

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STATES ON THE 1st JANUARY, 1950, AND WHICH HAD NOT BEEN REPEALED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 1st OCTOBER, 1952.

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

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ORDINANCES

OF THE STATES

Ordonnance par rapport à la Publication des Annonces Officielles (Le 21 mars 1936)

VU les dispositions de la Loi par rapport à la Publication des Annonces Officielles sanctionnée par Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 21 mars 1936;

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle l'Ordonnance par rapport aux Annonces Officielles passée le 12 mai 1934 et, par voie des Règlements suivants rédigés en anglais, a ordonné et ordonne:—

1.—The Law entitled “Loi par rapport à la Publication des Annonces Officielles (1936)” (hereinafter referred to as the Official Publications Law 1936) shall come into operation on Monday the 30th day of March 1936.

*2.—(a) Every notice required by Law, Ordinance or Custom before the appointed date to be published in *La Gazette de Guernesey* or to be published therein and in one or more of the local daily newspapers or to be published in *La Gazette de Guernesey* and in the “Cadre” of one or more of the Parish Churches or to be published in one or more of the foregoing manners and also in the “Cadre” in the Vestibule of the Royal Court or to be published only in the “Cadre” of one or more of the Parish Churches shall, after the appointed date, be published in accordance with the provisions of this Ordinance on Tuesday (hereinafter referred to as

* Amended by the Official Publications Ordinance, 1948.

“publication day”) in all the ordinary editions appearing on that day of the newspapers known as *Guernsey Evening Press* and *The Star* (such method of publication being hereinafter referred to as “the appointed manner”).

Provided that when Christmas Day or any general holiday (jour férié) falls on a Tuesday, every such notice shall be published in all the ordinary editions of those newspapers appearing on the previous Monday or, if that Monday be Christmas Day or a general holiday (jour férié) then on the following Wednesday and notices published in accordance with the provisions of this Ordinance on that Monday or that Wednesday shall be deemed to be published in the appointed manner and that Monday or that Wednesday shall be deemed to be publication day.

(b) The publishers of the two newspapers last mentioned in sub-section (a) of this Section shall accept for publication and shall publish in the appointed manner and on the appropriate number of occasions, of which the first or only occasion, as the case may be, shall be the next succeeding publication day, all notices required by Law, Ordinance or Custom to be published which shall be presented at their respective offices,—marked “For publication in *La Gazette Officielle*” and with the number of occasions on which the same is to be published and authenticated with the signature, stamp or seal of an Official or Advocate of the Royal Court, or of a President of a States Committee, or of a States or Parochial Official as may be appropriate,—not later than five o'clock p.m. on the weekday, not being a general holiday (jour férié), next preceding any publication day.

La Gazette
Officielle

3.—The first column of the last page but one of each of the aforesaid editions shall bear at the commencement thereof the Arms of the Island of Guernsey followed by the words *La Gazette Officielle* and all notices referred to in the last foregoing section of this Ordinance shall be published in consecutive order thereafter.

*4.—(a) Every notice hitherto required to be published on one occasion shall henceforth be published once in the appointed manner. Number of publications

(b) Every notice hitherto required to be published on two occasions or three occasions shall henceforth be published in the appointed manner on two occasions, that is to say, once in each of two successive weeks.

(c) Every notice hitherto required to be published in *La Gazette de Guernesey* and in one or more of the local daily newspapers shall henceforth be published in the appointed manner on the number of occasions, not exceeding two, hitherto required as regards publication thereof in *La Gazette de Guernesey* and no further or other publication thereof in any local daily newspaper shall be required to be made.

5.—As regards notices which have already been published in *La Gazette de Guernesey*, or in *La Gazette de Guernesey* and the “Cadre” of one or more of the Parish Churches, or in the “Cadre” of one or more of the Parish Churches before the appointed date and which, but for the coming into operation of the Official Publications Law 1936, would have been required to have been again so published, the publication of such notices shall be completed as follows:—

- (a) if three such publications in regard thereto were required and one such publication has been made, by two further publications in the appointed manner;
- (b) if three such publications in regard thereto were required and two such publications have been made or if two such publications in regard thereto were required and one such publication has been made, by one further publication in the appointed manner.

6.—The provisions of this Ordinance shall in no wise limit or affect or be deemed to render unnecessary the publication in the “Cadre” in the Vestibule of the Royal Publications in the “Cadre” of the Royal Court

* See Ordinance of 2nd March, 1940, as to publication of an “Acte de permis évoquer”.

Court of any notice required by Law, Ordinance or Custom to be published therein nor shall publication in the appointed manner under the provisions of this Ordinance of any notice convening a Parish Meeting in any Parish as regards which, under the proviso to Section 1 of the Official Publications Law of 1936, a decision of the "Chefs de Famille" of that Parish to the effect that such notice be published in the "Cadre" of the Church of that Parish is operative, be a sufficient publication thereof.

No part of
La Gazette
de Guernesey
to be styled
"Partie
Officielle"

7.—After Saturday, the 28th day of March, 1936, the publishers of the newspaper known as *La Gazette de Guernesey* shall cease to be entitled to style any part thereof as "Partie Officielle".

**Ordonnance par rapport à la Publication des Annonces
Officielles (1940). (Le 2 mars 1940).**

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

"Acte de
permis
évoquer"

1.—Notwithstanding the provisions of Section 4 of the Ordinance entitled "Ordonnance par rapport à la Publication des Annonces Officielles" dated the 21st day of March, 1936, and hereinafter referred to as "the principal Ordinance", the publication in the appointed manner of an "Acte de permis évoquer" on one occasion, instead of on two occasions as heretofore, shall henceforth be a sufficient publication thereof.

Provided that no proceedings following upon the publication of an "Acte de permis évoquer" shall be taken until after the expiration of the seven days next following the date of the publication of that "Acte".

"The
appointed
manner"

2.—In this Ordinance the expression "the appointed manner" is to be construed in accordance with the provisions of the principal Ordinance.

The Official Publications Ordinance, 1948.
(3rd July, 1948)

WHEREAS during the recent emergency and the occupation of this Island by the German Forces, Ordinances modifying the provisions of the Ordonnance par rapport à la Publication des Annonces Officielles passed on the 21st day of March, 1936, in a manner appropriate to the conditions existing from time to time during such emergency and such occupation, were passed on the 2nd day of September, 1939, the 13th day of April, 1940, the 31st day of January, 1942, the 16th day of September, 1944, the 12th day of October, 1944, and the 22nd day of January, 1945, respectively:

WHEREAS certain of such Ordinances were expressed to be passed by virtue of, and to remain in force only so long as, the Emergency Powers (Guernsey Defence) Order in Council, 1939:

WHEREAS the Ordinance of the 22nd day of January, 1945, purported to repeal the Ordinances of the 16th day of September and the 12th day of October, 1944:

WHEREAS doubts have since arisen as to the time construction and effect of the Ordinances first hereinbefore recited, and as to the extent of the present applicability of the provisions of the said Ordinance of the 21st day of March, 1936:

WHEREAS it is desired to remove such doubts:

THE COURT, therefore, by virtue of the powers vested in it by the Loi par rapport à la Publication des Annonces Officielles (1936), having heard His Majesty's Procureur concerning the premises, hereby orders:—

1. The enactments set out in the Schedule hereto, Ordinances so far as the same are in force and have effect, are ^{repealed} hereby repealed.

2. On and after the 1st day of August, 1948, every Manner of notice required by Law, Ordinance or Custom to be ^{publication} published in "La Gazette Officielle" shall be deemed

to have been properly published therein if the same shall appear on the number of weekly occasions prescribed by Law or Ordinance and in the manner prescribed by Section 3 of the "Ordonnance. par rapport à la Publication des Annonces Officielles" of the 21st day of March 1936, (No. XIII of 1936), (hereinafter called "the 1936 Ordinance") in the ordinary edition or editions appearing on any one weekday, not being a general holiday (jour férié), of each of the newspapers known as "Guernsey Evening Press" and "The Star" and for the purposes of the 1936 Ordinance and notwithstanding any of the provisions thereof any such weekday shall be deemed to be "publication day" and publication in the manner hereby prescribed shall be deemed to be publication in "the appointed manner".

PROVIDED that any notice of or in relation to any impending event or proceeding which is required to be published in "La Gazette Officielle" so as to provide for the lapse of a specific period of time between the completion of the publication of the notice and the happening of that event or proceeding shall continue to be published in the appointed manner in accordance with that requirement and, as respects any notice of or in relation to an impending event or proceeding in the Royal Court or any Division thereof as regards which there exists no such requirement, publication in "La Gazette Officielle" shall be made in the appointed manner so as to allow for the lapse of not less than two complete weekdays, neither of which shall be a general holiday (jour férié), between the date of the completion of such publication and the date of such event or proceeding:

PROVIDED ALSO that the validity of the publication of any notice published before the 1st day of August, 1948, shall not be affected by the operation of this Ordinance and where any such notice has been published on less than the requisite number

of occasions, complete publication of that notice shall be effected by publishing it in accordance with the provisions of this Ordinance on so many further occasions as, with the number of occasions on which it has already been published shall together amount to the requisite number of occasions.

SCHEDULE.

Ordonnance provisoire par rapport à la Publication des Annonces Officielles relatives à la Défense du Bailliage de l'Île de Guernesey (1939).

Ordonnance provisoire de 1940 portant amendement à l'Ordonnance provisoire par rapport à la Publication des Annonces Officielles relatives à la Défense du Bailliage de l'Île de Guernesey (1939).

Ordonnance provisoire par rapport à la Publication des Annonces Officielles (1942).

Ordonnance provisoire par rapport à la Publication des Annonces Officielles (1944).

Ordonnance provisoire par rapport à la Publication de certaines Annonces Officielles y compris celles relatives à la Défense du Bailliage de l'Île de Guernesey (1944).

Ordonnance provisoire relative à la Publication des Annonces Officielles, 1945.

Ordonnance par rapport aux Chaudières (1936)

(Le 4 avril 1936)

VU que la sureté publique demande que des règlements soient faits par rapport aux Chaudières usitées en cette Ile:

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

DEFINITIONS.

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

“ Board ” means the States Board of Administration.

“ Boiler ” means any closed vessel, whether stationary or mobile and whether separate or one of a range, used for the purpose of generating steam in any place in connection with any trade, industry or calling but shall not include any boiler on board a steamship having a certificate from the Board of Trade.*

“ Explosion ” means the sudden and violent rending or displacement of any part of a boiler by force of internal steam or fluid pressure accompanied by the forcible ejection of the contents, or part thereof, of the boiler.

“ Owner ” includes the person having the possession or control of a boiler.

“ Person ” includes a company and an association or body of persons, corporate or unincorporate.

“ Policy of Insurance ” includes a Covering Note.

Words used in the singular include the plural of such words and vice versa.

Unlicensed
boilers

2.—On and after the first day of July One thousand nine hundred and thirty-six, any person who uses, or causes or permits to be used, in this Island, any boiler as regards which a licence under this Ordinance is not in force, shall be guilty of an offence and on conviction shall be liable to a fine not exceeding £50.

Licences

3.—(a) No licence authorising the use of a boiler shall be issued under this Ordinance unless the Board is satisfied that the boiler is equipped with a proper safety valve, a proper steam gauge and water gauge to show the pressure of steam and the height of water in that boiler and all other necessary mountings, and that there is in force in relation to that boiler such a policy of insurance as complies with the requirements of this Ordinance.

(b) Every such licence shall be renewable subject to the fulfilment of the conditions of this Ordinance as regards the issue of a licence and subject to such

* Amended by The Boilers (Amendment) Ordinance, 1950.

modifications in the terms thereof as may be necessary, in the opinion of the Board, to ensure the safety of the public and persons working in connection with the boiler.

(c) Every such licence and every certificate of renewal of such licence shall expire on the date of expiry of the term of such policy of insurance as was the current term thereof at the time of the issue or renewal of the licence, as the case may be.

4.— In order to comply with the requirements of this ^{Policies of insurance} Ordinance, a policy of insurance must be:—

- (a) a policy issued by an insurer who —
- (i) is an insurer approved by the Board; and
 - (ii) before issuing a policy in relation to any boiler, causes such boiler to be examined by a competent person; and
 - (iii) causes every boiler to which a policy issued by him relates to be examined thoroughly by a competent person at least once in every calendar year and in addition to such thorough examination, causes every such boiler to be examined under steam at least once in every calendar year by a competent person for the purpose of checking the accuracy of the pressure gauge and the loading of the safety valve and of ascertaining the condition of the remaining mountings and of the boiler generally.
- (b) a policy which, subject to the exceptions, definitions and conditions thereof, indemnifies such person as may be specified therein, in an amount of not less than One thousand pounds in all in any year of insurance as regards every boiler to which the policy relates, in respect of the following risks:—
- (i) Damage to the Boiler or to other property of the person insured;
 - (ii) Liability of the person insured for damage to property not belonging to the person insured;

(iii) Liability of the person insured on account of fatal or non-fatal injuries sustained by any person or persons not in the service of the person insured;

arising as the direct consequence of and solely due to the explosion or collapse of the boiler whilst in the course of ordinary working.

(c) a policy which and of which every renewal is accompanied by a certificate (in this Ordinance referred to as a "certificate of insurance") in the form set out in the First Schedule to this Ordinance.

Conditions
for issue and
renewal of
licences

5.— Every owner of a boiler in this Island who desires to obtain a licence or the renewal of a licence under this Ordinance shall make a written application to the Board in the form set out in the Second Schedule to this Ordinance and if at the time such application is made —

(a) the Board is satisfied that the boiler is properly equipped with the mountings specified in Section 3 (a) of this Ordinance and that there is in force in relation to the boiler such a policy of insurance as complies with the requirements of this Ordinance; and

(b) there is produced to the Board a certificate of insurance in respect of such boiler in the form set out in the First Schedule to this Ordinance: and

(c) there is paid to the Board by, or on behalf of, such owner in respect of such application a fee of two shillings and sixpence;

the Board shall issue to such owner a licence or a certificate of renewal of a licence, as the case may be, in whichever of the forms set out in the Third Schedule to this Ordinance is appropriate, which licence and certificate of renewal shall contain the number allotted to the boiler by the Board.

Power
to enter
premises
to inspect

6.— For the purpose of securing compliance with the provisions of this Ordinance, the Board by their agent thereunto by them appointed (hereinafter referred to as

premises in which such inspector has reason to believe a boiler is used, and to inspect such boiler. Every such inspector shall be furnished by the Board with written authority, signed by the President, Vice-President or Acting President of the Board, to enter such premises for the purposes aforesaid and shall, if so requested, produce such authority before entering such premises.

7.—The owner of a boiler, on being requested so to do, shall produce to any inspector the owner's licence or certificate of renewal issued by the Board in respect of such boiler. Licences must be produced on request

8.—On the occurrence of an explosion from any boiler to which this Ordinance applies, notice thereof in the form specified in the Fourth Schedule to this Ordinance shall, within twenty-four hours thereafter, be sent to the Board by the owner. Boiler explosions

The notice shall state the number assigned to the boiler by the Board, the precise locality as well as the day and hour of the explosion, the number of persons killed or injured (if any), the purposes for which the boiler was being used and the pressure at which the boiler was being worked at the time of the explosion, the part of the boiler which failed and the extent of the failure.

9.—(a) The Board may at any time suspend or revoke the validity of a licence or a certificate of renewal of a licence granted under this Ordinance if the Board has reason to believe that the boiler in respect of which such licence or certificate of renewal was issued is unfit to be used or is being or has been used in a manner dangerous to the public or to any person employed in connection therewith and the Board may from time to time make such modifications in the conditions contained in any licence or certificate of renewal issued under this Ordinance as it may deem proper in the interest of the safety of the public or of any person employed in connection with any boiler. Suspension or revocation of licences

(b) Every decision of the Board suspending or revoking the validity of a licence or a certificate of renewal of a licence shall be forthwith notified in writing

(c) Any person aggrieved by a decision of the Board suspending or revoking the validity of a licence or of a certificate of renewal of a licence or modifying the conditions thereof may appeal therefrom to the Royal Court sitting as an Ordinary Court, whose decision shall be final.

Provided that, notwithstanding such appeal, the suspension, revocation or modification decided upon by the Board shall continue until the Court shall otherwise direct.

Number of
licence and
steam
pressure to
be marked
on boiler
casing

10.—The owner of every boiler in respect of which a licence or a certificate of renewal of a licence is issued under this Ordinance shall, before such boiler is first used after the issue of such licence or certificate of renewal, cause to be marked on the casing of the boiler in clearly legible letters and figures —

- (a) the number assigned to the boiler in the licence or certificate of renewal of the licence; and
- (b) the maximum steam pressure which may with safety be generated in such boiler, as specified in the licence or certificate of renewal of the licence relating thereto;

and the number assigned to the boiler and such maximum steam pressure (with such alterations as may be necessary from time to time to conform with the contents of the licence or certificate of renewal then current in respect of such boiler) shall continue to be so marked during the period of currency of any such licence or certificate.

Licence to be
surrendered
on change of
ownership
of boiler

11.—(a) If, during the period for which a licence or a certificate of renewal of a licence issued under this Ordinance was issued, the owner of the boiler to whom the licence or certificate of renewal was issued ceases to be the owner thereof, the licence or certificate of renewal shall cease to be in force and such owner shall forthwith surrender the same to the Board.

Suspension
or
cancellation
of licence

(b) If the owner of a boiler is notified by the Board that the licence or certificate of renewal of the licence issued to him in respect of that boiler has been suspended

or cancelled or that the conditions therein have been modified, such owner shall forthwith surrender such licence or certificate of renewal to the Board.

12.—Notwithstanding anything contained in this Ordinance or in any licence or certificate of renewal of a licence issued under this Ordinance, such licence or certificate of renewal shall cease to be in force upon the happening of any event whereby a policy of insurance complying with the requirements of this Ordinance ceases to be operative in relation to the boiler to which such licence or certificate of renewal relates and, upon the happening of any such event, it shall be the duty of the owner of the boiler forthwith to report the same to the Board and to surrender to the Board such licence or certificate of renewal.

13.—Any person who wilfully hinders or obstructs any inspector in the execution of any of his duties under this Ordinance shall be guilty of an offence and on conviction shall be liable to a fine not exceeding £10.

14.—Any person who wilfully renders ineffective or inaccurate any pressure gauge or other means of registering the pressure of steam generated in a boiler or who wilfully generates steam therein at a pressure in excess of the maximum pressure specified in the licence or certificate of renewal of the licence relating to that boiler shall be guilty of an offence and on conviction shall be liable to a fine not exceeding £50.

15.—Except where otherwise provided, any person who acts in contravention of or fails to comply with any of the provisions of this Ordinance shall be liable to a fine not exceeding £10.

16.—The provisions of these Regulations shall in no way limit or affect the provisions of the Ordinance entitled “Ordonnance ayant rapport à l’Etablissement de Machines à Vapeur et à l’Exploitation de Carrières, supplémentaire à l’Ordonnance relative aux Routes, Rues et Chemins” passed at the Chief Pleas after Michaelmas adjourned to the 12th day of November, 1921.

ORDINANCES
SCHEDULE I.

FORM OF CERTIFICATE OF INSURANCE.

Certificate No. Policy No.

Name and address of Person insured.

Address of premises where boiler examined.

Description or distinctive number of boiler and type.

Maximum safe pressure of steam to be generated in boiler.

Date of last examination of boiler when it was ascertained that boiler is equipped with a proper safety valve and a proper steam gauge and water gauge, and all other necessary mountings.

Date of last thorough examination of boiler.

Date of last examination of boiler under steam.

Name and qualifications of Examiner.

Date of Policy.

Date of expiration of Policy.

Limitations as to use of boiler.

I (We) hereby certify that the Policy to which this Certificate relates is a policy of insurance complying with the requirements of sub-section (b) of Section 4 of "L'Ordonnance par rapport aux Chaudières (1936)".

.....
Insurer.

Date

OF THE STATES
SCHEDULE II.

FORM OF APPLICATION FOR LICENCE (OR CERTIFICATE OF
RENEWAL OF LICENCE)* (BOILER).

Name and address of owner
of boiler.

If stationary boiler:

Address of premises where
boiler situated.

If mobile boiler:

Address of premises where
boiler housed when not in
use.

