than a hospital) in which the patient has resided during any period of infection, and all such articles therein as may have been infected, have been adequately disinfected or (as regards the articles) destroyed, the Medical Officer of Health or, in the case of a patient who has been isolated elsewhere than in an isolation hospital, the medical practitioner who has been attending the patient, may thereupon issue to the patient, or to the parent or guardian of such patient, a certificate stating that the patient is no longer required to be isolated.

5.—If any person who has been ordered to be isolated leaves, or, in the case of a person under the age of sixteen, if any person having the charge of such person, permits him to leave, an isolation hospital or other place in which he has been isolated, without having in his possession a certificate signed by the Medical Officer of Health or, in the case of a person who has been isolated elsewhere than in an isolation hospital, by the medical

practitioner who has been attending that person, entitling him so to do, that person so leaving or permitting a person under the age of sixteen to leave, shall be liable to a fine not exceeding £10.

Penalty for
permitting
infected
pupil to
attend
school

6.—If any person knowingly permits—

(a) a pupil who is suffering from an infectious or contagious disease, or

(b) a pupil who is residing in premises infected with an infectious or contagious disease, as regards whom a certificate stating that he is free from infection has not been obtained from a medical practitioner,—

to attend any school, such person shall be liable to a fine not exceeding £10.

Penalty on
Schoolmaster

7.—If any person, having the charge of a public or private school, knowingly permits any pupil, master or mistress who resides in any premises infected with an infectious or contagious disease to attend such school, such person shall, unless before so doing he has obtained from a medical practitioner a certificate stating that such pupil, master or mistress is free from infection, be liable to a fine not exceeding £10.

Inspection
of Schools

8.—The Medical Officer of Health is hereby empowered from time to time to enter any public or private school and to examine any pupil therein in order to ascertain if any such pupil is suffering from an infectious or contagious disease, and to require such measures to be taken by the person in charge of the school as, in the opinion of the Medical Officer of Health, are necessary in order to prevent the spread of infection.

PART 4.

ARTICLE IX.

INSPECTION OF FOOD, FARMS AND DAIRIES.

Powers of
M.O.H. to
inspect and
condemn
food

1.—The Medical Officer of Health is hereby empowered to inspect and examine, at all reasonable times, all articles intended for human consumption which are sold or exposed for sale or deposited in any place for the purpose

of sale or of preparation for sale, and if any such article appears to the Medical Officer of Health to be diseased or unsound or unwholesome or unfit for human consumption or otherwise harmful to the public health, he may seize and confiscate the same and order the destruction or other disposal thereof, so as to prevent such article from being exposed for sale or used for human consumption; and if the person to whom such article belongs, or did belong at the time of such inspection or examination, or in whose possession or on whose premises such article was found, does not destroy or dispose of such article within the time and in the manner specified by the Medical Officer of Health, such person shall be liable for all expenses incurred by the Sanitary Authority in connection with the destruction or other disposal of such article.

Provided that such person shall, if he so request, be permitted, before any article is so destroyed or otherwise disposed of, to cause the same to be examined within a reasonable time, by a witness or witnesses on his behalf. And the Board shall be liable to pay compensation in respect of any articles destroyed or rendered unfit for human consumption by reason of an order of the Medical Officer of Health mistakenly given under the provisions of this Section.

2.—(a) A Sanitary Inspector is hereby empowered to enter and inspect any farm building, stable or other building in which cows or goats are milked and any premises on which the cattle or goats are kept, and any dairy, shop or other place in which milk, butter or other dairy produce is kept, treated, processed, prepared, blended, sold, or offered for sale, and to examine any utensil used for the reception, storage, treatment, processing, preparation, blending or transport of milk or other dairy produce, and the Medical Officer of Health is hereby empowered to require all such steps to be taken in respect of the premises and of the utensils and the contents thereof as, in his opinion, may be necessary in order to safeguard health.

Inspection
of farms
and
dairies

Certificate of
M.O.H. to
Constables
and service
by
Constables
of Notice

(b) Where the Medical Officer of Health requires any step to be taken to safeguard health as regards any of the premises or utensils mentioned in the last subsection, he shall issue to the Constables of the Parish in which the premises are situated a certificate specifying the step required by him to be taken in relation thereto and the reasons for the same and thereupon the Constables of that parish shall proceed as nearly as may be in accordance with the provisions of Section 5 of Article III. of this Ordinance.

Right of
Appeal

(c) An appeal shall lie from the requirements of any notice served under this section in the same way, to the same extent and upon the same conditions as are specified in Section 6 of Article III. of this Ordinance with regard to an appeal from the terms of a notice requiring the abatement of a nuisance and the provisions of Sections 7, 8 and 9 of that Article shall apply in relation to the subject matter of this section in the same manner, as nearly as may be, as they apply respectively as regards default in complying with a requisition contained in a notice to abate a nuisance or failure to comply with an Order of the Court made in any proceedings in respect of default in complying with any such requisition.

PART 5.

EMERGENCY POWERS AND MISCELLANEOUS.