Purpose for which boiler to
be used.

Description and type of
boiler.

Name of Company or under-
writer by whom boiler is
insured.

If renewal of licence is
applied for, the number
assigned to the boiler in the
licence.

I hereby apply for a
(certificate of renewal of the)*
licence authorising the use of
the boiler referred to above.

Date..... Signature of owner.....

For office use { Licence No.
Maximum steam
pressure
Date of
expiration

* *Strike out words which are inappropriate.*

SCHEDULE III.

A.

LICENCE AUTHORISING THE USE OF A STATIONARY BOILER.

Boiler No. (This number to be clearly marked on boiler).

M (Name of owner) of
 (address of owner) is hereby authorised to use a
 Stationary (description or type) Boiler at
 (address or place where boiler may be used) from
 the day of 19..... to the
 day of 19..... inclusive, on condition that
 steam is not generated in such boiler at a pressure of
 more than (maximum pressure as in certificate of
 insurance)lbs. per square inch and that the boiler
 and the safety valve, steam gauge, water gauge and other
 mountings thereon are maintained in proper condition
 throughout that period.

.....
 President,
 States Board of Administration.

Date

B.

LICENCE AUTHORISING THE USE OF A MOBILE BOILER.

Boiler No. (This number to be clearly marked on boiler).

M of is hereby authorised to use a Mobile (description or type) Boiler for the purpose of (use to which boiler is to be put) from the day of 19..... to the day of 19..... inclusive, on condition that steam is not generated in such boiler at a pressure of more than (maximum pressure as in certificate of insurance) lbs. per square inch and that the boiler and the safety valve, steam gauge, water gauge and other mountings thereon are maintained in proper condition throughout that period.

.....
President,
States Board of Administration.

Date

SCHEDULE IV.

REPORT OF EXPLOSION OF A STEAM BOILER TO BE SENT
TO THE STATES BOARD OF ADMINISTRATION WITHIN 24
HOURS AFTER THE OCCURRENCE OF AN EXPLOSION.

1. Number assigned to the boiler by the Board.
2. Name and address of premises or works on which the boiler exploded.
3. Date and hour of explosion.
4. Number of persons killed.
5. Number of persons injured.
6. Purposes for which the boiler was being used.
7. Part of the boiler which failed and the extent of the failure.
8. Pressure at which the boiler was being worked.

Signature and address of person responsible for the accuracy of the particulars contained in this form.

Date.....

**Ordonnance supplémentaire à l'Ordonnance par rapport
aux Chaudières (1936).**

(Le 23 mai 1936)

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

Steam
ovens

So much of the provisions of the Ordinance entitled “Ordonnance par rapport aux Chaudières (1936)” as relate to the equipment of a boiler with a proper safety valve, steam gauge and water gauge, the examination of a boiler for the purpose of ascertaining that it is so equipped, the examination under steam of a boiler for the purpose of checking the accuracy of the pressure gauge and the loading of the safety valve, the inclusion in a notice to the States Board of Administration concerning the explosion of a boiler of a statement of the pressure at which the boiler was being worked at the time of the explosion, the marking on the casing of a boiler of the maximum steam pressure which may with safety be generated in the boiler and the inclusion in a certificate of insurance or licence of a declaration or condition as to the maximum safe pressure of steam to be generated in a boiler, shall cease to have effect as regards any appliance which, being a boiler within the meaning of that Ordinance, is or forms part of a Steam Oven.

**Ordonnance réglant l'Importation d'Armes à Feu
et de Munitions.**

(Le 27 mai 1936)

VU les dispositions de l'Article VIII. de la Loi intitulée “Loi ayant rapport aux Armes à Feu” sanctionnée par Ordre de Sa Majesté en Conseil enregistré sur les Records de cette Ile le 10 décembre 1921:

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

Importation
d'Armes à
Feu et de
Munitions
prohibée

1.—L'importation dans les Iles de Guernesey, de Sercq, d'Herm et de Jethou d'armes à feu et de munitions sans la licence de Son Excellence le Lieutenant Gouverneur ou

de la Cour Royale est prohibée depuis la passation de cette présente Ordonnance.

2.—Toute personne qui importera dans aucune des Pénalités dites Iles aucune arme à feu ou munition ou y en autorisera, procurera ou permettra l'importation ou aidera à l'importation d'icelle sans qu'une telle licence existe qui en permet l'importation sera coupable d'une offense et sera passible d'une amende qui n'excédera pas £1,000 sterling ou à un terme d'emprisonnement avec ou sans travail forcé qui n'excédera pas un an.

Et pourra la Cour en outre ordonner que toute arme à feu ou munition importée en contravention de cette présente Ordonnance sera saisie par l'Inspecteur de la Police Salarisée de cette Ile et qu'elle soit détruite ou jetée dans la mer dans un endroit convenable ou que l'on en dispose par autre voie le tout aux dépens de toute personne qui aura été trouvée coupable d'une contravention de cette présente Ordonnance par rapport à telle arme à feu ou munition. Et seront les frais encourus par l'Inspecteur de la Police Salarisée en obtempérant à l'Ordre de la Cour recouvrables comme dette simple de ceux que la Cour aura ordonné d'y contribuer.

3.—Pour les besoins de cette Ordonnance: —

Définitions

Les mots "arme à feu" et "munitions" auront les significations qui leur sont attribuées dans la dite Loi ayant rapport aux Armes à Feu.

Une arme à feu ou une munition sera censée avoir été importée si elle est débarquée en aucun lieu dans aucune des dites Iles ou apportée dans un havre quelconque ou à moins d'un demi-mille de toute chaussée, quai ou débarcadère dans aucune des dites Iles.

Ordonnance relative aux Armes à Air Comprimé.

(Le 25 mars 1939)

VU les représentations faites par le Comité des Etats pour la Police Salarisée de l'Ile qu'il est expédient, dans le but d'éviter des accidents aux enfants et jeunes personnes, de réglementer l'usage des armes à air comprimé:

LA COUR, ouïes les conclusions des Officiers du Roi. par voie des règlements suivants, a ordonné et ordonne:

Selling, etc.
to persons
under 16

1.—It shall be an offence for any person to sell, give, lend or otherwise put in the possession or under the control of any person apparently under the age of sixteen years any air gun, air rifle or air pistol or any missile designed to be fired by means of an air gun, air rifle or air pistol.

Offence by
guardian
of person
under 16

2.—It shall be an offence for any person of the age of sixteen years or over having the legal or actual custody or control of any other person under the age of sixteen years knowingly to permit that other person to be in possession or control of or to use any air gun, air rifle or air pistol or any such missile as aforesaid.

Offence by
person
under 16

3.—It shall be an offence for any person under the age of sixteen years to obtain or attempt to obtain possession or control or to be in possession or control of or to use any air gun, air rifle or air pistol or any such missile as aforesaid.

False
information
concerning
age

4.—It shall be an offence for any person, for the purpose of obtaining or attempting to obtain possession or control of any air gun, air rifle, or air pistol or of any such missile as aforesaid in breach of the provisions of this Ordinance, or of assisting any other person to obtain possession or control of any of the same in breach thereof, to give false information concerning his age or the age of that other person.

Penalties

5.—If any person shall commit a breach of any of the provisions of this Ordinance, he shall be guilty of an offence and shall be liable upon conviction, if he be a person under the age of sixteen years, to a fine not exceeding One Pound and, if he be a person of the age of sixteen years or over, he shall be liable upon first conviction to a fine not exceeding Two Pounds and upon a second or subsequent conviction to a fine not exceeding Ten Pounds.

Exceptions

Provided that nothing in this Ordinance shall be deemed to restrict or prohibit:—

- (a) the sale, gift or loan of an air rifle or any missile designed to be fired by means thereof, to a person over the age of twelve years who, at the time of such sale, gift or loan is a member of a properly constituted Air Rifle Club: or
- (b) any person from permitting any other person over the age of twelve years and who is a member of any such Club, to be in possession or control of an air rifle or of any missile designed to be fired by means thereof: or
- (c) the possession or control by any person over the age of twelve years who is a member of any such Club, of an air rifle or of any missile designed to be fired by means thereof: or
- (d) the carrying in a public thoroughfare or other place by any person over the age of twelve years who is a member of any such Club, of an air rifle or of any missile designed to be fired by means thereof, between the place where the same is usually kept and the premises of any duly constituted Air-Rifle Club: or
- (e) the use of an air rifle by a person over the age of twelve years in that part of any building or other erection specially set aside as a shooting range by the occupier thereof, if such use takes place—
 - (i) under the control and in the presence of a person of not less than eighteen years of age: and
 - (ii) under such conditions as will effectively safeguard from injury all persons within the range of any such air rifle.

6.—(a) If a Police Officer has reason to believe or suspect that a breach of this Ordinance has been committed, he may take possession of any air gun, air rifle, air pistol or missile in respect of which he has reason to believe that the breach occurred and, for the purpose of so doing, such Police Officer may enter upon private premises, not being a dwelling-place, at any time between the hours of 8 a.m. and 10 p.m.

Powers of
Police

(b) Upon the conviction of any person under this Ordinance, the Court may direct that the air gun, air rifle, air pistol or any missile to which the charge relates shall be confiscated and thereupon the same may be destroyed or otherwise disposed of by the Police Inspector and the proceeds of any such disposal shall belong to the States.

Ordonnance relative à la Destruction de Rats, 1937.

(Le 20 mars 1937)

LA COUR, vu les Délibérations des Etats au sujet de la destruction de Rats en date du 2 décembre 1936, et ouïes les conclusions des Officiers du Roi, a rappelé l'Ordonnance relative à la Destruction des Rats et des Souris passée le 22 octobre 1921, et rendue permanente aux Chefs Plaids d'après Noël 1931, tenus le 18 janvier 1932 et, par voie des dispositions suivantes rédigées en anglais, a ordonné et ordonne:—

ARTICLE I.

Definitions

In this Ordinance—

The expression “competent rat authority” shall include the Constables of the several parishes of the Island acting within the limits of their respective parishes, the Committee or Board for the time being authorised by the States to act in relation to the Destruction of Rats throughout the Island of Guernsey and, in relation to the Harbours of Saint Peter Port and Saint Sampson's, the Harbour Master.

In relation to premises which are unoccupied the expression “occupier” shall include the tenant or other person entitled to occupy the same and the “usufruitier,” proprietor, “saisi mobilièrement,” “saisi héréditalement” or other person, persons, board or committee having the control of those premises.

In relation to "douits" under the control of a Committee, the expression "occupier" shall mean that Committee.

The expression "premises" shall apply to every ship and the master of a ship shall be deemed to be the occupier thereof.

ARTICLE II.

Every occupier of premises who shall fail to take all reasonable measures

(a) for the destruction of the rats on those premises:
or
(b) for preventing the invasion of those premises by rats:

An offence not to take reasonable measures for destruction or prevention of invasion by rats

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding Five Pounds.

ARTICLE III.

(1) In every case in which, in the opinion of the competent rat authority, an occupier of premises has failed to take reasonable measures for the destruction of the rats on those premises or for the prevention of the invasion thereof by rats, the competent rat authority may, by notice in writing addressed to such occupier in the form set out in the Schedule to this Ordinance, require such occupier, within the period specified in such notice, to take such measures in relation thereto as are prescribed in such notice.

Competent rat authority may require occupiers of premises to take reasonable measures

(2) If any occupier of premises upon whom any such notice as is mentioned in the preceding paragraph of this Article has been served fails within the period therein specified to take all such measures as were therein prescribed, he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding Ten Pounds and it shall be lawful for the competent rat authority, whether before or after the prosecution of any such occupier, to direct that the measures prescribed in such

Failure to comply with notice

notice or such thereof as have not been taken by such occupier shall be carried out under the control of the competent rat authority at the cost of such occupier, and thereupon the reasonable cost of all such measures as are so carried out shall be recoverable by the competent rat authority from such occupier as a civil debt due to the States.

Powers of
competent
rat
authority

(3) The competent rat authority and any person or persons authorised in that behalf by the competent rat authority are hereby empowered

- (a) with or without previous notice, to enter upon any premises for the purpose of ascertaining whether rats exist thereon:
- (b) after the expiration of the period specified in any notice served under this Ordinance upon an occupier of premises requiring measures to be taken in relation to rats, to enter upon those premises for the purpose of ascertaining whether the measures prescribed in that notice have been taken by such occupier:
- (c) on such day or days as shall be specified in a notice in writing served on the occupier of any premises not later than on the day preceding the day or the earliest of the days so specified, to enter upon any premises for the purpose of carrying out such measures as the competent rat authority is empowered to carry out under the provisions of this Ordinance.

Provided that

- (a) such entry shall not be made on any Sunday or general holiday:
- (b) such entry shall only be made during the hours of daylight upon premises not in human habitation:
- (c) such entry shall only be made between nine o'clock in the morning and six o'clock in the evening upon premises in human habitation:
- (d) every person authorised to enter upon premises for the purposes of this Ordinance and not being a

person included in the expression "competent rat authority" shall, upon demanding entry upon premises, produce, if required so to do, some written authority from the competent rat authority showing that he is authorised to enter and perform the duties for which such entry is demanded.

(4) Any person who refuses or fails to admit any person who is authorised and claims to enter upon premises under the last preceding paragraph of this Article and has satisfied the requirements of Proviso (d) to that paragraph, in the case to which it applies, or who otherwise obstructs any such authorised person in the execution of his duties under this Ordinance shall be guilty of an offence and shall be liable to a fine not exceeding Ten Pounds and in the case of a second or subsequent offence to a fine not exceeding Twenty Pounds.

Refusal
to allow
entry upon
premises or
obstruction

ARTICLE IV.

(1) The competent rat authority is hereby empowered by notice in writing, in the form set out in the Schedule to this Ordinance, to require the master of any ship to take such reasonable measures as are prescribed in such notice to prevent the escape from that ship of the rats on board thereof.

Notices to
masters
of ships

(2) If the master of any ship upon whom any such notice as is mentioned in the preceding paragraph of this Article has been served fails to take all such measures as were therein prescribed he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding Ten Pounds and it shall be lawful for the competent rat authority, whether before or after the prosecution of the master, to direct that the measures prescribed in such notice or such thereof as have not been taken by such master shall be carried out under the control of the competent rat authority at the cost of such master and thereupon the reasonable cost of all such measures as are so

Offences

carried out shall be recoverable by the competent rat authority from such master as a civil debt due to the States.

ARTICLE V.

Service of notices

(1) Any notice served under the provisions of this Ordinance shall be validly served if delivered to the addressee personally or if sent to such addressee by registered post.

(2) Any such notice sent by registered post shall be deemed to have been received by the addressee unless the contrary is shown by the latter, on the weekday next following the date of the posting thereof.

ARTICLE VI.

Appeals

(1) Subject to the provisions of this Article, any person aggrieved by the requirements of a notice (other than a notice served under the provisions of Article IV. of this Ordinance) served upon him by the competent rat authority shall be entitled to appeal therefrom to the Royal Court sitting as an Ordinary Court.

(2) Such appeal shall be by way of legal proceedings to set aside the notice or the requirements thereof which are complained of. The summons in such proceedings shall be served on the competent rat authority by whom the notice was issued within the three days next following the day on which such notice was received by the appellant and the cause shall be tabled at the first ordinary session of the Court occurring not earlier than the day following the date of the service of such summons.

(3) Every such appeal shall be dealt with summarily and no appeal shall lie against the decision of the Court.

Provided that the provisions of this paragraph shall not affect the power of the Court to adjourn the hearing in any such appeal in any case in which it shall appear to the Court proper or expedient so to do.

(4) In any such appeal, the Court may set aside the notice appealed from or one or more of the requirements thereof and may modify any of such requirements either by reducing or increasing the extent thereof.

ARTICLE VII.

The fines payable under this Ordinance shall be apportioned between His Majesty and the States in equal half shares. ^{Application of fines}

ORDINANCES

SCHEDULE

NOTICE

issued under the provisions of the "Ordonnance relative à la Destruction de Rats, 1937."

(Date).....

To.....

Occupier of the (premises known as*)
 (ship*)
 (situate*)
 (lying*) at

You are hereby required by the Competent Rat Authority within the.....days following the receipt by you of this notice to take the following measures for

- **(a)* destroying the rats on the said (premises*):
 (ship*)
- **(b)* preventing rats from invading the said (premises*):
 (ship*):
- **(c)* preventing rats from escaping from the said ship: that is to say,

In the event of failure to comply with the requirements of this notice, you will be liable to legal proceedings and to a fine not exceeding £10.

You are entitled to appeal to the Ordinary Court against the requirements of this Notice. Legal proceedings in such appeal *must* be commenced within the three days next following the date of the receipt by you of this Notice.*

.....
 *Constable of.....

*President,
 States Committee for the Destruction of Rats.

*Strike out the words which are inapplicable.

*Harbour Master.

**Ordonnance par rapport à la Clôture de Routes
aux Occasions Spéciales.
(Le 1er mai 1937).**

ATTENDU que de temps à autre à raison d'occasions spéciales, il devient nécessaire ou expédient afin d'assurer la sécurité du public ou pour éviter une congestion véhiculaire ou pour d'autres raisons, de clore temporairement en ce qui regarde tous véhicules ou certains d'iceux ou en ce qui regarde tous véhicules procédant dans ou venant d'une direction quelconque ou certains d'iceux, certains routes, rues, chemins ou autres lieux publics:

ATTENDU que les devoirs et responsabilités de la Police Salariée de cette Ile par rapport au Trafic Véhiculaire le rendent désirable que le devoir de clore tels routes, rues, chemins ou autres lieux publics à telles occasions soit attribué au Comité des Etats pour la Police Salariée de l'Ile:

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

1. Whenever it shall appear to the States Island Police Committee (hereinafter referred to as "the Committee") that it is necessary or expedient, by reason of some special occasion* to close any public road, street, lane or place temporarily to all or certain vehicular traffic, or to all or certain vehicular traffic proceeding in or coming from any particular direction, after consultation with the Constables of the parish in which such public road, street, lane or place is situate, it shall be lawful for the Committee by resolution to declare that any such public road, street, lane or place shall be so closed during such period, not exceeding forty-eight hours on any one occasion, as the Committee may declare in such resolution.

2. Upon the passing of any such resolution as is hereinbefore mentioned, the Committee shall publish not

Police
Committee
may close
public roads
on special
occasions

Notice to
be given
in daily
newspapers

* Includes a hill-climbing contest. See Ordinance of 29th October, 1938 (Vol. VIII., page 201).

earlier than fifteen days nor later than two days before the day on which it is proposed that such resolution shall take effect, in two daily newspapers circulating in this Island, such particulars of such resolution as will enable drivers of vehicles to act in conformity therewith.

Penalty for
infringement

3. After publication as aforesaid of such particulars of any such resolution, it shall be an offence to fail to comply with that resolution, and any person guilty of an offence under this Ordinance shall be liable upon conviction to a fine not exceeding Ten Pounds.

**Ordonnance provisoire relative à la Défense
des Fosses à Chaux.
(Le 1er mai 1937)**

LA COUR, en faisant accueil à la Requête du Président de l'Association dite "Guernsey Society for the Prevention of Cruelty to Animals" en date du 17 mars 1937 et ouïes les conclusions des Officiers du Roi, par voie des règlements suivants rédigés en anglais, a ordonné et ordonne:—

Protection of
lime pits

1. Every pit containing lime shall be protected between sunset and sunrise and at all other times during which work in connection with which access to such pit is necessary is not proceeding—

- (a) by the provision of a covering to the pit; or
- (b) by the erection of a barrier surrounding the pit, such barrier to be of a height of not less than three feet six inches above the surface of the land wherein such pit is situate;

in such manner that when such covering or barrier is in position over or surrounding the pit, as the case may be, access to the pit by any person or domestic animal, otherwise than by interference with such covering or barrier or by surmounting such barrier, is prevented.

Provided that for the purposes of this section work which is interrupted by reason only of meal times shall be deemed to be proceeding.

2. (a) Proceedings for a breach of the provisions of the foregoing section may be instituted against the proprietor of the land in which a pit containing lime is situated or against the builder or other person by whom such pit is being used. Proceedings
for breach

(b) Any person convicted of a breach of the provisions of that section shall be liable to a fine not exceeding Ten Pounds. Penalty

**Ordonnance relative à la Police
des Lieux de Récréation.
(Le 4 mars 1939)**

LA COUR, ouïes les conclusions des Officiers du Roi, Ordonnances
repealed
a rappelé—

- (a) l'Ordonnance provisoire relative à la Police des Lieux de Récréation passée le 3 juillet 1937 (No. XV. de 1937);
- (b) l'Ordonnance provisoire relative à la Police des Lieux de Récréation, 1938, passée le 26 mars 1938 (No. XV. de 1938); et
- (c) l'Ordonnance provisoire relative à la Police des Lieux de Récréation (No. 2), 1938, passée le 28 mai 1938 (No. XXIII. de 1938);

et, par voie des dispositions suivantes, a ordonné et ordonne:—

1.—The provisions of this Ordinance shall apply to the places referred to in the Schedule to this Ordinance and to such other places as may from time to time, by Ordinance, be added to that Schedule. Application
of Ordinance

2.—It shall be an offence at any place to which this Ordinance applies:— Offences
detailed

- (a) to ride or drive a cycle, tricycle or motor vehicle elsewhere than on a pathway or on a place set apart as a parking place:
- (b) to ride a cycle or tricycle on any pathway on or near which a notice to the effect that cycling on that pathway is forbidden is prominently displayed:

- (c) otherwise than with the sanction of the authority in control of the place to ride or drive a motor vehicle on any pathway on or near which a notice to the effect that motor traffic thereon is forbidden is prominently displayed:
- (d) otherwise than with the sanction of the authority in control of the place—
 - (i) to ride any horse or other animal:
 - (ii) to light any fire:
- (e) to enter any area set apart for the playing of any organised game against the order of the authority in control of the place:
- (f) otherwise than in taking part in a game sanctioned by the authority in control of the place, to throw any object:
- (g) to enter any part thereof which is enclosed whether permanently or temporarily otherwise than by means of the entrance thereto provided by the authority in control thereof or at any time when no entrance thereto is so provided:
- (h) to climb any tree, wall, hedge, bank, fence or gate:
- (i) to do any act of wanton mischief:

Penalty

3.—Any person who commits an offence under Section 2 of this Ordinance shall be guilty of a “*délit*” and shall be liable upon a first conviction to a fine not exceeding One Pound or to a term of imprisonment with or without hard labour not exceeding eight days or to both such fine and such imprisonment, and upon a second or subsequent conviction to a fine not exceeding Two Pounds or to a term of imprisonment with or without hard labour not exceeding fifteen days or to both such fine and such imprisonment.

**Powers of
Special
Constables**

4.—(1) Any special constable within the confines of a place to which his powers and duties as special constable extend, and any police officer, and any persons whom such special constable or police officer may call to his assistance, may detain any person who in any place to which this Ordinance applies, commits an act which is an offence under Section 2 of this Ordinance, provided that the name

and address of such offender is unknown to and cannot be ascertained by such special constable or police officer.

(2) If any such offender, when required by any special constable or by any police officer to give his name and address, gives a false name or false address, he shall, on conviction, be liable to a fine not exceeding One Pound. Penalty for giving false name or address

5.—Prosecutions for offences against this Ordinance shall be undertaken before the Police Court Magistrate. Prosecutions

SCHEDULE.

Cambridge Park, St. Peter Port.

Beau Séjour, St. Peter Port.

La Valette, St. Peter Port, that is to say:

- (a) Clarence Battery:
- (b) the Promenade from Clarence Battery to the foot of Havelet:
- (c) the Upper Pathway from Clarence Battery to Le Val des Terres and Land adjoining belonging to the States:
- (d) the Public and Private Bathing Places and the appurtenances thereof:

Delancey Park, St. Sampson's.

The Cliff Paths provided by the States between Fort George and Jerbourg and all Land belonging to the States situate between Fort George and Jerbourg to which the public have access.

Le Guet, Castel, that is to say:

Le Guet Watch-house and the adjacent land and quarries belonging to the States.

Saumarez Park, Castel.

<p>The public path from La Ruelle de la Tour to "The Glen" lying to North East of Houmet Farm.</p> <p>"The Glen" above mentioned.</p> <p>The public path from La Route de Carteret to Longport.</p>	}	Castel.
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The headland known as Le Tusel (or Le Déhusel) situate at L'Erée, St. Peter-in-the-Wood.

**Ordonnance par rapport à la Perception d'Impôts et
de Droits sur les Marchandises provenant
de Sinistres Maritimes.
(Le 29 janvier 1938)**

VU qu'il est expédient de modifier les règlements qui existent pour assurer la perception des Impôts et Droits sur les Marchandises y susceptibles qui peuvent venir en cette Ile en conséquence ou à la suite d'un sinistre maritime:

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé les dispositions de l'Ordonnance provisoire par rapport à la Perception d'Impôts et de Droits sur les Marchandises provenant de Sinistres Maritimes passée le 23 octobre 1937 et a ordonné et ordonne comme suit, savoir: —

Meaning of
" Dutiable
Goods "

1.— In this Ordinance, the expression " dutiable goods " means any goods on which any Impôt or Duty is payable to the States of this Island and upon which every such Impôt and Duty has not been paid.

Persons in
possession
of dutiable
goods from
a shipping
casualty

2.—Where, in consequence of or following upon a shipping casualty or the jettisoning or loss by any ship of any part of the effects forming part of or carried in that ship, any person shall in this Island or the Island of Herm or of Jethou or within the territorial waters thereof be in possession of dutiable goods, it shall be the duty of that person forthwith to make to the Treasurer of the States a signed declaration as to the nature, quantity and location of such dutiable goods and if that person shall omit within the twenty-four hours next following his coming into possession thereof to make such declaration as aforesaid he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding £200.

An offence
to conceal,
use or
consume
such
dutiable
goods, etc.

3.—Subject to the provisions of this Ordinance, if any person —

(a) shall conceal or use or consume any dutiable goods which have come into his possession in consequence of or following upon any such happening as is mentioned in the last foregoing section; or

(b) shall abstract from any container of dutiable goods being in this Island or the territorial waters thereof in consequence of or following upon any such happening as aforesaid any part of the contents thereof: or

(c) knowing that dutiable goods have been abstracted from any such container, shall be in possession of any such dutiable goods;

he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding £200.

4.—The Treasurer of the States is hereby authorised to take possession of all dutiable goods which from time to time may be in this Island or within the territorial waters thereof in consequence of or following upon a shipping casualty or the jettisoning or loss by any ship of any part of the effects forming part of or carried in that ship and to retain possession of those goods until such time as the impôts and duties payable thereon have been paid or such goods are exported from the Bailiwick.

Treasurer
of the
States
to take
possession
of such
goods

5.—When the Treasurer of the States takes possession of any such dutiable goods as are hereinbefore referred to, then —

Such goods
may be
sold

(a) if such goods are of such a character that they will depreciate in value if not marketed forthwith, the Treasurer of the States may thereupon proceed to cause such goods to be sold to the best advantage; and

(b) in any other case, the Treasurer of the States shall retain possession of such goods for twelve months from the time of taking possession thereof and thereafter may, after giving notice to that effect on two successive dates of publication in “La Gazette Officielle”, cause such dutiable goods to be sold by public auction,

and the proceeds of any such sale, after deduction of the expenses of and incidental to such sale and the collection and storage of the goods, shall be applied in or towards payment of all such Impôts and Duties as may be payable

on such dutiable goods and any balance remaining shall be held in trust by the Treasurer of the States for the person or persons lawfully entitled to the same.

Power to enter private premises

6.—The Treasurer of the States and every official in the States Revenue Service thereunto authorised in writing under the hand of the Treasurer of the States is hereby empowered to enter upon private premises of every description at all times for the purpose of ascertaining whether or not such dutiable goods exist therein and for the purpose of taking possession of any such goods found in those premises.

When not reasonably possible to take possession

7.—Where in this Island or the territorial waters thereof any such dutiable goods as aforesaid are found by any official of the States Revenue Service and, in the opinion of that official, it is not reasonably possible to take possession of the same on behalf of the States, any official in the States Revenue Service may destroy such dutiable goods or otherwise deal with the same in such manner as he may deem proper.

An offence to impede or obstruct

8.—If any person shall impede or obstruct the Treasurer of the States or any duly authorised official in the execution of his duty under the provisions of this Ordinance, that person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £50.

Rights of the Crown

9.—None of the provisions of this Ordinance shall derogate from the rights of the Crown or of any Seigneur with regard to any of the goods herein referred to.

Allocation of fines

10.—The fines recoverable under the provisions of this Ordinance shall be allocated as to one half to the Crown and as to the remainder to the States.

Ordonnance relative à la Visite des Institutions administrées aux fins de la Loi ayant rapport aux Secours Publics (1937).
(Le 17 janvier 1938).

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

Jurats to visit Institutions

1.—(1) During each quarterly session of the Ordinary Court, it shall be the duty of two of the Jurats of the

Royal Court performing duty during that session, together to visit at least once during that session the Institutions administered under the Public Assistance Law, 1947.

(2) Previous notice of the date and hour of any such visit shall not be given to the Board administering the Institution nor to any employee of such Board. Previous notice not to be given

2.—Any two Jurats of the Royal Court shall be entitled at any time of the day or night, without previous notice, together to visit any of such Institutions. Visits may be made at any time

3.—(1) On the occasion of their visit to any such Institution, the Jurats shall be entitled to visit every part of that Institution and to interview any inmate thereof, with a view to ascertaining that the inmates of the Institution are properly cared for in all respects and, if the Jurats so require, no member of the Board administering that Institution or of the staff thereof shall be present during any such interview. Powers of Jurats

(2) The visiting Jurats shall be entitled to enquire into the occupations and recreations provided for the inmates of any such Institution and generally to ascertain such facts and matters concerning the Institution, the inmates thereof and the administration of the Institution as they may deem proper.

(3) On the occasion of any such visit, the Jurats shall be entitled, at the cost of the States, to be accompanied by a Physician or Surgeon appointed by them to advise them.

4.—The visiting Jurats shall address to the Board administering the Institution visited, in a book to be provided for the purpose, or otherwise, a memorandum concerning each such visit and may make therein such representations as they may deem desirable. Memorandum of each visit to be entered in book provided

**Ordonnance par rapport aux Terres mises à l'Amende.
(Le 29 octobre 1938).**

La Cour, en amendant les dispositions présentement en vigueur relatives aux Terres mises à l'amende, a, ouïes les conclusions des Officiers du Roi, ordonné et ordonne: —

En ce qui concerne tout Acte de Cour, permettant à un propriétaire, usufruitier ou occupant de propriété immobilière de mettre telle propriété à l'amende, obtenu dans l'an et jour précédant la date de cette présente Ordonnance ou qui sera obtenu ci-après, le droit qui compète à tel propriétaire, usufruitier ou occupant de réclamer une amende de £3 Tournois, aux fins de tel Acte, contre celui qui, n'ayant pas droit, aura passé pardessus telle propriété, durera pendant celle des périodes ci-dessous spécifiées qui sera la plus courte, savoir: —

- (a) une période de dix années à compter de la date du dit Acte; ou
- (b) une période comprenant la durée des droits par rapport à telle propriété du dit propriétaire, usufruitier ou occupant et une période de six mois à compter de la terminaison, par décès ou autrement, de ses droits.

Pourvu que nulle action pour la réclamation de telle amende ne sera recevable aux fins de tel Acte à moins que, lors de la contravention donnant lieu à la réclamation de l'amende, il ne fut exhibé sur la propriété visée par tel Acte une annonce en français à l'effet que telle propriété est à l'amende suivie de l'annonce " Trespassers are liable to prosecution " ou des mots à cet effet.

**Ordonnance par rapport à l'Inoculation des Enfants
contre la Diphtérie (1939).
(Le 1er avril 1939)**

LA COUR, en vertu des dispositions de la Loi par rapport à l'Inoculation des Enfants contre la Diphtérie (1939) et ouïes les conclusions des Officiers du Roi, par voie des règlements suivants, a ordonné et ordonne: —

1.—The date after which inoculation in accordance with the provisions of the Diphtheria Immunisation Law (Guernsey), 1939, (hereinafter referred to as “the Law”) and of these Regulations will become compulsory shall be the 15th day of April, 1939.

2. (a) The preparation to be administered on the inoculation of a child required by the Law to be inoculated shall be Dyphtheria Prophylactic Alum Precipitated Toxoid and such preparation shall be administered sub-cutaneously on two separate occasions with an interval between the dates of those occasions of not less than thirteen days nor more than twenty-eight days.

(b) The quantity of Dyphtheria Prophylactic Alum Precipitated Toxoid (hereinafter referred to as “A.P.T.”) to be administered shall be as follows:

On the first of such occasions, not less than 0.2 c.c. nor more than 0.5 c.c., in the discretion of the medical practitioner administering the same:

On the second of such occasions, 0.5 c.c.

3. (a) The following fees shall be payable by the States Board of Health to a medical practitioner for the services performed by him under the Law and this Ordinance:—

(i) In respect of each administration of “A.P.T.”, two shillings and sixpence, for which fee the medical practitioner shall, on the occasion of the first administration, fill in in duplicate on Form “A” the full name, date of birth, address and parish of residence of the child to whom “A.P.T.” is administered, and the date on which the same is administered, and shall, on the occasion of the second administration, fill in in duplicate on the same Form “A” the date of such occasion and shall sign and date the Form and shall supply one copy thereof to the parent of the child forthwith and shall, within the ten days next following the date of such second administration, supply the other copy of such

Commence-
ment of
compulsory
inoculation

Preparation
administered

Fees for
medical
practitioners,
etc.

completed form to the States Medical Officer of Health.

- (ii) In respect of each certificate in duplicate of exemption (whether temporary or permanent) from inoculation, of which one copy is supplied forthwith to the parent of the child and the other copy is, within the ten days next following the date thereof, supplied to the States Medical Officer of Health, one shilling and sixpence.

(b) Supplies of "A.P.T." shall be furnished to all medical practitioners by the States Board of Health free of charge.

Form of
Certificates

4.—Certificates of Inoculation against Diphtheria shall be in the form "A" contained in the Schedule to this Ordinance and Certificates of Temporary or Permanent Exemption from such Inoculation shall be in the form "B" contained in that Schedule.

Penalty for
contravention

5. (a) If the parent of a child to whom the provisions of the Law apply shall fail to present that child for inoculation at the place, on the dates and at the times appointed by the States Board of Health which are applicable in the case of that child, that parent shall be guilty of a contravention of the Law and shall be liable, on conviction, to a fine not exceeding One Pound.

(b) If the parent of a child, not being a child who is exempt, whether temporarily or otherwise, from undergoing inoculation, has not presented that child for inoculation at the place, on the dates and at the times appointed by the States Board of Health which are applicable in the case of that child and does not present that child for inoculation in accordance with directions issued by the States Medical Officer of Health under the provisions of the Law, that parent shall be guilty of a contravention of the Law and shall be liable:—

- (a) if not previously convicted of a contravention of the Law, to a fine not exceeding Five Pounds;
or

(b) if previously convicted of a contravention of the Law, to a fine not exceeding Ten Pounds.

*6.—

7. (a) It shall be the duty of the parent of every child under the age of ten years at the time a request for information concerning that child is made to that parent for the purposes of the Law, to supply to the States Medical Officer of Health and to any other person authorised by the States Medical Officer of Health to obtain such information, particulars concerning the name, ordinary place of residence and date and place of birth of such child and to inform the States Medical Officer of Health or such other person whether or not that child has been inoculated or has suffered from diphtheria.

Duty of
parents
to supply
information

(b) If any person shall refuse to give any such information to the States Medical Officer of Health or other person as he is required by this Section to give concerning a child or shall knowingly give any wrong information concerning that child, that person shall be guilty of a contravention of this Ordinance and shall be liable, upon conviction, to a fine not exceeding Two Pounds.

* Section 6 repealed and new section substituted by Ordinance of the 21st of July, 1945.

ORDINANCES
SCHEDULE.
"A"

STATES OF GUERNSEY
BOARD OF HEALTH.

CERTIFICATE OF INOCULATION
AGAINST DIPHTHERIA.

Name
(Surname first)

Date of Birth

Address Parish

Date of First Inoculation
with 0.2—0.5 c.c. A.P.T.

Date of Second Inoculation
with 0.5 c.c. A.P.T.

(Not less than 2 Weeks nor more than 4 Weeks
subsequent to First Inoculation).

Signed

Date

" B "

STATES OF GUERNSEY
BOARD OF HEALTH.

CERTIFICATE OF EXEMPTION FROM
INOCULATION AGAINST DIPHTHERIA

Name of Child
(Surname first)

Date of Birth

Address Parish

I certify that the above child is permanently unfit to
undergo inoculation* unfit to undergo inoculation*
before the by reason of

Signed

Date

* Cross out and initial inappropriate words.

**Ordonnance supplémentaire à l'Ordonnance par
rapport à l'Inoculation des Enfants contre
le Diphtérie (1939).
(Le 25 juillet 1945).**

LA COUR, en vertu des dispositions de la Loi par rapport à l'Inoculation des Enfants contre le Diphtérie (1939) et ouïes les conclusions du Procureur du Roi, a ordonné et ordonne:—

1. Section 6 of the Ordinance styled “Ordonnance par rapport à l'Inoculation des Enfants contre le Diphtérie (1939), hereinafter called “the principal Ordinance”, is hereby repealed and the following Section shall be substituted therefor:

“ 6.—The States Board of Health shall give notice ^{Notice} in the newspapers of the place or places, dates and ^{for} times appointed by that Board for the presentation ^{presentation} of children ^{of children} for inoculation ^{for} during any period of ten consecutive ^{inoculation} days on two occasions not occurring on the same day in each of two newspapers published in the English language in the Island of Guernsey of a notice specifying such place or places, dates and times so appointed shall constitute a sufficient notice thereof to any parent who, under the provisions of the Law, is required within the six calendar months next following the publication of any such notice, to present a child for inoculation”.

2. The principal Ordinance and this Ordinance may ^{Citation} be cited together as the Diphtheria Immunisation Ordinances 1939 - 1945.

**Ordonnance établissant un Zone Aérien Contrôlé au-dessus
de l'Aérodrome des Etats et ses environs.
(Le 17 juin 1938).**

LA COUR, sur les représentations du Comité des Etats dit “States Airport Council” qu'il est expédient, pour la sûreté de voyageurs aériens en temps couvert, d'établir au-dessus de l'Aérodrome des Etats et ses environs un

Zone Aérien Contrôlé et de faire des Règlements par rapport à tel Zone, et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne comme suit, savoir: —

ESTABLISHMENT OF CONTROLLED ZONE

A.—There is hereby established a Guernsey Controlled Zone consisting of the air space up to 2,000 feet above sea level and over the area bounded by a circle of 5 miles (8 kilometres) radius, centred at the Guernsey Airport at La Villiaze.

CONTROLLED ZONE REGULATIONS.

B.—(1) When the Controlled Zone Regulations are put into force, the recognized signal “QBI” will be made by radio to aircraft concerned which are in flight. At Guernsey Airport, notification will be made by the display of panels with the lettering “QBI” in black on a yellow background, on the rails of the Control Tower and also outside the Traffic Control Office.

ALL AIRCRAFT.

(2) All aircraft, other than those bound for or departing from Guernsey Airport, should avoid flying in the Guernsey Controlled Zone in cloud or when the Controlled Zone Regulations are in force.

AIRCRAFT NOT EQUIPPED WITH RADIO

(3) Aircraft not equipped with radio bound for or departing from Guernsey Airport should avoid flying in the Guernsey Controlled Zone in cloud, or when the Controlled Zone Regulations are in force, unless they have previously obtained permission to do so from Guernsey Control. (Telephone: Guernsey 2000).

AIRCRAFT EQUIPPED WITH RADIO

(4) Aircraft equipped with radio bound for Guernsey Airport should not enter the Guernsey Controlled Zone in cloud or when the Controlled Zone Regulations are in force without previously obtaining permission from Guernsey Control by radio.

If permission is withheld or cancelled, the aircraft should remain outside or move outside the Controlled Zone, and await further instructions.

When the Controlled Zone Regulations are in force, pilots of aircraft outward bound from Guernsey Airport should consult Guernsey Control before taking off, in order to agree their intended time of departure, track and height, and so reduce the danger of collision and avoid unnecessary radio traffic.