ARTICLE X.

POWERS IN CASE OF EMERGENCY SO DECLARED.

Declaration
of
Emergency.
Powers of
Sanitary
Authority in
Emergency

1.—(a) If, in the opinion of the Board, there should at any time arise an emergency rendering necessary or expedient the taking of measures in the interests of the health of the public or any section thereof which are beyond the powers of the Sanitary Authority to take under this or any other enactment for the time being in force (other than this Article), the Board may apply to

the Royal Court sitting as an Ordinary Court or as a Full Court for a declaration that a state of emergency exists in regard to the public health and, upon the Royal Court making such a declaration and until such declaration has been revoked, the Sanitary Authority is hereby empowered to do all such things and to issue all such orders as may appear to the Sanitary Authority to be necessary or expedient in the circumstances.

(b) Any such declaration, if made by the Ordinary Court, shall cease to be operative unless confirmed by the Royal Court sitting as a Full Court not later than ten days after the making of such declaration.

(c) It shall be the duty of the Board to report to the Royal Court sitting as a Full Court upon the cessation of any such emergency and the Royal Court may thereupon revoke any declaration in regard thereto then operative.

2.—If, during the period of operation of any such declaration, any person shall wilfully hinder or obstruct the doing of any act or thing done or ordered to be done by the Sanitary Authority or shall wilfully disobey any order given to him by the Sanitary Authority, he shall be liable to a fine not exceeding £100.

Hindrance,
obstruction,
and disobe-
dience
during
emergency

3.—No appeal shall lie against any order given by the Sanitary Authority during the period of operation of any such declaration but the remedy of any person claiming to be aggrieved or to have suffered hardship by reason of having been compelled under this Article to comply with any such order shall be by way of petition to the Royal Court sitting as a Full Court and the Royal Court is hereby empowered, after hearing representations on behalf of the petitioner and of the Board and of the States Board of Administration in the matter, to make such award as in the opinion of the Royal Court is just and equitable. No appeal shall lie against the decision of the Royal Court.

Remedy of
aggrieved
person

ARTICLE XI.

MISCELLANEOUS.

Cost of transport to and treatment in isolation hospital

1.—The cost of transport to, and of maintenance and treatment in, an isolation hospital of a patient sent to such hospital by the order of the Medical Officer of Health, as provided in Part 3 of this Ordinance, shall be borne by the States.

Provided that any patient, or the person having the charge of any patient may, if he so desires, himself defray such costs.

Poverty of person required to abate nuisance

2.—Where the owner or occupier of any premises or part thereof is, from poverty or otherwise, unable, in the opinion of the Board, effectually to carry out the requirements of the Medical Officer of Health in respect of the abatement of a nuisance or the prevention of the spread of infection, the Board may, without enforcing such requirements on such owner or such occupier, abate the nuisance or disinfect the premises or part thereof and the articles therein, and defray the expense of so doing.

Failure of Constables to serve notice

3.—In any case where the Medical Officer of Health has certified to the Constables of a parish his requisitions in respect of the abatement of a nuisance, and the Constables neglect for more than 48 hours after the receipt of the certificate of the Medical Officer of Health to serve any notice in respect thereof required in this Ordinance to be served by them, the Medical Officer of Health is hereby empowered to serve such notice.

Penalty for letting infected rooms, &c.

4.—Any person who knowingly lets for hire any dwelling-house, room or part of a house in which any person has been suffering from an infectious or contagious disease, unless such house, room or part of a house and all articles therein liable to retain infection, have been disinfected to the satisfaction of the Medical Officer of Health, as testified by a certificate signed by him, shall be liable to a penalty not exceeding £25.

5.—Any person who knowingly conveys any person in any vehicle after that vehicle has been used for the conveyance of a person who is suffering from an infectious or contagious disease, unless that vehicle and all articles therein liable to retain infection have been disinfected to the satisfaction of the Medical Officer of Health, shall be liable to a penalty not exceeding £10.

Penalty
for using
infected
vehicle

6.—Whenever in any proceeding under the provisions of this Ordinance, it becomes necessary, whether in writing or otherwise, to mention or refer to the owner or occupier of any premises, it shall be sufficient to designate him as the “owner” or “occupier” of such premises, without name or further description.

Designation
of owner
and occupier

7.—Any person who enters an isolation or other hospital in which a person suffering from an infectious or contagious disease is confined, without the permission of the Medical Officer of Health first obtained, shall be liable to a fine not exceeding £10.

Penalty for
unauthorised
entry into
isolation
hospital

8.—All powers given by this Ordinance shall be in addition to and not in derogation from any other powers conferred by the Order in Council entitled “Loi relative à la Santé Publique, 1934” registered on the Records of this Island on the 17th March 1934; and nothing in this Ordinance shall exempt any person from any penalty to which he may become liable under the Order in Council aforesaid, but so that a person shall not be punished twice for the same offence.

Powers to be
additional

PART 6.

PENALTIES AND REPEALS.