ET viendra cette Ordonnance en force à compter de la date de la publication par le Ministère pour l'Air d'une annonce touchant l'établissement du dit Zone et les Règlements contenus dans cette présente Ordonnance.

**Ordinance Directing a Scale of Charges Applicable to
Aircraft, 1946. (31st August, 1946).**

WHEREAS by its Act of the 29th day of April, 1939, and by virtue of the provisions of paragraph 1 of Article 7 of the Air Navigation (Guernsey) Order, 1926, which said order was made applicable to this Island by virtue of the Order of His Majesty in Council dated the 14th day of December, 1926, and registered on the Records of this Island on the 29th day of January, 1927, the Royal Court licensed the States Aerodrome of this Island situated at La Villiaze in the parishes of Saint André, La Fôret and Saint Sauveur for public use:

AND WHEREAS under paragraph (3) of the said Article of the said Order there should be established

as regards the said aerodrome a single tariff of charges, including charges for landing and length of stay, applicable alike to British and Foreign aircraft, being in such form and on such a scale as the Royal Court may direct or approve:

AND WHEREAS on the 21st day of August, 1946, the States of Guernsey decided that they were of opinion to approve the Tariff of Charges as regards aircraft at the said airport as set out in the Schedule hereto, and to request the Royal Court to prepare such legislation as may be necessary to give effect thereto.

The Court, having heard the conclusions of His Majesty's Comptroller, has ordered and hereby orders that the Ordinance entitled "Ordonnance provisoire relative au Tarif de Droits applicables aux Avions, 1939" is revoked with effect from the date of the passing of this Ordinance, and has approved and approves the tariff of charges applicable to the said aircraft set out in the Schedule hereto, which said tariff shall come into effect forthwith in respect of the said aerodrome.

SCHEDULE.

* TARIFF OF CHARGES AS REGARDS AIRCRAFT AT THE STATES AIRPORT, LA VILLIAZE, GUERNSEY.

1. AIRCRAFT OPERATED FOR HIRE OR REWARD.

A. *Aircraft Fee.* (Charge based on the maximum permissible weight of the aircraft). For each departure and each arrival:—

To or from a destination outside the Channel Islands.	1s. 3d. for each 1,000 lb. or part. Minimum—5s. 0d.
To or from a destination within the Channel Islands.	9d. for each 1,000 lb. or part. Minimum—2s. 6d.

* See also The Aircraft Charges (Alderney Freight) Exemption Ordinance, 1950, and The Aircraft Charges (Alderney Foodstuffs) Exemption Ordinance, 1951.

B. *Night Fee.* (For use of lighting installations).
For each arrival and each departure:—10s. 0d.

C. *Passenger Fee.* For each departure and each arrival:—

To or from a destination outside the Channel Islands. 3s. 6d. per passenger (fare paying or free).

To or from a destination within the Channel Islands. 2s. 0d. per passenger (fare paying or free).

Children occupying a seat ... Full fee.

Infants in arms No fee.

D. *Cargo Fee.* For goods (see also Section 1E, 1F and 1G). For each departure and each arrival:—

To or from a destination outside the Channel Islands. 6d. for each 25 lb. or part.

To or from a destination within the Channel Islands. 3d. for each 25 lb. or part.

E. *Live Animals Fee.* For each live animal embarked or disembarked, carried as cargo or with a passenger:—

To or from a destination outside the Channel Islands. 1s. 0d. for each 25 lb. or part.

To or from a destination within the Channel Islands. 6d. for each 25 lb. or part.

The weight of the container, if any, included.

Day-old chicks: As above, Section 1D.

- F. *Cash, Bullion, or Light-and-Bulky Cargo Fee.* For each departure and each arrival:—
- | | |
|---|---|
| To or from a destination outside the Channel Islands. | 5% of the Company's freight charge, or 6d. for each 25 lb. or part, whichever is the greater. |
| To or from a destination within the Channel Islands. | 5% of the Company's freight charge, or 4d. for each 25 lb. or part, whichever is the greater. |
- G. Where a charterer has booked the entire capacity of the aircraft, a free allowance of 35 lb. for each passenger carried is made, but the Cargo Fee (Section 1D) is charged for luggage in excess of this amount.
- H. If an aircraft is unable to reach its destination owing to stress of weather or other cause, and returns to Guernsey without having landed elsewhere, no fees will be charged on arrival or on departure, provided the latter is for the original destination and the composition of the load is not changed.
- I. If an aircraft from the Mainland bound for Jersey is diverted to Guernsey, through stress of weather or by its owner's instructions, no fees will be charged on arrival or on departure, provided it proceeds to Jersey with the same load as soon as conditions so allow.
- J. No fees are charged for military aircraft belonging to His Majesty's Government or to a Contracting State.
- K. Bona fide test flights, on which only personnel for carrying out the test are carried, are free of fees.
For test flights at night, the Night Fee of 10s. 0d. is charged.

A test flight is defined as one for the purpose of a mechanical test of the aircraft, engine/s or accessories, or of a qualifying test for the aircraft crew.

- L. For pleasure flights over Guernsey, and not landing elsewhere, the combined take-off and landing fees are as follows:—

Aircraft Fee	6d. per 1,000 lb. or part. Minimum 1s. 0d.
Passenger Fee		9d. per passenger. Minimum 1s. 6d.
Night Fee		5s. 0d. for each departure and each arrival.

2. AIRCRAFT NOT OPERATED FOR HIRE OR REWARD.

Aircraft Fee. (Charge based on the maximum permissible weight of the aircraft). For each departure and each arrival. (See A below):—

For each 1,000 lb. or part	1s. 0d.
Minimum	2s. 6d.

No extra charge for passengers or luggage.

Night Fee. (For use of lighting installations). For each departure and each arrival:—10s. 0d.

- A. For aircraft making one or more flights on the same day or night from Guernsey, returning to the airport without landing elsewhere the combined take-off and landing charge for each flight is as follows:—

Aircraft Fee		1s. 0d. per 1,000 lb. or part. Minimum 2s. 6d.
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No extra charge for passengers.

or if an agreement for the hire of hangar space for one year is in operation in respect of the aircraft, no fee is charged.

3. HANGAR SPACE. COMMERCIAL RATES.

A. *Hanger-Extended Aircraft.*

	per day.	per week.	per month.	per year.
For each ten square feet of the area occupied by the aircraft, such area calculated by multiplying the length by the span	1d.	1d. x 6	1d. x 20	1d. x 216

Folded Aircraft.

The same rates as in A, increased by one third.

4. HANGAR SPACE. PRIVATE RATES.

A. *Hanger-Extended Aircraft.*

	per day.	per week.	per month.	per year.
For each fifteen square feet of the area occupied by the aircraft such area to be calculated by multiplying the length by the span	1d.	1d. x 6	1d. x 20	1d. x 216

Folded Aircraft.

The same rates as in 4A, increased by one third.

5. PICKETING SPACE. COMMERCIAL RATES.

No charge for aircraft remaining out of doors during the day, but for the night the aircraft is to be housed, and may be picketed only if hangar space is not available. Picketing by day or night is to be at approved sites.

A. *Picketing. Extended Aircraft.*

	per day.	per week.
For each fifty square feet of the area occupied by the aircraft such area calculated by multiplying the length by the span ...	1d.	1d. x 6.

Folded Aircraft.

The same rates as in 5A, increased by one third.

6. PICKETING SPACE. PRIVATE RATES.

No charge for aircraft remaining out of doors during the day, but for the night the aircraft is to be housed, and may be picketed only if hangar space is not available. Picketing by day or night is to be at approved sites.

A. *Picketing. Extended Aircraft.*

	per day.	per week.
For each 100 square feet of the area occupied by the aircraft, such area calculated by multiplying the length by the span ...	1d.	1d. x 6

Folded Aircraft.

The same rates as in 6A, increased by one third.

7. Hangar charges include moving aircraft not exceeding 6,000 lbs. maximum permissible weight from the tarmac and out again, but do not include any other technical assistance to the aircraft.

Picketing charges include moving aircraft not exceeding 6,000 lbs. maximum permissible weight from the tarmac to an approved site and back again, and the supply of picketing ropes and screws, but do not include any other technical assistance to the aircraft.

8. A. The Board of Administration accepts no liability whatsoever for death, injury, loss or damage to an aircraft owner or hirer, his employees or agents, his passengers, his aircraft, his property or chattels of Third Parties, caused while such persons, aircraft, property or chattels are on or in any part of Guernsey Airport, due to, arising out of, or in consequence of the services rendered by the Board's employees, or the use of the Board's equipment, installations, buildings.

- B. The States Board of Administration holds the aircraft owner or hirer responsible for death, injury, loss or damage to any of the Board's employees or equipment, installations, buildings or chattels of Third Parties, caused by him, his agent, employees or passengers due to, arising out of, or in consequence of such persons, aircraft or property being on or in any part of Guernsey Airport.

DEFINITIONS.

1. "Military aircraft" includes naval, military and air-force aircraft and every aircraft commanded by a person in naval, military or air-force service detailed for the purpose shall be deemed to be a military aircraft.
2. "Contracting State" means any State which is, for the time being, a party to the Convention for determining by a common agreement certain uniform rules with respect to international air navigation signed, on behalf of His Majesty in Paris, on the thirteenth day of October, 1919.
3. "Passengers" includes all persons carried in the aircraft whether gratuitously or for reward, but excludes the crew necessary for the operation of the aircraft.
4. "Goods" includes merchandise, baggage, mails, and live animals and excludes goods forming part of the equipment or stores of the aircraft, the passengers' personal baggage carried free of charge by the operating company and that of the crew.
5. "Day" means the period of time between sunrise and sunset at Guernsey.
6. "Night" means the period of time between sunset and sunrise at Guernsey.
7. References to the carriage of passengers or the operation of aircraft for hire or reward include references

to the carriage of passengers or the operation of aircraft for the purpose of instruction in flying for which payment is made.

8. Goods which are unloaded from an aircraft with the permission of the Controller and are taken from this Island by the same aircraft on its next departure shall not be deemed to have been unloaded from the aircraft, provided that they remain within the precincts of the airport at which the aircraft has landed and that the aircraft departs within two hours of its arrival.
9. A passenger who disembarks from an aircraft with the permission of the Controller and is taken from this Island by the same aircraft on its next departure shall not be deemed to have disembarked therefrom, provided that he remains within the precincts of the airport at which the aircraft has landed and that the aircraft departs within two hours of its arrival, or provided that if the same aircraft cannot make the departure within the stipulated time, it is replaced by an aircraft which can do so.

St. Peter Port Harbour (Use by Aircraft)

Ordinance, 1947.

(8th February, 1947)

THE COURT, on the representations of the States Board of Administration and having heard His Majesty's Procureur thereon, hereby orders:—

1.—No aircraft shall take off from the Harbour of Saint Peter Port and, except in an emergency, no aircraft shall alight upon the waters within that Harbour.

2.—Any person who, being in charge of an aircraft, commits an infraction of this Ordinance shall be liable on conviction to a fine not exceeding One Hundred Pounds and to imprisonment, with or without hard labour, for a term not exceeding six months.

St. Peter Port Harbour (Use by Aircraft)
Ordinance No. 2 of 1947.
(14th April, 1947)

THE COURT, on the representations of the States Board of Administration, and having heard His Majesty's Procureur thereon, hereby orders:—

1.—No aircraft shall while proceeding on the surface of the water within the area of the Harbour of St. Peter Port exceed a maximum speed of 12 knots.

2.—Any person who, being in charge of an aircraft, commits an infraction of this Ordinance, 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 or to both such fine and imprisonment.

The Alderney Air Navigation Ordinance, 1949.
(17th January, 1949)

THE COURT, in pursuance of the States Resolution of the 5th day of November, 1948, under and by virtue of the Alderney (Application of Legislation) Law, 1948, having heard His Majesty's Procureur thereon, hereby orders:—

Effect of Ordinances of Schedule

1. The Ordinances set out in the first column of the Schedule hereto shall have effect, subject to the exceptions, modifications and adaptations set out in the second column thereof, as though the Islands of Guernsey and Alderney formed one Island.

Construction of "Airport" and "Airport Staff"

2. A reference in any of the said Ordinances to the States of Guernsey Airport, or any expression having that meaning, shall be construed, as including a reference to the Alderney Landing Ground, and the expression "Airport Staff" shall include the Staff of the Alderney Landing Ground.

THE SCHEDULE.

*Ordinance.**Exceptions, Modifications
and Adaptations.*

Ordonnance concernant l'entrée sur l'aérodrome des Etats, of the 13th day of May, 1939.

Ordonnance prescrivant des Règlements par rapport à l'Administration du Port Aérien de cette Ile, of the 29th day of April, 1939.

Ordonnance portant Règlement pour l'Aérodrome des Etats (1939).

Ordonnance établissant un Zone Aérien Contrôlé au-dessus de l'Aérodrome des Etats et ses environs, of the 17th day of June, 1939.

The reference to the States shall be deemed to include a reference to the States of Alderney.

In Article A, the Zone shall be called the Alderney Restricted Area and the height above sea-level shall be 1,000 feet.

Article B shall not apply but in lieu thereof an Article shall be substituted, lettered B. in the following terms:—

“ B. (1) Entry into or manœuvring in the Alderney Restricted Area is forbidden to any aircraft unless the pilot thereof has previously obtained the consent of the Guernsey Airport Commandant.

(2) Taking off from the Alderney Landing Ground is forbidden to any aircraft unless the pilot thereof has obtained the consent of the Guernsey Airport Commandant.

Ordinance.

Ordonnance établissant un Zone Aérien Contrôlé au-dessus de l'Aérodrome des Etats et ses environs, of the 17th day of June, 1939.

Exceptions, Modifications and Adaptations.

- (3) The pilot of any aircraft on the Alderney Landing Ground or in the Alderney Restricted Area shall obey all directions given to him by the Guernsey Airport Commandant.
- (4) A person who fails or neglects to comply with any of the provisions of this Article shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding one hundred pounds.:

PROVIDED ALWAYS that entry into or manœuvring in the Alderney Restricted Area, or landing on Alderney Landing Ground without the requisite permission shall not be deemed to be such a failure or neglect if such entry, manœuvring or landing was due to stress of weather, engine trouble or other navigational difficulty."

Ordinance Directing a Scale of Charges applicable to Aircraft, 1946.

References to Guernsey shall be deemed to be references to Alderney.

The Airport (Title of Commandant) Ordinance, 1948.

Ordonnance approuvant des Règlements faits par le Conseil des Etats dit "The States' Mental Health Services Board" et prescrivant les Formes à être usitées pour les besoins de la Loi dite "The Mental Treatment Law (Guernsey) 1939."
(Le 2 mars 1940)

LA COUR, ouïes les conclusions des Officiers du Roi,

(a) a approuvé, en vertu de l'Article 3 de la Loi dite "The Mental Treatment Law (Guernsey), 1939," les Règlements et les Cédules s'y rattachant préparés par le Conseil des Etats dit "The States Mental Health Services Board" aux fins du dit Article et soumis à la Cour par le dit Conseil ce jour, lesquels Règlements et Cédules se trouvent dans la Cédule annexée à cette présente Ordonnance; et

(b) a prescrit, en vertu de l'Article 46 de la dite Loi, que les formes à être usitées pour les besoins de la dite Loi seront celles contenues dans la Deuxième Cédule aux dits Règlements et que les livres et autres registres à être gardés dans tout hôpital dit "Mental Hospital" ou autre lieu pour les besoins de la dite Loi seront ceux spécifiés dans la Première Cédule aux dits Règlements.

CEDULE

**THE STATES' MENTAL HEALTH SERVICES
BOARD**

**LE VAUQUIEDOR HOSPITAL, PSYCHIATRIC
CLINIC AND MENTAL HEALTH
SERVICES IN GENERAL**

REGULATIONS made by the States' Mental Health Services Board (hereinafter referred to as "the Board"), in pursuance of Article 3 (entitled "General Powers and Duties of the Board") of the Mental Treatment Law (Guernsey), 1939, and submitted to the Royal Court for approval.

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LAW (GUERNSEY), 1939**THE STATES' MENTAL HEALTH SERVICES
BOARD**LE VAUQUIEDOR HOSPITAL, PSYCHIATRIC
CLINIC AND MENTAL HEALTH
SERVICES IN GENERAL

REGULATIONS made by the States' Mental Health Services Board (hereinafter referred to as "the Board"), in pursuance of Article 3 (entitled "General Powers and Duties of the Board") of the Mental Treatment Law (Guernsey), 1939, and submitted to the Royal Court for approval.

THE REGULATIONSPART I.—MANAGEMENT AND CONDUCT OF LE
VAUQUIEDOR HOSPITAL, PSYCHIATRIC
CLINIC AND STATES' MENTAL HEALTH
SERVICES IN GENERAL**1.—General Power of Management and Control of
Le Vauquiédor Hospital, Psychiatric Clinic and
States' Mental Health Services in General**

(1) Subject to the authority of the Board, the general power of management and control of the States' Mental Hospital, known as Le Vauquiédor Hospital, the States' Psychiatric Clinic and the States' Mental Health Services in general, including the direction of and disciplinary authority over all staff employed in such Hospital, Clinic or Services, except staff employed under the direction of Departments of the States other than the Mental Health Services, shall be vested in the Medical Superintendent. The said Hospital and Clinic are hereinafter, in general, together referred to as "the Hospital."

(2) The Medical Superintendent may, for misconduct, suspend from duty any member of the staff under his direction and, pending the instructions of the Board, or, if the President has the authority of the Board to act in the matter, of the President or a member of the Board authorised to act for him, may arrange provisionally for the discharge of the duties of any person so suspended.

(3) The Medical Superintendent may order to desist from duty any person who is engaged in the Hospital under the direction of another States' Department, but shall immediately report the case and his action therein to the Head of such other Department.

(4) Any case dealt with under either of the last two foregoing sections of this Regulation shall be reported to the Board at their next meeting.

2.—Medical Superintendent

(1) The Medical Superintendent within the meaning of the Law shall be the Medical Superintendent of the Hospital. He shall be appointed by the States' Appointments Board.

(2) Subject to any other duties which may be specifically assigned to the Medical Superintendent by arrangement between him and the Board and to the duties implied in the exercise of the powers vested in him under No. 1 of these Regulations (entitled "General Power of Management, etc."), the duties of the Medical Superintendent shall be as follows:—

(3) He shall be responsible for the management and condition of the Hospital and shall be responsible for and have the direction of the medical, surgical, psychological and moral treatment of the patients, their medical classification and their management, exercise, amusements and occupations.

(4) (a) With the consent of the Board, he may see and treat, or arrange for the treatment of, persons who are resident in any part of the Bailiwick and who appear to be suffering from mental illness.

(b) He may, at the request of the Bailiff or of a Law Officer of the Crown, visit any person charged in the Bailiwick with a criminal offence and examine into such person's mental condition and report thereon.

(5) He shall report to the Board, at its earliest available meeting,

- (a) every occurrence of unusual importance in the Hospital;
- (b) every accident to, escape or death of and inquest upon a patient;
- (c) upon the case of any patient who is, in his opinion, fit for discharge;
- (d) any neglect or abuse in any department of the Hospital that may come to his knowledge;
- (e) all other facts, observations and suggestions which he deems to be of importance, relative to the condition or management of the Hospital or to the treatment of the patients; and
- (f) any other matters as directed from time to time by the Board.

(6) He shall inquire immediately into the cause of all accidents and injuries occurring at the Hospital and report the result of his inquiries to the Board at their next meeting.

(7) He shall give instructions to any assistant medical officers as may be necessary with reference to the duties to be performed by them and the medical and other treatment of the patients.

(8) He shall investigate all complaints made to him by patients, members of the staff and others and shall report to the Board at its next ordinary meeting complaints of sufficient importance to require the attention of the Board.

(9) He shall himself visit the wards as often as practicable and see the patients therein.

(10) He shall from time to time examine the provisions issued for the use of patients and report to the Board whenever they appear to be unsatisfactory.

(11) He shall make occasional visits at uncertain times to the wards and bedrooms during the night or before the patients rise in the morning and report to the Board any serious irregularity which may come to his notice.

On making such visits to the wards and rooms for female patients he shall be accompanied by the matron, head night female nurse, or other responsible female officer.

(12) He shall thoroughly examine, or take care that an assistant medical officer receives and thoroughly examines, every patient on admission, or as soon as possible thereafter, and shall record the result of the examination at the time of such examination, or, as the case may be, cause such record to be made by the assistant medical officer making the examination.

He shall report to the Board the case of any patient who is received at the Hospital under restraint, or in a dirty condition, or suffering from serious injuries, or in a bodily condition which in his opinion should have precluded the patient's removal to the Hospital, and any extraordinary circumstances requiring special notice. He shall call the attention of the officers or any other persons who brought the patient to the Hospital to any such facts before they leave the Hospital.

(13) He shall cause to be entered on separate cards or other special records the names of all patients who are suicidal, tuberculous or dysenteric and such cards or other records respecting such patients shall be handed to the nurses of every ward concerned and shall be preserved and referred to by the said nurses and shall be revised whenever these patients are transferred from one ward to another.

(14) He shall allow any patient, at the special request of such patient or of his or her friends, to be visited at reasonable times by a minister of religion, unless, in his opinion, such a visit would be prejudicial, having regard to the patient's condition.

(15) He may, in special cases of emergency or difficulty amongst patients or resident staff, obtain the advice or professional assistance of an experienced surgeon or other medical practitioner. Whenever such action is taken, the Medical Superintendent shall as soon as possible report to the President the grounds on which such assistance was considered necessary, and the matter shall also be reported to the Board at its next ordinary meeting.

(16) He shall present to the Board once a quarter a list of the cases in which he has exercised his powers of permitting patients to be absent from the Hospital, under the provisions of Article 28 (entitled "Absence of Certified Patient, etc.") of the Law.

(17) He shall make suitable arrangements for the instruction and training of members of the nursing staff, with a view to their securing the recognised nursing certificates.

(18) He shall deal with, as they arise, all applications for night leave made by resident members of the staff.

(19) For the assistance of the Board in the proper exercise of its statutory powers and performance of its statutory duties, the Medical Superintendent shall, as occasion arises, and in any event in the month of January each year in respect of the twelve months ended on the preceding thirty-first day of December, report in writing to the Board regarding

- (a) the adequacy of the staff in respect of its grades, organisation, number and individual efficiency;
- (b) the progress of the patients;
- (c) the methods of treatment in use in the Hospital; and
- (d) the work of the Hospital in general.

(20) The Medical Superintendent shall take care that the Regulations are faithfully observed.

(21) The Medical Superintendent, in addition to being the Medical Superintendent of the Hospital, shall be the Medical Superintendent of the States' Mental Health Services in general.

3.—Chaplain and other Ministers of Religion

(1) The Board may appoint a Chaplain for the Hospital.

(2) The Chaplain shall be a Priest of the Church of England holding the Bishop's licence to officiate in the Island of Guernsey.

(3) DUTIES OF THE CHAPLAIN

(i) To conduct divine service according to the rites of the Church of England at such time and place as is approved by the Board and to perform such other functions germane to his spiritual office as are assigned to him by the Board in relation to the care of patients;

(ii) If required by the Board, to have charge of the Patients' Library: provided that, in the selection of books and other publications for inclusion in the Library and before ordering the purchase thereof, he shall confer with the Medical Superintendent and obtain the approval of the Board to the proposed acquisitions; and the same conditions shall be observed with regard to gifts of books and other publications offered to the Hospital;

(iii) To conduct the Burial Service when required by the Board;

(iv) To keep for the information of the Board at its ordinary meetings, a journal in which he shall record the hours of his attendances on the day of each of his visits; the parts of the Hospital which he has visited on each occasion; the services which he has held; particulars of special cases which have received his attention; and any other facts of which the Board may desire him to make note.

(4) The Board may, after consulting the Medical Superintendent, approve of arrangements for the visit to the Hospital of other Ministers of Religion.

4.—Clerk to the Hospital

(1) The Board of Administration, in consultation with the Board, shall appoint a Clerk of the Hospital (hereinafter referred to as "the Clerk"), whose engagement in

that capacity shall, as circumstances require, be of a whole-time or part-time character.

(2) All the duties set out in this Regulation shall, until it is otherwise provided by Regulations made in pursuance of the Law, be duties of the Clerk.

(3) The Clerk shall, during his hours of duty at the Hospital, be under the general direction and control of the Medical Superintendent.

(4) He shall keep such Registers, Account Books and other Records relative to the Hospital as are mentioned in the First Schedule to these Regulations or are from time to time prescribed by the Board.

(5) He shall place before the Board at every ordinary meeting thereof a tabular statement giving the number of patients of every classification, including voluntary and temporary patients, then in the Hospital, and the numbers, similarly classified, received into and discharged from the Hospital since the last meeting at which a similar statement was presented.

(6) Patients on their admission to the Hospital may retain in their possession such personal belongings as, in the opinion of the Medical Superintendent, it is desirable for them to retain. The Clerk shall keep a record of any other articles which patients bring with them and shall keep such articles in safe custody until they are in due course returned to the patients or other persons entitled to them. The Clerk shall obtain a signed acknowledgment of the return of any such article.

(7) When a certified patient is allowed to be absent on trial or for the benefit of his health, or in virtue of the provisions of paragraph (3) of Article 28 (entitled "Absence of Certified Patient, etc.") of the Law, the Clerk, if on duty, shall deliver to such patient's friends written or printed instructions to the effect that (a) in the event of a relapse, the patient is to be brought back to the Hospital immediately and (b) at the end of the permitted period of absence the patient is to return to the Hospital unless a medical certificate certifying that his detention

as a certified patient is no longer necessary is delivered to the Hospital.

(8) The Clerk shall file every admission order, petition, statement of particulars, medical certificate and any other requisite document delivered at the Hospital in connexion with the admission of any patient until he has ascertained, with any necessary verification by the Medical Superintendent or other appropriate person, that the necessary documents have all been furnished and that they are all in order.

(9) He shall conduct such correspondence relating to the patients and the affairs of the Hospital as the Medical Superintendent requires of him, and his files and registers and other books and records shall be open to the inspection of the Medical Superintendent and, with the President's permission, of any member of the Board.

(10) He shall keep an inventory of all household goods, furniture, utensils and other effects appertaining to the Hospital and shall once a year, or more frequently if so directed, carry out a check of the inventory, except with regard to (a) drugs and medical and surgical appliances and instruments, which shall be under the care of the Medical Superintendent, and (b) the stock for the checking of which the Matron is responsible under No. 5 of these Regulations.

(11) During his hours of duty, he shall himself be present at the opening and closing of the Hospital stores.

(12) He shall carry out the directions given to him from time to time by the appropriate authority regarding the keeping of accounts, the custody and issue of stores, the payment and receipt of money and the keeping of records and documents, prescribed under section (4) of this Regulation or otherwise, and shall be responsible to the Board for the proper keeping and recording of all stock held by him.

(13) He shall be responsible for the clean and orderly condition of the stores and for the safety of any patients employed on them.

(14) He shall give such assistance as may be required of him from time to time by the Medical Superintendent.

(15) He shall, if required to do so, under the direction of the Medical Superintendent, as soon as practicable after the receipt of all goods except drugs and medical, surgical and laboratory appliances, examine and judge them for purity and quality and make such tests as appear necessary. In particular he shall:—

- (a) in the case of goods received under contract. compare them with the contract and satisfy himself that the goods are properly receivable in accordance with the terms of the contract and specifications;
- (b) where there is a standard sample, satisfy himself that the goods delivered are in every way equal to the standard sample;
- (c) in all other cases satisfy himself that the goods are the best of their kind; and
- (d) immediately report to the Medical Superintendent any failure in the description, quality or quantity thereof and carry out any instructions given to him by the Medical Superintendent in the matter.

If he is in doubt on any matter mentioned in the foregoing provisions of this section, the Clerk shall refer to the Medical Superintendent.

(16) Issues from stores for dietary supplies shall be made strictly in accordance with the dietary scale fixed by the Board. No other food for patients shall be issued except for sick and extra diet, as ordered by the Medical Superintendent.

(17) Condemned articles shall be replaced by the issue of new articles from the stores but no new stock shall be issued except on a requisition signed by the Matron and countersigned by the Medical Superintendent.

(18) No article of clothing or furniture shall be issued until it has been marked with the Hospital mark.

(19) During his hours of duty, the Clerk shall not, on any pretext whatever, while the stores are open, absent himself from the stores without locking the door upon leaving and placing the keys for safe keeping in the Matron's Office.

(20) During his hours of duty, he shall open the stores and be in charge thereof at such times as the exigencies of the service make necessary. On closing the stores he shall always deposit the keys for safe keeping in the Matron's Office.

(21) He shall not, without the consent of the Medical Superintendent, absent himself from the Hospital during his hours of duty.

5.—Matron

(1) The Board shall, subject to the approval of the Board of Administration, appoint as Matron of the Hospital a woman who shall be either a Registered Mental Nurse or possess the Final Certificate in Mental Nursing of the Royal Medico-Psychological Association and such other qualification as the Board from time to time determines when such appointment is to be made.

(2) The Matron shall reside at the Hospital and shall be under the general authority and direction of the Medical Superintendent.

(3) She shall be responsible to the Board and the Medical Superintendent for the supervision and nursing of all the patients in the Hospital and for the supervision of the wards, nurses, domestic servants, laundry, work-rooms and all administrative quarters.

(4) Subject to the authority of the Board and the Medical Superintendent, she shall have entire control of all nursing officers, nurses, and servants; shall instruct them in their duties and see that the same are efficiently performed; and shall report to the Medical Superintendent whatever she may know to be improper, or a major infraction of the rules, in the conduct of those subordinate to her, or that may prejudice the economical administration of the Hospital.

(5) She shall endeavour in every way to promote the interests, well-being and happiness of the patients and the welfare of all committed to her charge and use her best endeavours to induce the patients to occupy themselves in suitable employments.

(6) Either the Matron or a Nurse specially deputed by her for the purpose, with the approval of the Medical Superintendent, shall be present throughout the general bathing of the female patients and see that the Bathing Rules contained in No. 13 of these Regulations are strictly carried out and keep observation for, and without delay report to the Medical Superintendent, any marks or bruises found upon the persons of any of such patients.

(7) The Matron shall visit as many wards as possible every day and all the wards at least twice a week. She shall visit all other departments under her supervision with reasonable frequency, at irregular intervals.

(8) She shall make occasional visits to the wards at uncertain hours during the night.

(9) She shall be responsible for all stock in the female wards and in all departments and apartments in which female staff are employed by the Board. She shall check completely once a year, or as often as the Board requires, the stock in the said wards, departments and apartments and report the results of the stock-taking to the Medical Superintendent and the Clerk.

(10) She shall check the requisitions prepared by the nurses in charge of wards for supplies to be used in the wards, satisfying herself that the articles requisitioned are actually necessary and that no waste is occurring.

(11) She or a deputy shall be present at all religious services and entertainments which are held within the precincts of the Hospital and at which patients are present.

(12) She or a deputy shall see all the night staff before they go on duty.

(13) She shall see that all occurrences affecting the pay of the staff under her control are promptly notified to the Clerk.

(14) She shall not absent herself from the Hospital without the knowledge of the Medical Superintendent.

(15) She shall keep such records as the Board or the Medical Superintendent directs.

(16) She may require from any member of the nursing and other staff subordinate to her any reports, either written or oral, which she considers necessary for the proper execution of her duties.

(17) She shall be responsible for the efficient management of the staff quarters and for all matters appertaining to the supply of a properly cooked and served dietary to the staff.

(18) She shall ascertain by all means within her power the names of all members of the female staff who are sick or unable to be on duty from any cause whatsoever and shall report such names each day to the Medical Superintendent. She shall also report to him at any time all cases of serious or urgent illness or accident occurring to the staff and shall keep such records with regard to such staff as may be prescribed.

(19) She shall keep a record of all annual, weekly and daily leave, as allowed to members of the nursing staff by authority of the Board or the Medical Superintendent and shall report to the Medical Superintendent any default in returning to duty on the part of any member of the nursing staff who has been on leave.

(20) Should it appear to her necessary, she may, in company with the Chief Male Nurse, visit at irregular times all the rooms and quarters occupied by male members of the staff, in order to see that all such rooms and quarters are kept in a neat, clean and hygienic manner.

(21) When the Clerk is not on duty, the provisions of sections (7), (11), (19) and (20) of Regulation 4 (entitled "Clerk of the Hospital") shall be construed as applying to the Matron in his stead.

(22) In the Matron's absence, her duties shall be carried out by any acting or assistant Matron who has been appointed by the Board; and if no such person has been appointed or is available, then by any member of the nursing staff whom the Medical Superintendent deposes to act as Matron.

6.—Chief Male Nurse

(1) The Board shall appoint as Chief Male Nurse of the Hospital an experienced male nurse, who shall possess such qualifications as the Board from time to time determines when such appointment is to be made.

(2) The Chief Male Nurse shall carry out his duties under the control of the Matron, subject always to the authority of the Medical Superintendent.

(3) Subject to the authority of the Matron, he shall be responsible for the supervision of the male patients and their wards, the male nurses, male domestic servants, the work-rooms for males and living quarters for males.

(4) Subject to the authority of the Board and the Medical Superintendent and under the control of the Matron, he shall be responsible for the discipline of the male officers, nurses and servants who are subordinate to him; shall instruct them in their duties and see that the same are efficiently performed; and shall report to the Matron whatever he may know to be improper, or a major infraction of the rules, in the conduct of those subordinate to him or that may prejudice the economical administration of the Hospital.

(5) He shall endeavour in every way to promote the interests, well-being and happiness of the patients and the welfare of all committed to his charge and use his best endeavours to induce the male patients to occupy themselves in suitable employments.

(6) Either the Chief Male Nurse or a nurse specially deputed by him for the purpose, with the approval of the Matron, shall be present throughout the general bathing of the male patients and see that the Bathing Rules contained

in No. 13 of these Regulations are strictly carried out and keep observation for, and without delay report to the Matron, any marks or bruises found upon the persons of any of such patients.

(7) He shall be responsible for all stock in the male wards and in all departments and apartments in which male staff under his control are employed by the Board. He shall check completely once a year, or as often as the Board requires, the stock in the said wards, departments and apartments and report the results of the stock-taking to the Medical Superintendent and the Clerk.

(8) He shall check the requisitions prepared by the nurses in charge of wards for supplies to be used in the wards by male nurses, satisfying himself that the articles requisitioned are actually necessary and that no waste is occurring.

(9) He or a deputy shall be present at all religious services and entertainments which are held within the precincts of the Hospital and at which male patients are present.

(10) He or a deputy shall see all the male night staff before they go on duty.

(11) He shall see that all occurrences affecting the pay of the staff under his control are promptly notified to the Matron.

(12) He shall not absent himself from the Hospital without the permission of the Medical Superintendent.

(13) He shall visit, with or without the Matron, at regular and irregular times, all the rooms and quarters occupied by male members of the staff, and shall see that such rooms or quarters are kept in a neat, clean and hygienic manner and he shall report to the Matron any quarters found not to be so kept.

(14) He shall ascertain by all means within his power, at least once in each day, the names of all those male members of the nursing staff who are sick or unable to be on duty from any cause whatsoever and shall cause the Matron to be informed immediately.

(15) He shall report immediately to the Matron the name of any member of the staff and of any patient who is seriously ill or who is suddenly taken ill or who is the victim of an accident.

7.—Head Night Nurses

(1) The head night nurses, with the Matron, shall see all the night nurses preparatory to their going on duty.

(2) On commencing duty each night they shall receive from the Matron or Chief Male Nurse reports as to any change in the patients' sleeping arrangements and any special instructions regarding the sick.

(3) Each head night nurse before going off duty shall make a report in accordance with the form provided.

(4) They shall exercise general supervision of the wards and nurses' apartments, and shall have charge of the night staff during the night.

(5) In case of an alarm of fire, they shall proceed with all speed to the alleged site of the fire, and unfasten all doors in the vicinity and close ward and corridor windows.

(6) In the absence of a Head Night Nurse, the duties of that office shall be carried out by such member of the nursing staff as the Medical Superintendent directs.

Special Provisions regarding Head Night Male Nurse.

(7) A senior nursing officer (male) shall be on duty by night, designated the Head Night Male Nurse.

(8) He shall carry out his duties under the direction of the Chief Male Nurse, subject to the control of the Matron and under the authority of the Medical Superintendent.

(9) He shall visit such of the male wards and such parts of the Hospital as may be required of him and be responsible for the proper carrying out of the whole of the nursing on the male side of the Hospital during the period of night duty.

(10) He shall keep such records as may be required concerning the night duties, the staff on night duty, and the patients on the male side of the Hospital.

(11) He shall see that all the resident members of the male nursing staff not on duty are in their proper quarters not later than the hour prescribed, and he shall report any absentees to the Chief Male Nurse, who in turn shall report to the Matron.

(12) He shall see that such doors as the Medical Superintendent directs are check-locked or un-check-locked, as the case may be, at the proper times.

Special Provisions regarding Head Night Female Nurse.

(13) A senior nursing officer (Female) shall be on duty by night, designated the Head Night Female Nurse.

(14) She shall carry out her duties under the control and direction of the Matron, upon whose instructions she shall act, subject to the authority of the Medical Superintendent.

(15) She shall be responsible to the Matron for the proper carrying out of the whole of the nursing on the female side of the Hospital during the period of night duty and she shall keep such records as may be required concerning the night duties, the staff on night duty and the patients under her charge.

(16) She shall see that all the resident members of the female staff, other than those on duty, are in their proper quarters not later than the hour prescribed and shall report the names of any absentees to the Matron.

(17) She shall see that such doors as the Medical Superintendent directs are check-locked or un-check-locked, as the case may be, at the proper times.

8.—Nurses in Charge of Wards (Day)

(1) In the observance of section 7 of No. 16 (entitled "General Instructions") of these Regulations (which provides that the nurse in charge of a ward is to report

all accidents, injuries, sudden illness, attempts to escape or to commit suicide and struggles, to the Matron) Charge Nurses shall bear in mind that in any case of acute emergency, endangering the life of a patient. any means which the circumstances warrant should be taken to secure immediate help, apart from and in addition to the procedure laid down by the general rule.

(2) The nurse in charge of each ward shall be held directly responsible for the care of all the patients in the ward. He or she shall see that the rules and regulations are strictly observed by the staff and probationer nurses. and report any breach to a superior officer, to whom the nurse shall also communicate freely all matters or occurrences which may in any way affect the well-being of the patients or the Hospital. The nurse shall bear in mind that upon his or her supervision and example depend the tone of the ward and the happiness and welfare of its inmates. Nurses in charge of wards shall be most scrupulous as to cleanliness and ventilation of the wards and the cleanliness of the patients.

(3) Nurses in charge of wards shall be held responsible for the carrying out of all orders in regard to the prevention of the occurrence of infectious diseases, such as the washing of hands before meals and on other specified occasions, and also of those orders which are detailed on the caution cards in respect of patients who have been, or then are, suffering from dysentery, typhoid, tuberculosis, and other infectious conditions.

(4) They shall give special attention to the personal hygiene of patients in every aspect, particularly in regard to the care of patients' mouths and teeth.

(5) They shall take care that no medicine is given to patients except on the order of a medical officer; and they shall be held responsible for the correct administration of medicines so ordered. They shall keep the key of the medicine cupboard of their wards.

(6) The nurse in charge of each ward is held accountable for all bed and other linen, the patients' clothing,

and the various articles belonging to the ward, according to the inventory; and on being removed to another ward, or on leaving the hospital, the nurse shall deliver everything up to the satisfaction of a head nurse, or other officer deputed for this duty, who will certify accordingly in writing.

(7) Nurses in charge of a ward shall enter in the ward casualty book particulars of all casualties which occur while they are on duty. They shall enter the required particulars of patients on the list of patients and see daily that they are correct. Nurses in charge during the morning shall enter in a ward day report all particulars of casualties and all special reports of occurrences within their knowledge which happen while they are on duty, and shall sign the report. They shall hand over the patients to the nurses who succeed them in the charge of the wards, and the nurses thus succeeding in turn of duty shall sign a record of having taken over the said patients. The nurse in charge of the ward during the evening shall complete the entries in the ward day report, so far as is necessary for matters which happen while that nurse is on duty and sign the report, and shall hand over the patients to the night nurse, who shall in turn sign for them.