ARTICLE XII.

PENALTIES.

Unless otherwise provided in this Ordinance:—

1.—Any person who wilfully hinders or obstructs any sanitary inspector in the execution of his duties under this Ordinance shall be liable to a fine not exceeding £5.

Hindrance or
obstruction

Wilful
disobedience

2.—Any person who wilfully disobeys any order duly given under this Ordinance by the Sanitary Authority shall be liable to a fine not exceeding £10.

ARTICLE XIII.

REPEALS.

The Ordinances specified in the Second Schedule to this Ordinance are hereby repealed.

Provided that such repeal shall not affect any penalty, forfeiture or punishment incurred in respect of any contravention of any Ordinance so repealed nor any investigation, legal proceedings or remedy in respect of any such penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Ordinance had not been passed.

SCHEDULE I.

FORM OF NOTICE REQUIRING ABATEMENT OF NUISANCE

To (Owner or occupier of the premises on which the nuisance exists, as the case may be).

Take notice that under the provisions of the Public Health Ordinance, 1936, the Medical Officer of Health, being satisfied of the existence of a nuisance at (describe premises where nuisance exists) arising from (describe cause of nuisance) hereby requires you within days from the service of this notice to abate the same and for that purpose to (state the things required to be done or works to be executed).

If you make default in complying with the requisitions of this notice, or if the said nuisance, although abated, is likely to recur, a summons may be issued requiring your attendance to answer a complaint which may be made to the Royal Court for enforcing the abatement of the nuisance, and prohibiting a recurrence thereof, and

for recovering the costs and penalties that may be incurred thereby.

Dated this day of 19

Signature

*Constable of the parish of.....

Guernsey.

NOTE.—(a) If the cost of executing the works set out in the above notice will exceed £10, you are entitled to appeal to the Royal Court sitting as an Ordinary Court against the requirements contained in the above notice.

Provided that:—

1.—Within 3 days after the receipt hereof you deliver to me, or to the Medical Officer of Health, The Grange, St. Peter-Port, a notification in writing of your intention to appeal herefrom; and

2.—The appeal be brought before the Ordinary Court within seven days after the receipt hereof, or, if within that period no sitting of the Ordinary Court be held, then at the next sitting of the Ordinary Court.

(b) This notice does not exempt you from the necessity of obtaining permission from the Constables and Douzaine, the Construction of Houses Committee or the Natural Beauties Committee, in cases where such permission is necessary to carry out the requirements of this notice.

SCHEDULE II.

ORDINANCES REPEALED.

Les dispositions restant encore en vigueur des Ordonnances par rapport à la Santé Publique et aux Mesures et Règlements Sanitaires passées le: —

28 octobre 1848

5 février 1850

†9 février 1850

30 septembre 1850

20 janvier 1851

28 avril 1851

6 octobre 1851

19 janvier 1852

Tome III
du Recueil
d'Ordonnances

*“ Medical Officer of Health ” substituted by the Public Health Ordinance, 1936, Amendment Ordinance, 1950.

†“ 8 avril 1850 ” substituted by the Public Health Amendment Ordinance, 1940

3 octobre 1853

2 octobre 1854

5 octobre 1857

1 octobre 1860.

- Tome IV
p. 62 L'Ordonnance Provisoire concernant la Salubrité Publique de la Ville et Paroisse de St. Pierre Port passée le 1er octobre 1866.
- Tome IV
p. 341 L'Ordonnance concernant la Salubrité Publique des paroisses du Castel, de Saint Sauveur, de Saint Pierre du Bois, de Torteval, de la Forêt, de Saint Martin et de Saint André passée le 30 septembre 1895.
- Tome IV
p. 375 L'Ordonnance concernant la Salubrité Publique dans les paroisses de Saint Samson et du Valle passée le 5 octobre 1896.
- Tome IV
p. 376 L'Ordonnance supplémentaire concernant la Salubrité Publique passée le 5 octobre 1896.
- Tome IV
p. 387 L'Ordonnance concernant la Salubrité Publique passée le 18 janvier 1897.
- Tome V
p. 135 L'Ordonnance relative aux Maladies Contagieuses passée le 18 mars 1904.
- Tome V
p. 199 L'Ordonnance relative aux Maladies Contagieuses passée le 19 avril 1909.
- Tome VI
p. 51 L'Ordonnance relative à la Gale rendue permanente le 18 janvier 1932.
- Tome VI
p. 52 L'Ordonnance supplémentaire aux Ordonnances concernant la Salubrité Publique rendue permanente le 18 janvier 1932.
- Tome VI
p. 115 L'Ordonnance relative à la Salubrité Publique rendue permanente le 18 janvier 1932.
- Tome VI
p. 117 L'Ordonnance supplémentaire à l'Ordonnance relative aux Maladies Contagieuses rendue permanente le 18 janvier 1932.
- Tome VI
p. 118 L'Ordonnance supplémentaire à l'Ordonnance relative aux Maladies Contagieuses rendue permanente le 18 janvier 1932.