(8) The nurse in charge for the time being of each ward shall take particular care that the reports are not completed until the patients are put to bed, and that all casualties are inserted; and shall go round the dormitories and single rooms with the night nurse, and hand over the patients in his or her charge to the night nurse when the latter comes on duty, and shall, in like manner, receive them from the night nurse on returning to duty in the morning.

(9) In case of an alarm of fire, they shall proceed with all speed to the alleged site of the fire, and unfasten all doors in the vicinity, and close ward and corridor windows.

9.—Subordinate Nurses on Day Duty

(1) The staff and probationer nurses are subject to the guidance and direction of the nurse in charge of the ward. They are expected to communicate freely to their superior officers any matter or occurrence affecting the welfare of the patients or the institution.

(2) The nurses detailed for day duty shall be in their wards at the appointed time, and shall proceed to assist the patients, except those who are specially directed by the Medical Superintendent, Matron or Chief Male Nurse to be treated otherwise, in getting up, performing their toilet and dressing. Any soreness or discolouration of a patient's skin is to be reported at the first visit of an officer. As soon as the patients have risen and dressed, the dormitories are to be cleaned out. The utmost cleanliness shall be observed in every part of each ward; and everything required for use in the ward shall be kept in its appointed place.

(3) The sudden sickness of any patient, or any particular change observed, is to be reported to the Matron at all times without delay. In case of emergency or serious casualty the nurse shall, without delay, summon the Matron, who may call the Medical Superintendent.

(4) Nurses working with patients, either indoors or outdoors, are expected, in addition to supervising them, to participate in the work.

(5) When in the recreation grounds, the nurses shall not converse and walk about together, but dispose themselves so as to supervise the patients properly.

(6) After every meal the knives and forks shall be collected and handed to the nurse in charge of the ward, who shall see that the number is correct before the patients are permitted to leave the tables: if a knife or fork is missing, the fact shall be reported at once to the Matron. The knives and forks shall be immediately cleaned and locked up in the proper box. *In no circumstances whatever may any patient be permitted to use a carving knife or fork.*

(7) Even when a patient is under the special charge of a particular nurse, the other nurses (day and night) in the ward, when on duty, shall be held responsible for the care and safety of that patient as well as of the others in the ward.

(8) When, owing to a patient's threatening demeanour, violence, or other menacing circumstances, it is necessary to obtain assistance as rapidly as possible, the whistle (supplied to each nurse) shall invariably be used, and all nurses within hearing are required to pay immediate attention to the summons. It is therefore of the greatest importance that the whistle be used in cases of emergency only. In no case where it is avoidable should a nurse attempt to use force to a patient without assistance.

(9) When a patient's condition renders it desirable that he should be placed in a single room, the nurse in charge of the ward (or the night nurse, if the incident occurs at night) may place the patient in the single room for safety. In the day report the name of the patient secluded, and the reason for and duration of the seclusion are to be given. During the time of seclusion the state of the patient must be observed frequently in accordance with the instructions given by the Medical Superintendent.

(10) When a patient expresses a wish to see a minister of religion, the wish shall be made known to the Matron without delay.

(11) The nurses shall give heed to all complaints made by patients and shall report the same.

(12) No meals shall be taken by any nurse in the ward, in the bedrooms, or elsewhere than at the general mess table, without the special direction of the Medical Superintendent or the Matron.

(13) A nurse shall in no circumstances punish a patient. Any nurse guilty of striking or ill-using or wilfully neglecting a patient may be suspended from duty by the Medical Superintendent. Under provocation of any kind the nurse is required to be calm and forbearing.

(14) When the patients go to bed their clothes shall be folded up and put in the place provided for the purpose, or as otherwise directed. Only sufficient light is to be kept to enable the night staff to supervise the patients. No patients shall be allowed to light or extinguish lights. A list of the patients who are deemed by the medical officer to require special attention from the night staff shall be handed by the nurse in charge to the night nurse. Care shall be taken that nothing is concealed about the patients' persons or beds: this instruction refers specially to pipes, cigarettes, matches and food.

(15) In case of an alarm of fire nurses, if they are in a ward, shall remain there, or if they are in the mess-room shall return to their wards and await instructions, and shall not crowd to the alleged site of the fire.

10.—Subordinate Nurses on Night Duty.

(1) The foregoing regulations for day nurses shall apply as far as possible to night nurses.

(2) The night nurses shall come on duty at the appointed time, take over from the day charge nurses every patient in the wards, in which they are to take duty, signing for them; and shall receive from the day charge nurses reports and instructions regarding any particular patients.

(3) They shall examine the lists of patients who require special attention, food or medicines during the night, and shall ascertain that the articles required are left ready for use. They shall also see that no more than sufficient lights are in use. They shall report any nurses who do not extinguish their lights at the appointed time or are absent from their rooms during the night.

(4) When it is necessary to place a patient in a separate room during the night, the night nurse shall report the fact as soon as possible to the head night nurse, who shall enter it in his or her report.

(5) They are not to go off duty in the morning until the charge day nurse has seen each patient and has examined and signed the night report.

11.—Occupational Therapists or Crafts Officers.

(1) The Board may appoint one or more whole or part-time Occupational Therapists or Crafts Officers, who shall possess such qualifications as the Board from time to time determines when such appointment is to be made.

(2) The Occupational Therapists or Crafts Officers shall instruct in occupational therapy such of the patients and staff as the Medical Superintendent directs to be so instructed.

(3) They shall take the instructions of the Matron on any matter affecting the proper care of patients attending occupational therapy sessions and shall be responsible for the proper working of any Occupational Therapy Department, shop or repair room under the charge of such officer.

(4) An Occupational Therapist or Crafts Officer shall keep an inventory of all stock in the occupation departments or in use by employees under instruction or supervision and report any deficiency of stock to the Matron.

12.—Hospital Porter.

(1) The Hospital Porter shall exercise general observation to prevent the escape of patients and to keep them from communicating improperly with persons outside and shall be careful to prevent the removal by any person of any property belonging to the establishment.

(2) He shall be guided by such instructions and orders as are from time to time given for his direction.

(3) He shall keep a record of the names of officers and employees leaving the Hospital premises.

(4) He shall have charge of a book in which he shall enter the names of all persons visiting the Hospital and the dates of their visits.

(5) He shall see that all visitors to patients produce a Pass as provided for in No. 15 of these Regulations.

(6) He shall not admit to the Hospital any person other than those having business at the Hospital.

(7) He shall be responsible for the safe custody of official keys left in his charge.

(8) He shall unlock the main gate of the Hospital at such time as is directed by the Board. During the period for which the main gate is unlocked he shall remain in charge of the Porter's Lodge or other entrance office and the main gateway, except when relieved by some person approved by the Medical Superintendent or the Matron.

(9) He shall see that no patient leaves the Hospital without a pass signed by the Matron or her deputy; and he shall receive and retain such pass on the patient's return.

(10) He shall observe the conduct of any patient present in the yard under his view and shall at all times give all assistance possible to any of the staff in keeping order and discipline in the Hospital.

(11) He shall record all gifts brought by visitors for patients, except such gifts as are taken to the wards by permission of the Matron or her deputy. He shall take charge of any parcels not intended for patients which visitors to the Hospital have with them and shall return the same to the visitors when they are leaving.

(12) He shall see that no parcels are taken out by members of the Staff or patients without a permit from the Matron.

(13) He shall carry out such other instructions as may from time to time be given by the Medical Superintendent, the Matron, or the Clerk.

13.— Rules for the Bathing of Patients.

(1) Every patient shall be bathed at least once a week, unless exempted by medical order. The name of every patient who does not have his or her usual bath shall be entered in the daily ward report.

(2) In preparing a bath the cold water shall be turned on first. Before the patient enters the bath the temperature shall be ascertained by the Fahrenheit thermometer, and it shall not be less than 90 degrees, nor above 100 degrees, unless specially ordered. In case of the thermometer becoming inefficient from injury, etc., all bathing operations in that bath shall be discontinued until another thermometer is obtained.

(3) No hot or cold water shall be added to the bath while the patient is in it, and care shall be taken that the hot and cold water are thoroughly mixed before the patient is allowed to enter the bath.

(4) Only one patient shall be bathed in the same water.

(5) During the use of the bath the room shall never be left without a nurse. At all other times the bath taps shall remain locked.

(6) In no circumstances whatever shall a patient's head be put under water.

(7) In the bath the body of each patient shall be well cleansed with soap. After they come out of the bath special care shall be taken to dry those patients who are feeble and helpless and to clothe them as rapidly as possible.

(8) The bath key shall not be used by patients. It shall be kept in the appointed place, and in no circumstances shall a key be left on the tap of a slipper bath.

(9) Any marks, bruises, wounds, sores, local pain or evidence of disease of any kind complained of by the patients or noticed by the nurses during any of the bathing operations shall be reported immediately to the Matron and also be entered in the daily report sheets.

(10) The nurses shall bear in mind that the baths are to be used solely for the cleansing of the patients, except where, under medical orders, they are given as medical treatment. A cold bath shall not be given except by medical order.

(11) When a bath is given in the ward the nurse in charge shall see it administered.

(12) The depth of water in the bath shall not exceed that indicated by the level mark, or, where there is no such mark, seven inches.

(13) The foregoing Rules (Nos. (1) to (12)) apply to slipper baths. When spray baths are used close attention shall be paid to the following special regulations:—

(a) The water used in spray baths is supplied from an automatic mixer, and the nurse in charge of the bathing is responsible for seeing that the proper temperature is registered before the bathing is commenced.

(b) Should the nurse in charge be unable to regulate the temperature properly the bathing shall be discontinued and the engineer informed.

(c) In no circumstances shall the apparatus for mixing hot and cold water be touched or interfered with in any way by any employee except the nurse in charge or a member of the engineer's staff.

(d) Care shall be taken that the water is turned off completely after bathing is finished, so as to prevent waste.

(14) A printed copy of these Bathing Rules shall be conspicuously displayed in every bathroom and the Rules shall be scrupulously observed by all members of the staff who are concerned.

14.— Rules for Patients' Walking Parties.

(1) The patients who are permitted to take walking exercise beyond the boundary of the Hospital estate shall be selected carefully under the direction of the Medical Superintendent or the Matron.

(2) The number of patients in any walking party shall not exceed 20, and there shall be a sufficiency of nurses with such party, the minimum being three. In the case of shopping parties the number of patients shall not exceed 10, with a minimum of two nurses when the number exceeds two.

(3) The routes taken by walking parties shall be those authorised by the Medical Superintendent or the Matron, and as far as possible quiet country roads shall be chosen.

(4) During the walk the nurses shall be so stationed that all the patients are under supervision, and no patient shall, in any circumstances, be allowed out of sight. Nurses shall exercise the greatest vigilance in the supervision of patients when out walking.

(5) The nurses in charge of walking parties shall take every care to ensure that the public do not suffer molestation or annoyance from the patients forming such parties.

(6) In no circumstances whatever shall a nurse with a walking party enter a licensed house, or allow a patient to do so. If it becomes known to a nurse's superior officer that the nurse has transgressed this Rule, steps shall at once be taken for the nurse to be suspended from duty.

(7) The nurse actually in charge of the walking party shall make a written report of the route taken by the walking party, calling attention to any special incident which may have occurred, such as noisy or disorderly conduct on the part of a patient, or the occurrence of a fit or other illness.

15.—Rules for Visits to Patients

(1) (a) In general, visits to patients shall be allowed only on the days and at the times assigned by the Board for that purpose.

(b) Subject to the provision that the Medical Superintendent may, in suitable cases, issue a Pass (written authorisation) of indefinite duration, every

visitor, before entering the Hospital, shall be required to produce for inspection a Pass signed by the Medical Superintendent or the Matron authorising that visitor to visit a named patient on a specified day.

(c) Patients who are dangerously ill may, by direction of the Medical Superintendent or the Matron, be visited on days other than those referred to in the foregoing sub-sections.

(2) No visitors to patients shall at any time enter a ward without the express permission of the Medical Superintendent or Matron.

(3) Unless in exceptional circumstances and with the consent of the Medical Superintendent, not more than two persons at one time, and no child under sixteen years of age, shall be permitted to visit a patient.

(4) A visitor shall not bring into the Hospital or on any account give to any patient any wine, spirit or intoxicating liquor of any kind, any medicine or drug, or any knife, scissors, cutting instrument, cord, matches or any other article which could be used by a patient to harm himself or others.

(5) No gratuity or perquisite of any kind shall be given by a visitor to any officer, nurse or other person employed at the Hospital. Any such officer, nurse or other employee accepting any such gift may be summarily dismissed therefor by the Board.

(6) The consent of the Board and the Medical Superintendent shall be required to the signing by a patient of any legal or other document which a visitor wishes the patient to sign.

(7) Any visitor desiring to make a complaint or to have an interview respecting a patient's condition shall signify his wish to the charge nurse, who shall thereupon inform the Matron.

(8) A nurse shall be present during every visit, unless the contrary has been arranged with the express authority of the Medical Superintendent, but shall not be present

in such a way as to prevent private conversation between visitor and patient.

(9) No patient shall be permitted to accompany any visitor into the Hospital grounds except by authority of the Medical Superintendent or Matron.

(10) A visitor who does not conform to this Regulation or whose visits are deemed to be harmful to the patient or otherwise inexpedient, may, by order of the Board or the Medical Superintendent, be denied visits to the Hospital for such period as the authority making the said order thinks advisable.

16.—General Instructions

(1) The male and female patients shall be kept in separate wards, and no male nurse, servant or patient, except workmen in discharge of their necessary duties, and under proper supervision, shall be allowed to enter female wards nor any female to enter male wards except where the Medical Superintendent deems it advisable to appoint nurses or female servants to attend for that purpose. No male person excepting the Medical Superintendent, engineer (which term includes a mental hospital engineer and his chief assistants and also a foreman engineer and builder's foreman) and the chaplain, shall at any time have keys admitting them to any of the female wards.

(2) The Board shall provide as many nurses as shall, in its opinion, after consultation with the Medical Superintendent, be sufficient for the effective care of the patients by day and night.

(3) During the day the patients of both sexes shall be employed as much as practicable, especially out of doors: the men in gardening, husbandry and handicrafts, the women in occupations suited to their ability; and as a principle in treatment, endeavours shall continually be used to occupy and employ the minds and bodies of the patients, to induce them to take extended exercise in the open air, and to promote cheerfulness and happiness

amongst them. Such patients as the Medical Superintendent directs shall, in such numbers and at such times as he thinks fit, be allowed under proper supervision to take walks beyond the grounds of the Hospital.

(4) The charge nurses, or deputies appointed for the purpose by the Matron or Chief Male Nurse, shall invariably be present continuously at the general bathing of the patients, see that the bath directions are strictly carried out and look for and at once report any marks or bruises found upon any of the patients and record in their daily report particulars of the report so made.

(5) No patients shall be restrained or secluded at any time, or shall, except for the purpose of cleanliness, be subjected to any bath, unless by authority of a medical officer.

(6) Mechanical restraint shall not be used with regard to any patient except in accordance with the provisions of Article 36 (entitled 'Mechanical Restraint') of the Mental Treatment Law (Guernsey), 1939, and of this Regulation and Part IV. of these Regulations and under the directions, in writing, of the Medical Superintendent. Every direction for mechanical restraint shall be entered in an order book with a counterfoil, kept for that purpose, and on the order and counterfoil the precise time at which, and period for which, restraint is directed shall be entered. No direction for mechanical restraint shall be issued for a longer period than four hours at any one time, except when it is used for surgical reasons only. On the forms of order there shall be placed general instructions to the nurses as to food and exercise, and the course to be followed in case of symptoms of collapse or other emergencies. Whenever mechanical restraint is used the patient shall be placed under continuous observation, both by night and by day, by an experienced nurse, and due opportunity shall be afforded to the patient of attending to the calls of nature, and changing a position which, from continuance, may cause suffering. The appliances for mechanical restraint shall be kept in charge of the Matron;

and the first of any series of applications of such restraint shall be made under the personal superintendence of the Matron. Subsequent imposition of restraint after the patient's release from it for either of the reasons mentioned in this Regulation shall be effected in the presence of the Matron or a head nurse, who shall immediately report to the Medical Superintendent, or his deputy, any struggle with the patient which has taken place at such time.

The Board desires that the application of mechanical restraint shall always be restricted within the narrowest possible usage; that it should not be long continued without intermission; and that it should be dispensed with immediately it has effected the purpose for which it was employed.

The following are not to be considered as mechanical means of bodily restraint within the meaning of these Regulations, but they shall only be used under medical order, and a record of their use shall be made in the clinical records:—

- (a) The continuous bath. A cover shall not be used unless the aperture therein for the patient's head is large enough for his body to pass through.
- (b) The dry and wet pack. No straps or ligatures of any kind shall be used, and the patient shall be released for necessary purposes at intervals not exceeding two hours.
- (c) Splints, bandages, and other like appliances when used in accordance with recognised surgical practice for operations or the treatment of fractures or other local injuries, and not so as to interfere with the free movement of the body or limbs more than is necessarily incident to their use for such purpose.
- (d) Gloves, if so fastened as to be removable by the wearer.

- (e) Sheets or towels used only for the purpose of artificial feeding, and merely held, not tied or fastened.
- (f) Trays or rails fastened to the front of chairs to prevent patients from falling out and thereby injuring themselves.

A copy of Article 36 of the Mental Treatment Law, referred to above, is appended to these Regulations.

(7) All accidents and injuries, however slight, sudden illness, attempts to escape or commit suicide and struggles between patients or between patients and nurses, shall immediately be reported by the nurse in charge to the Matron, who shall inform the Medical Superintendent.

(8) Books, newspapers and publications provided by the Board shall regularly be circulated through the different wards. Various means of amusement shall be placed at the disposal of the patients, and they shall be encouraged to have frequent recourse thereto.

(9) The airing grounds attached to the wards shall be generally accessible to the patients every day when the weather is favourable.

(10) No dormitory for male patients (excepting rooms for single patients) shall contain less than three beds and all the patients (male and female) shall sleep in single beds.

(11) No female patient shall be employed in any private official residence or male officer's quarters at any hospital.

(12) Nurses shall be responsible for the ventilation and proper warmth of their respective wards.

(13) No reward, either in money or kind, shall be given by any nurse to any patient for work done or otherwise.

(14) Male officers (except the Medical Superintendent) who are allowed to have keys of the female side in their possession, are required, whenever they go out of the Hospital, to deliver such keys to the Hospital Porter, or, in his absence, to the Matron, for safe custody during their absence, or to deposit them in some suitable place to be approved by the Medical Superintendent.

(15) No patient shall be allowed to attend religious services or entertainments or shall be employed or be taken out for exercise or recreation either within or without the boundaries of the Hospital estate without the approval of the Medical Superintendent or the Matron.

(16) Patients who assist the nurses in their various ward duties shall not be indulged in extra food at the expense of other patients, nor shall they be permitted to exercise any authority over other patients. No patient shall be allowed without the sanction of the Medical Superintendent or the Matron to perform a duty for another patient which should generally be undertaken by a nurse.

(17) Nurses and other employees who have the charge of patients engaged in work shall see to the safe custody of all knives, forks, tools and other instruments used and examine and count over their stock frequently. They shall on no account take any such article away from the Hospital premises and shall ensure that on the cessation of work all such articles are given up, checked, and stored in safe custody. They shall on no account entrust any patient with the possession of any dangerous instruments out of their sight.

(18) Resident nurses and other resident employees shall be most careful to see that sharp instruments, such as razors, scissors, hatpins, etc., in their bedrooms, and any medicines, liniments, etc., supplied to or obtained by them for their private use, are kept under lock and key.

(19) Nurses and other employees shall see that all ladders, steps, or other things used by them, which might enable patients to escape and all articles which the patients could use for dangerous or improper purposes, are carefully guarded, and, directly the work in connection with which such objects are employed is completed or if such work is suspended shall see that they are removed out of the patients' reach.

(20) Nurses and other employees, when out of the Hospital, shall not mention the names or talk of the conduct of any patient nor shall they convey any letters or

messages from the patients to anyone out of the Hospital without permission from the Medical Superintendent or the Matron. All letters from patients shall be delivered to the Matron.

(21) No nurse or other employee shall, on pain of suspension and dismissal, take charge in a personal or private capacity of money or property of any patient, or sell to, buy from, or borrow of a patient, or receive money or any gift whatsoever from the friends of patients, or from visitors to the Hospital. No person, unless specially authorised by the Medical Superintendent, shall make purchases for a patient, or in any circumstances shall receive from a patient any, or part of any, goods purchased. Any money or valuables found on a patient, except those which he is permitted by the Medical Superintendent or the Matron to retain, shall be handed to the Clerk for safe custody.

(22) No nurse or other employee whilst in charge of a patient (whether as part of the prescribed duty, or on an occasion on which the nurse or other employee has volunteered to take charge of the patient for an outing) shall enter a public-house, or shall permit a patient to do so or to obtain any intoxicating liquor.

(23) No person shall solicit subscriptions for any purpose from any person in the establishment without obtaining the consent of the Medical Superintendent.

(24) The nurses and other employees shall be responsible for the keys and other property in their charge. In no circumstances shall a patient be entrusted with an official key; and the nurses and others shall carry their keys and whistles on the chain and belt provided for that purpose, but these shall be worn and used in as unobtrusive a way as possible. Whenever the nurses and others concerned leave the Hospital they shall deliver up their keys at the appointed place.

(25) Visitors to subordinate officers and servants shall not be allowed without the special permission of the Matron.

(26) The association of male and female staff in the Hospital and grounds shall be permitted only in circumstances approved by the Medical Superintendent.

(27) No resident nurse or employee shall pass a night out of the Hospital without leave first obtained from the Matron.

(28) Nurses and other employees who are resident shall not have fires in their bedrooms without special permission. Smoking in bedrooms is strictly prohibited. The use by employees in their rooms of spirit or oil lamps, or of any unauthorised gas or electric appliances, is prohibited.

(29) In the event of infectious disease occurring in his family, an employee living out of the Hospital may be required to live in the Hospital during such time as the Medical Superintendent considers necessary, unless other arrangements are made to the satisfaction of the Medical Superintendent. If the employee does so live in the Hospital he will not be required to pay for board, lodging or washing.

(30) Should any employee be required to absent himself from duty in consequence of infectious disease at his home the Board is empowered, in its discretion, to pay him an amount equal to wages which he would have received had he been on duty, and if he should be required to reside away from home for a like reason the Board may pay him such sum as it thinks fit to defray extra expense which he has actually incurred.

(31) No member of the staff shall, otherwise than under his own contract of employment under the Board,

- (a) have any interest, direct or indirect, in any contract or pecuniary transaction connected with the Hospital; or
- (b) directly or indirectly take any fee, reward or perquisite of any kind from any tradesman, patient, or other person.

Any infraction of this Regulation shall render the person committing it liable to immediate dismissal.

(32) In no circumstances shall any officer or employee of the Hospital receive a favour from any Hospital contractor or tradesman in respect of private supplies or otherwise.

(33) (a) No patient shall, on any account whatever, be struck or threatened; and no patient shall be placed in seclusion except by the order of the Medical Superintendent or in the case of extreme violence, as provided for in sub-section (b) of this section.

(b) If a patient becomes extremely violent the fact shall be immediately reported to the Medical Superintendent or Matron. The nurse to whom the patient's condition first becomes known shall immediately procure the assistance of at least one other nurse and send for the Matron or the Chief Male Nurse, as the case may be. The knees shall not be placed on the patient's body nor shall his limbs be twisted.

(34) (a) All nurses shall treat their patients kindly and shall not speak harshly to them. They shall be responsible for the safety, cleanliness and general condition of their patients and for the good order of their wards. They shall attend to the dressing and undressing of their patients, keeping careful observation for injuries, bruises and other marks and reporting any such immediately to the Matron or the Chief Male Nurse who, as soon as possible, shall report the matter to the Medical Superintendent.

(b) Acts of harshness or violence to patients, dishonesty, intemperance, improper behaviour, or disobedience to orders shall render any nurse or servant guilty thereof liable to instant dismissal, without any payment in lieu of notice.

(35) The person who brings a patient to the Hospital for admission may be requested to remain until the personal examination of the patient provided for in section (12) of No. 2 (entitled "Medical Superintendent") of these Regulations has been made, in order that he may be (a) informed of any signs of injury or other unusual

condition revealed by the examination and (b) furnished with a written note thereof, signed by the medical officer who examined the patient.

(36) No officer, nurse or other employee of the Board shall permit, or knowingly afford facility for, the execution or signature by any patient of any document affecting the patient's property or income. This rule does not apply to a will or codicil, permission for the execution of which may be allowed by the Medical Superintendent.

(37) Except by order of the Royal Court, or a Division thereof, made after hearing evidence by the Medical Superintendent or his deputy, no patient shall be served with legal process or any legal document.

(38) Any officer or nurse who receives any information respecting the property or estate of any patient, or regarding any legal proceedings touching the affairs of a patient, shall without delay communicate such information to the Medical Superintendent, who shall as soon as possible cause inquiries to be made by the Clerk and any other official or person concerned in order to determine or verify the classification of the patient as a private or an assisted patient.

(39) On the death of a patient in the Hospital, the Matron shall immediately give notice thereof, by telephone or messenger, to the nearest known relation of the deceased, and this notice shall be confirmed in writing by the Clerk. The body shall be delivered to such relation upon his or her request. If not claimed and removed on the fourth day after death, the body shall be buried in accordance with the directions of the Board. If the Medical Superintendent is of opinion that earlier burial is essential he may order it in virtue of this Regulation.

(40) A post-mortem examination, if not objected to by the relation of the deceased having the right to claim the body, may be made by the Medical Superintendent or any assistant medical officer upon any patient who dies in the Hospital. Notice of the intention to make

such examination shall be sent with the notice of death provided for in the last foregoing section of this Regulation. In case of doubt, a Law Officer of the Crown may conclusively determine what person has the right to claim the body within the purview of this Regulation.

(41) No stranger shall be admitted into any part of the Hospital occupied by any patient, except by authority of law, or by the direction, in writing, of the Board, or by permission of the Medical Superintendent, nor unless accompanied by the Medical Superintendent or some person deputed by him for the purpose, nor at any unreasonable time. No officer, nurse, servant or other person employed under the direction of the States or the Board shall introduce any stranger to any part of the Hospital without permission from the Medical Superintendent. A stranger within the purview of this Regulation is any person who is neither a Member of the Board nor a person employed under the direction of the Board.

(42) All members of the nursing staff shall make themselves familiar with the rules and regulations pertaining to the care, treatment and management of patients. A copy of all such rules and regulations for the time being in force shall be available for inspection by any member of such staff on application to the Matron or the Clerk.

17.—Staff Holidays and other Leave of Absence

(1) Except as otherwise provided by the express or implied terms of an individual's contract of employment under the States, or by the ensuing provisions of this Regulation, the annual holiday leave allowable to members of the salaried and nursing staff shall be in accordance with the following scale:—

After one year's service	
under the States Fourteen days.
Under one year's service	
under the States	One day for each month's service.

(2) Any member of the nursing staff who has obtained the final certificate of either the General Nursing Council or the Royal Medico-Psychological Association shall be entitled to seven days' holiday leave in addition to the leave allowable under the provisions of the preceding section of this Regulation.

(3) The annual holiday leave allowable to any member of the salaried staff not otherwise entitled to more than fourteen days' leave shall, after fifteen years' service under the States, be twenty-one days.

(4) Annual holiday leave not provided for in the foregoing sections of this Regulation shall be such as the Board allows.

(5) Additional leave, late leave, and special or casual leave of any kind, may be allowed by the Medical Superintendent.

(6) The arrangements for the members of the staff to have leave of absence on public holidays, or, as the exigencies of the service may require, on days to be allowed in lieu of public holidays, shall be made by the Medical Superintendent

(7) The Medical Superintendent, in consultation with the Matron, shall prepare, and submit for the approval of the Board, as soon as may be after the commencement of these Regulations, a scheme providing for the members of the resident nursing staff leave of absence for half-days and whole days at monthly, weekly or other suitable intervals.

(8) All leave of absence allowable under this Regulation shall be subject to the exigencies of the service.

18.—Sick Pay and Allowances of Salaried Staff

(1) Subject to the ensuing provisions of this section, any member of the salaried staff who is wholly incapacitated by illness from performing his or her duties shall be allowed, in accordance with the following scale, (i) free medical service by a medical officer of the

Hospital if he or she is received as an in-patient in the Staff Sick Bay of the Hospital, and (ii) the payment of full salary, that is to say:

Scale of Allowances

Length of service of member of staff	Period of free medical service and full salary while incapacitated
Three years or more	Four weeks.
Less than three years	Two weeks.

(2) Payment of salary during such incapacity shall be allowed only on the production of a certificate from a registered medical practitioner that at the material time the member of the staff to whom the certificate relates was, for reasons given in the certificate, incapacitated for duty. Where the member of the staff in question is not a staff in-patient, any such certificate as aforesaid shall be given by the medical practitioner in attendance upon him or her.

(3) In the case of any member of the salaried staff in which the Board deems it proper to do so, the Board may allow free medical service as aforesaid by a medical officer of the Hospital and the payment of full salary for a period after the expiration of the relevant period specified in the above scale, or may allow for such further period such free medical service and the payment of a proportion of the full salary or either such free medical service or the payment of the full salary or a proportion thereof.

(4) Where any illness is the result of an accident, any payment of salary allowed under this Regulation shall be reduced by the value of any States' insurance benefits receivable by the member of the staff in question.

**PART II.—TERMS AND CONDITIONS REGARDING
THE RECEPTION, TREATMENT AND
DISCHARGE OF PATIENTS.**

19.— Reception of Certified Patients

The documents which are required by the provisions of Article 16 (entitled "Authority for Admission, etc.")

of the Law to be delivered, upon the admission of a certified patient, to the person in charge of a mental hospital or authorised place, shall be respectively in accordance with the undermentioned Forms contained in the Second Schedule to these Regulations, namely:—

- (i) The petition: Form 1;
- (ii) The statement of particulars: Form 2.
- (iii) The medical certificates: Form 3.
- (iv) The admission order: Form 4 or Form 4A, as the case requires.

20.— Reception of Voluntary Patients

(1) The written application required in pursuance of Article 31 (entitled “Admission, etc., of Voluntary Patients”) of the Law to be made by a person not under the age of sixteen desirous of submitting himself to treatment as a voluntary patient in a mental hospital shall be made in accordance with Form 5 or Form 6 in the Second Schedule to these Regulations, as the case requires.

(2) In the case of a person under the age of sixteen —

- (a) application for such person’s treatment as a voluntary patient shall be made by that person’s parent or guardian in accordance with Form 7 in the said Schedule; and
- (b) the medical recommendation accompanying the application shall be in accordance with Form 8 in that Schedule.

21.— Reception of Temporary Patients

The written application required in pursuance of Article 34 (entitled “Admission of Temporary Patients, etc.”) of the Law to be made for the admission and treatment of a temporary patient shall be in accordance with Form 9 or Form 10 in the Second Schedule to these Regulations, as the case requires, and the medical recommendation accompanying the application shall be in accordance with Form 11 in that Schedule.

22.— Modification of Forms

Such minor modification of detail as the circumstances of a case may require may be made in any Form prescribed in the foregoing Regulations.

23.— Conditions regarding Treatment and Discharge

Subject to the requirements of the Regulations of the Board for the time being in force respecting payments to be made by or on behalf of patients, the Board may from time to time and at any time in consultation with the Medical Superintendent formulate such conditions as they deem it advisable to specify respecting the treatment to be given to patients and the conditions upon which patients may be discharged.

24.— Payments by or on behalf of Patients

(1) Subject to the provisions of section (5) of this Regulation, any payment which the Board requires to be made by or on behalf of a patient in the Hospital or otherwise under the care of the Board shall be based upon scales of charges fixed by the Board, having regard to

- (a) the average weekly cost for a patient of the same kind, undergoing similar treatment; and
- (b) the cost of any special treatment or special measures adopted in the case of the patient by or on behalf of whom payment is being required.

(2) The scales of charges referred to in section (1) of this Regulation may be revised from time to time and at any time deemed advisable by the Board and shall be reviewed by the said Board not less often than once in every twelve months.

(3) The Clerk shall, as regards every patient under the care of the Board, not being a patient who is one of the Stranger Poor within the meaning of the Public Assistance Law, 1937, obtain such information as he can

reasonably procure as to the ability of the patient, or any person answerable for the patient, to pay, or contribute towards, the cost of maintaining and treating the patient and shall, in the light of such information, record whether or not, in his opinion, payment should be required in the case and, if so, make and record an assessment of the amount of such payment, not exceeding the maximum fixed in the scale of charges appropriate to such case.

(4) (a) The Board shall appoint a Committee, to be designated the Assessment Committee, to whom the Clerk shall submit the information and records provided for in the last foregoing section. That Committee shall, after reviewing such information and records and any other relevant facts reasonably obtainable, determine in every case whether a charge is to be made and, if so, the amount thereof and shall authorise the same accordingly.

(b) Where, in the case of a patient who has not a Settlement in the Island of Guernsey, the whole cost incurred by the Board in maintaining and treating the patient is not paid to the Board by the patient or the person or persons answerable for him, the Board shall communicate to the States' Public Assistance Authority the facts of the case, including the cost so incurred by the Board, in order that (a) the Stranger Poor Assistance Committee of that Authority may deal with the case in pursuance of Article XII of the Public Assistance Law, 1937, and (b) the Public Assistance Authority may reimburse the Board the amount of the said cost. The Board shall also remit to the said Authority any contribution which may have been made to the Board, towards such cost, by the patient or the person or persons answerable for him, since the case became referable to the Authority under this Regulation.

(5) In cases of any unusual kind for which there has not been occasion to fix a scale of charges under the foregoing provisions of this Regulation, the Clerk shall obtain such information as is reasonably procurable

relative to the cost incurred or to be incurred by the Board in maintaining and treating the patients concerned, and the appropriate charges may be determined by the Board accordingly.

(6) Any person aggrieved by any charge determined in accordance with this Regulation may appeal in respect thereof to the Board.

(7) The Board may claim from any patient under its care or from any person answerable for such patient, any appropriate charge determined in accordance with this Regulation; and the President of the Board may take action in the Royal Court for the enforcement of the claim and the recovery of costs.

PART III.—AUTHORISED STAFF

25.—Authorised Staff of States' Mental Health Services

Until further order by Ordinance of the Royal Court modifying this Regulation, the authorised staff of the States' Mental Health Services shall be that set out in the Third Schedule to these Regulations.

PART IV.—PROVISIONS REGARDING MECHANICAL RESTRAINT

26.—Authorised Mechanical Means of Bodily Restraint

The mechanical means of bodily restraint which may be used in the Hospital shall be those specified in the Fourth Schedule to these Regulations and such other means as may from time to time be determined by the Board, in consultation with the Medical Superintendent, and no other mechanical means of bodily restraint shall be employed.

27.— Use of Mechanical Means of Bodily Restraint

(1) Any means of mechanical restraint shall be employed only in accordance with the provisions of section (6) of No. 16 (entitled "General Instructions") of these Regulations and with such other directions as the Board, in consultation with the Medical Superintendent, deems it proper to give. A printed copy of any such directions shall be supplied to every member of the nursing staff; and every person receiving the same shall sign a record of having received and read it, such record being retained by the Medical Superintendent.

(2) At each visit of Jurats to a mental hospital or other place in pursuance of Article 40 (entitled "Visitation of Patients") of the Mental Treatment Law (Guernsey), 1939, all instruments and mechanical appliances which may have been employed in the application of bodily restraint to a patient since the last preceding visit, together with the record of any sanction given by the Board in virtue of section (4) of the Fourth Schedule to these Regulations, shall be produced to the said Jurats by the Medical Superintendent or the person having charge of a single patient, as the case may be.

PART V.—GENERAL AND MISCELLANEOUS

28.—General Provisions regarding Duties of Staff

All duties specified in these Regulations, whether or not they are declared in these Regulations to be performed under the direction of any person, are subject to the authority of the Board, which may, for the purpose of exercising its powers or fulfilling its duties under the Law, assign to any individual officer or employee of the Board duties which are (a) reasonably related to his duties as specified in these Regulations and (b) within his proved or presumable competence.

29.— Members and Contracts

The Board shall not enter into any contract for goods to be supplied to the Board, or to any hospital or other institution in its charge, with —

- (a) any member of the Board, or
- (b) a partner or any agent in that behalf of any member of the Board, or
- (c) any company or other association of which a member of the Board is a director or manager:

Provided that this Regulation shall not preclude the Board from buying from a member or his partner or agent or from a company or association such as is referred to in section (c) of this Regulation, or the said member, partner, agent, company or association from selling to the Board, any goods which, in the opinion of the President, are urgently required and cannot, without undue delay, be otherwise obtained.

30.— Penalties

(1) Subject to the provisions of section (3) of this Regulation, any person who is employed under the direction of the Board and who contravenes any of these Regulations shall, if the contravention is not a criminal offence, be liable to disciplinary action by the Board in the exercise of its general powers under the Law and any other powers inherent in the Board.

(2) Any other individual person, not being an in-patient, contravening any of these Regulations, other than the Regulations in Part II. prescribing the use of specified forms, shall be guilty of an offence, and without prejudice to any other proceedings to which he may by law be liable, shall, on conviction, be liable to a fine not exceeding two pounds for a first offence and not exceeding five pounds for any subsequent offence.

(3) If any person employed under the direction of the Board does any act, or is guilty of any omission,

injurious, or likely to be injurious, to a patient under the care of the Board, and if such act or omission constitutes a contravention of any of these Regulations, such person shall be guilty of an offence and, without prejudice to any other proceedings to which he may by law be liable, may be prosecuted summarily therefor and, on conviction, shall be liable for every such offence to a fine not exceeding ten pounds or to imprisonment, with or without hard labour, for a term not exceeding two months, or to both such fine and such imprisonment.

31.— Interpretation

(1) The provisions of Article 1 (entitled “ Interpretation ”) of the Law shall apply in like manner to the words and expressions therein mentioned, when they occur in these Regulations.

(2) In these Regulations, unless the context otherwise requires or it is otherwise specially provided, the following words and expressions have the meanings hereby respectively assigned to them, namely:—

“ Hospital ” includes any mental hospital within the meaning of the foregoing section of this Regulation;

The “ Law ” means the Mental Treatment Law (Guernsey), 1939, and any Law amending, supplementing or superseding that Law;

“ The President ” includes, when necessary for the due operation of the Regulations, the Vice-President and any Acting President or Vice-President or any member of the Board authorised by the Board to act as President or Vice-President;

The “ Seclusion ” of a patient means that he is, at any time between 7 a.m. and 7 p.m., isolated in a room the door of which is so fastened or held that the patient is unable to leave the room at will; but the patient is deemed to be not secluded if he is isolated in a room in which the lower half of the door is thus fastened or held, but the upper part is left open.

32.—Commencement

These Regulations shall come into operation on the day on which they are approved by the Royal Court.

33.—Short Title

These Regulations may be cited as the Mental Treatment Regulations, 1940.

SCHEDULES**THE FIRST SCHEDULE**

(Section (4) of Regulation No. 4)

PRESCRIBED BOOKS

Register of Admissions of Certified Patients

Register of Voluntary Patients

Register of Temporary Patients

Register of Patients' Personal Belongings

Register of Patients' Correspondence

Mechanical Restraint Order Book

Discharge Book

Such Books of Account as may be necessary for the accurate record of Income and Expenditure.

THE SECOND SCHEDULE

(Part II. of the Regulations)

PRESCRIBED FORMS

States' Mental Health Services Board
THE MENTAL TREATMENT LAW
(GUERNSEY), 1939

FORM 1

Petition for an Admission Order

In the matter of (1)
of (2) , (3)
a person alleged to be of unsound mind.
The Petition of (4)
in the Island of Guernsey, (6)
1. I am (7) years of age.
2. I desire to obtain an order for the admission of
the said (8)

Insert:
(1) full name,
(2) address,
and
(3) usual
of (5) occupation
of patient.
Insert:
(4) full name,
(5) address,
and
(6) usual
occupation
of petitioner.
(7) A person
may not com-
plete this
petition un-
less he is 20
years of age
at least.
(8) Insert
name of
patient.
(9) Strike out
word which is
inapplicable.

as a certified private
assisted (9) patient in the
(10) situate at
(11) in the said Island.
3. I last saw the said
at on the
(12) day of 19 .

4. (a) I am the (13) of the said

(b) *If the petitioner is not the Husband or Wife
or a near relative, or the guardian of the patient, state
as follows:—*

This petition is not presented by the husband (9),
wife
a near relative, or the guardian of the patient because
(give the reasons)

Insert:
(10) name
and
(11) locality
of place to
which admis-
sion is
sought.
(12) Some
day within
7 days
before the
presentation
of the
petition.

The circumstances in which this petition is presented
by me are as follows:—

5. I am not related to or connected with either of the
persons signing the certificates which accompany this
petition as (where the petitioner is a man) husband,
father, father-in-law, son, son-in-law, brother, brother-
in-law, partner or assistant (or where the petitioner is

(13) Here
state the
relationship
or connexion
with the
patient.

a woman) wife, mother, mother-in-law, daughter, daughter-in-law, sister, sister-in-law, partner or assistant.

6. I undertake to visit the said personally or by someone specially appointed by me at least once in every six months during the detention of the said _____ in a mental hospital or authorised place

7. A statement of particulars relating to the said _____ accompanies this petition.

8. The usual medical attendant of the said _____ has (not) ⁽¹⁴⁾ signed one of the medical certificates accompanying this petition/by reason of the fact that

(14) If one of the certificates is signed by usual medical attendant, delete "not" and the words following "petition". If one of the certificates is not so signed, give reason.

The petitioner therefore prays that an order may be made in accordance with the foregoing statement.

(Signed).....

Dated this _____ day of _____ 19 _____

NOTE

Article 43 of the Mental Treatment Law (Guernsey), 1939

False Declarations and Mis-statements

Any person who knowingly makes a false declaration or any wilful mis-statement of any material fact in any petition, statement of particulars, admission order, medical or other certificate, or in any statement or report of bodily or mental condition, under this Law, shall be guilty of an offence and shall, in respect of every such offence, be liable, on conviction, to a fine not exceeding fifty pounds or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both such fine and such imprisonment.

FORM 2*Statement of Particulars* (1)

Full Christian and surname of patient.

Sex and age.

*Married, single or widowed.

*Rank, profession, or previous occupation (if any).

*Religious persuasion.

Residence at or immediately previous to the date hereof.

*Whether first attack.

*Age on first attack.

Where and when previously under care and treatment as a patient suffering from mental illness.

*Duration of existing attack.

Supposed cause.

Whether subject to epilepsy.

Whether suicidal.

Whether dangerous to self or others, and in what way.

Whether any near relative has suffered from mental derangement.

If the patient is under guardianship, the name and address of the guardian and, if the latter was legally appointed, the date of the Act of Court under which the appointment was made.

Full Christian and surnames and full postal address of one or more relatives of the patient.

Full Christian and surnames and full postal address of the person to whom notice is to be sent in the event of the death of the patient.

Name and full postal address of the usual medical attendant of the patient.

(Signed).....

Dated this

day of

19 .

When the petitioner is not the person who signs the statement of particulars *add the following statement of particulars concerning the person who signs such statement.*

Full Christian name and surname.

Rank, profession or occupation (if any).

Full postal address.

How related to or otherwise connected with the patient.

(¹) If any particulars are not known, the fact is to be stated.

*Where the patient is an idiot omit the particulars marked *..

NOTE

*Article 43 of the Mental Treatment Law (Guernsey),
1939*

False Declarations and other Misstatements

Any person who knowingly makes a false declaration or any wilful mis-statement of any material fact in any petition, statement of particulars, admission order, medical or other certificate, or in any statement or report of bodily or mental condition, under this Law, shall be guilty of an offence and shall, in respect of every such offence, be liable, on conviction, to a fine not exceeding fifty pounds or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both such fine and such imprisonment.

FORM 4

*Order for the Admission of a Certified Patient to a
Mental Hospital and Detention therein*

In the matter of (1)
of (2) (3)
I, the undersigned, having read the petition of
dated the day of
, 19... and the statement of parti-

(1) Insert the full name of patient.
(2) Insert usual residence of patient.
(3) Insert patient's usual occupation.

culars accompanying the same and the Medical Certi-
ficates of and
dated the day of 19
and day of 19
respectively and being satisfied that the said

is a person of unsound mind and in
need of care and treatment, do hereby authorise you to
receive the said as a certified
patient into and
there to detain the said

(Signed)
A Law Officer of the Crown
in Guernsey.

Dated this day of 19 .

To.....

FORM 4A

*Order for the Admission of a Certified Patient to place
other than Mental Hospital, and Detention therein.*

(1) Insert the full name of patient.
(2) Insert usual residence of patient.
(3) Insert patient's usual occupation.

In the matter of (1)
of (2) , (3)
I, the undersigned, having read the petition of
dated the day of
, 19... and the statement of parti-
culars accompanying the same and the Medical Certifi-
cates of and
dated the day of 19
and day of 19
respectively and being satisfied that the said
is a person of unsound mind and in
need of care and treatment, do hereby authorise you to
receive the said as a certified
patient into and
there to detain the said

(4) See the Mental Treatment Law (Guernsey), 1939, Art. 19 (1).

(4) This Order is made under the authority of an Act of
the Royal Court passed on the day
of 19 .

(Signed)
A Law Officer of the Crown
in Guernsey.

Dated this day of 19 .

To.....

FORM 5

Application for Reception as a Voluntary Patient, by a Person not under the age of Sixteen.

To

The Medical Superintendent,
States' Mental Health Services,
Le Vauquiédor Hospital,
Guernsey,

I hereby make application to be received into Le Vauquiédor Hospital as a Voluntary Patient for care and treatment and I undertake that whilst I am a patient of that Hospital I will conform to the rules and regulations of the Hospital.

I am.....years of age.

I undertake to pay the full expenses of my care and treatment and maintenance in the said Hospital as determined by the States' Mental Health Services Board in accordance with (a) the scale of charges fixed from time to time under the Mental Treatment Regulations, 1940 and (b) the cost of any special treatment or special measures adopted in my case.

I am unable to pay the full expenses, but am willing to contribute towards the cost, of my care, treatment and maintenance in the said Hospital and I request that the amount of my weekly contributions towards the cost of such care, treatment and maintenance be fixed after enquiry by the States' Mental Health Services Board and I make an offer to pay.....per week in that respect.

Strike out the paragraphs which do not apply.

I am unable at present to make any contribution towards the expenses of my care, treatment and maintenance in the said Hospital. I am willing that an authorised representative of the States' Mental Health Services

ORDINANCES

Board shall, if the Board desires it, examine with me the question whether, at any time after my reception into the Hospital, I should be required to make any such contribution and if so the amount thereof.

(Signed) Name

Address

Occupation

Dated this day of 19 .

MEMORANDUM

Rate of Weekly Contributions agreed

between the States' Mental

Health Services Board and

.....per week.

Signature of President of the Board.....

Signature of Applicant.....

Dated this day of 19 .

ORDINANCES

I am unable to pay the full expenses, but am willing to contribute towards the cost, of the care, treatment and maintenance of the said

in the said Hospital and I request that the amount of my weekly contributions towards the cost of such care, treatment and maintenance be fixed after enquiry by the States' Mental Health Services Board and I make an offer to pay _____ per week in that respect.

(Signed) Name.....

Address.....

Occupation.....

Dated this _____ day of _____ 19 .

MEMORANDUM

Rate of Weekly Contributions
agreed between the States'
Mental Health Services Board
and

.....per week.

Signature of President of the Board.....

Signature of Applicant.....

Dated this _____ day of _____ 19 .

FORM 7*Application by Parent or Guardian for reception of a
Person under sixteen years of age as a Voluntary
Patient*

N.B.—For the purposes of Article 31 (which relates to the admission, etc., of voluntary patients) of the Law the expression “guardian” in relation to a person under the age of sixteen includes any person having the charge of that person.

To

The Medical Superintendent,
States’ Mental Health Services,
Le Vauquiédor Hospital,
Guernsey.

I hereby make application for the reception of ⁽¹⁾ of ⁽²⁾
a person under the age of sixteen
years, whose ⁽³⁾ I am, into
Le Vauquiédor Hospital as a Voluntary Patient for care
and treatment and I undertake that the said
whilst a patient of that Hos-
pital will conform to the rules and regulations of the
Hospital.

I undertake to pay the full expenses of the care,
treatment and maintenance of the said

in the said Hospital as
determined by the States’ Mental Health Services
Board in accordance with (a) the scale of charges fixed
from time to time under the Mental Treatment Regu-
lations, 1940, and (b) the cost of any special treatment
or special measures adopted in the case of the said
patient.

Strike out
paragraphs
which are
inapplicable.

I am unable to pay the full expenses, but am willing to contribute towards the cost, of the care, treatment and maintenance of the said

in the said Hospital and I request that the amount of my weekly contributions towards the cost of such care, treatment and maintenance be fixed after enquiry by the States' Mental Health Services Board and I make an offer to pay per week in that respect.

I am at present unable to make any contribution towards the expenses of the care, treatment and maintenance of the said in the said Hospital. I am willing that an authorised representative of the States Mental Health Services Board shall, if the Board desires it, examine with me, at any time after the above-named person's reception into the Hospital, the question whether I should be required to make any such contribution and if so the amount thereof.

(Signed) Name.....

Address.....

Occupation.....

Dated this day of 19...

MEMORANDUM

Rate of Weekly Contributions
 agreed between the States'
 Mental Health Services Board
 and
per week.

Signature of President of the Board.....

Signature of Applicant.....

Dated this day of 19...

FORM 8

*Recommendation of Medical Practitioner for reception
of a person under sixteen years of age as a
Voluntary Patient*

N.B.—Article 31 of the Mental Treatment Law (Guernsey), 1939—

(1) requires that a recommendation for this purpose shall be signed by either

- (a) the usual medical attendant of the person to whom the application relates or
- (b) the Medical Superintendent of the States' Mental Health Services; and

(2) provides that such medical recommendation shall cease to have effect for the purposes of the Article (which deals *inter alia* with the reception of voluntary patients in a mental hospital) on the expiration of fourteen days from the last date on which the person to whom the recommendation relates was examined by the medical practitioner for the purposes of making the recommendation.

Recommendation for the reception and treatment of (1) _____
of (2) _____ as a Voluntary
Patient in Le Vauquiédor Hospital.

(1) Full Christian names and surname of intending patient.
(2) Full postal address.
(3) Full name and (4) address of medical practitioner.

I. (3) _____ of (4)

hereby declare that—

1. I am a person authorised to practise the profession of medicine in the Island of Guernsey and am actually engaged in the practice of that profession.

2. I examined the said

on the day of 19 .

3. I am of the opinion that the said

is likely to be benefited by being received as a Voluntary Patient for treatment for mental illness pursuant to Article 31 (entitled "Admission, etc., of Voluntary Patients") of the Mental Treatment Law (Guernsey), 1939.

(5) Strike out whichever paragraph is inapplicable.

4. (5) I am the usual medical attendant of the person to whom this recommendation relates.

I am the Medical Superintendent of the States' Mental Health Services.

(Signed).....

Medical Qualifications.....

Dated this day of 19 .

FORM 9

Application for Reception of a Person as a Temporary Patient into Le Vauquiédor Hospital

N.B.—Before completing this Form, the applicant should read the extracts from the Mental Treatment Law (Guernsey), 1939, printed on the back hereof.

To

The Medical Superintendent,
States' Mental Health Services,
Le Vauquiédor Hospital,
Guernsey.

1. I ⁽¹⁾ of ⁽²⁾
hereby request you to receive
of as a temporary
patient into Le Vauquiédor Hospital.

(1) Full name
and (2) full
postal address
of applicant

2. ⁽³⁾ I am related to the said
in the following manner:—

(3) Strike out
the alterna-
tive declara-
tions which
do not apply.

OR

I am a Constable of the Parish of
in which Parish the said
now is and I make this application at the request of
of who
is related to the said in the
following manner:—

OR

I am not related to the said
The reasons why this application is not made by a
relative of the said , and my
connection with him/her, ⁽⁴⁾ and the circumstances in
which I make this application, are as follows:—

(4) Strike out
the inapplic-
able word

3. Accompanying this application is a recommenda-
tion for the temporary treatment of the said
signed by two medical practitioners
according to law.

(Signed).....

Dated this day of 19 .

Back of Form 9**THE MENTAL TREATMENT LAW
(GUERNSEY), 1939)**

*Extracts of paragraphs from
Article 34.—Admission of Temporary Patients and
Requirements regarding them*

(1) Subject to the provisions of this Article, a person who is suffering from mental illness and is likely to benefit by temporary treatment may, on a written application duly made in accordance with the provisions of this Article but without an admission order, be received as a temporary patient for the purpose of treatment—

(i) into a mental hospital; or

(ii) with the consent of the Board, into charge as a single patient.

(2) An application under this Article shall be made in the prescribed form to the Medical Superintendent; and shall, if possible, be made by the husband or wife, or by a relative of the person to whom it relates, or, on the request of the husband or wife or of a relative, by a Constable of the parish in which the said person then is, and if the application is not so made, it shall contain a statement of the reason why it is not so made, of the connection of the applicant with the person to whom it relates and of the circumstances in which he makes the application.

(3) The application shall be accompanied by a recommendation made in the prescribed form signed by two medical practitioners, of whom one shall be, if practicable, the usual medical attendant of the person to whom the application relates.

(5) A recommendation shall be of no effect for the purposes of this Article if there is a greater interval than five clear days between the dates on which the person to whom the recommendation relates was examined by the two medical practitioners respectively, and any such recommendation shall cease to have effect on the expiration of fourteen days from the date on which the person to whom the recommendation relates was examined by the two medical practitioners, or, if he was examined by those practitioners on two different dates, on the expiration of fourteen days from the later of those dates.

(14) Any consent granted by the Board under paragraph (1) of this Article may be granted subject to such conditions as the Board thinks proper and may be revoked at any time.

FORM 10

Application for Reception of a person as a Temporary Single Patient

N.B.—Before completing this Form the applicant should read the extracts from the Mental Treatment Law (Guernsey), 1939, printed on the back hereof.

To
 The Medical Superintendent,
 States' Mental Health Services,
 Le Vauquiédor Hospital,
 Guernsey.

- (1) Full name and (2) full postal address of applicant.
- (3) Give name and full postal address of the authorised place into which the patient's reception is desired.
- (4) Strike out the alternative declarations which do not apply.
- (5) Strike out the inapplicable word.

1. (I ⁽¹⁾ of ⁽²⁾ hereby apply for the consent of the States' Mental Health Services Board to the reception of of into ⁽³⁾ for treatment as a temporary single patient.

2. ⁽⁴⁾ I am related to the said in the following manner:—

OR

I am a Constable of the Parish of in which Parish the said now is and I make this application at the request of of , who is related to the said in the following manner:—

OR

I am not related to the said . The reasons why this application is not made by a relative of the said , and my connection with him/her, ⁽⁵⁾ and the circumstances in which I make this application are as follows:—

3. Accompanying this application is a recommendation for the temporary treatment of the said signed by two medical practitioners according to law.

(Signed).....

Dated this day of 19 .

Back of Form 10**THE MENTAL TREATMENT LAW
(GUERNSEY), 1939***Extracts of paragraphs from
Article 34.—Admission of Temporary Patients
and requirements regarding them*

(1) Subject to the provisions of this Article, a person who is suffering from mental illness and is likely to benefit by temporary treatment may, on a written application duly made in accordance with the provisions of this Article but without an admission order, be received as a temporary patient for the purpose of treatment —

- (i) into a mental hospital; or
- (ii) with the consent of the Board, into charge as a single patient.

(2) An application under this Article shall be made in the prescribed form to the Medical Superintendent; and shall, if possible, be made by the husband or wife, or by a relative of the person to whom it relates, or, on the request of the husband or wife or of a relative, by a Constable of the parish in which the said person then is, and if the application is not so made, it shall contain a statement of the reason why it is not so made, of the connection of the applicant with the person to whom it relates and of the circumstances in which he makes the application.

(3) The application shall be accompanied by a recommendation made in the prescribed form signed by two medical practitioners, of whom one shall be, if practicable, the usual medical attendant of the person to whom the application relates.

(5) A recommendation shall be of no effect for the purposes of this Article if there is a greater interval than five clear days between the dates on which the person to whom the recommendation relates was examined by the two medical practitioners respectively, and any such recommendation shall cease to have effect on the expiration of fourteen days from the date on which the person to whom the recommendation relates was examined by the two medical practitioners, or, if he was examined by those practitioners on two different dates, on the expiration of fourteen days from the later of those dates.

(14) Any consent granted by the Board under paragraph (1) of this Article may be granted subject to such conditions as the Board thinks proper and may be revoked at any time.

FORM 11

Recommendation of two Medical Practitioners for Temporary Treatment of a Patient

N.B.—Before completing their declarations in this Form, the declarants should read the extracts from the Mental Treatment Law (Guernsey), 1939, printed on the back hereof.

Recommendation for the temporary treatment of
of

(1) Full name
and (2) ad-
dress of one
medical
practitioner.
(3) Strike out
the inapplic-
able expres-
sion.

I, (1) of (2)
hereby declare that:—

1. I am a person authorised to practise the profession of medicine in the Island of Guernsey and am actually engaged in the practice thereof. I am ~~am~~ not (3) the usual medical attendant of the above named .

2. I examined the said on
the day of 19...

*3. I have formed the conclusions stated below on the following grounds, viz:—

I, ⁽⁴⁾ of ⁽⁵⁾ hereby declare that:— (4) Full name and (5) address of the other medical practitioner.

1. I am a person authorised to practise the profession of medicine in the Island of Guernsey and am actually engaged in the practice thereof. I am ^{am} not ⁽⁶⁾ the usual ⁽⁶⁾ medical attendant of the above named (6) Strike out the inapplicable expression.

2. I examined the said on the day of 19...

*3. I have formed the conclusions stated below on the following grounds, viz:—

And WE, the said and further declare that:—

1. The said

- (i) is suffering from mental illness;
- (ii) is likely to benefit by temporary treatment;
- (iii) is for the time being incapable of expressing a desire or willingness to receive treatment as a voluntary patient.

2. It is expedient with a view to the said

's recovery that he should be received into for a period not exceeding six months.

Signed

Medical Qualifications

Dated this day of 19...

Signed

Medical Qualifications

Dated this day of 19...

*A person in specifying the grounds on which his conclusions are based, must carefully distinguish between statements of fact which are based upon his own observations and statements of fact which are based upon communications made to him by others.

Back of Form 11**THE MENTAL TREATMENT LAW
(GUERNSEY), 1939**

*Extracts of paragraphs from
Article 34.—Admission of Temporary Patients
and requirements regarding them*

(3) The application shall be accompanied by a recommendation made in the prescribed form signed by two medical practitioners, of whom one shall be, if practicable, the usual medical attendant of the person to whom the application relates.

(4) Each of the medical practitioners by whom a recommendation under this Article is made shall, before signing the recommendation, examine the person to whom the recommendation relates, either separately or in conjunction with the other medical practitioner, and shall specify in the recommendation the date on which he so examined the said person and the grounds on which he bases his recommendation.

(5) A recommendation shall be of no effect for the purposes of this Article if there is a greater interval than five clear days between the dates on which the person to whom the recommendation relates was examined by the two medical practitioners respectively, and any such recommendation shall cease to have effect on the expiration of fourteen days from the date on which the person to whom the recommendation relates was examined by the two medical practitioners, or, if he was examined by those practitioners on two different dates, on the expiration of fourteen days from the later of those dates.

FORM 12

Transfer Order

In virtue of the provisions of Part V. (entitled
 “Transfer, etc., of Certified Patients”) of the Mental
 Treatment Law (Guernsey), 1939, I, the undersigned,
 hereby order that _____, a
 patient in _____ be transferred
 from _____ to

(Signed).....

A Law Officer of the Crown
in Guernsey.

Dated this _____ day of _____, 19...

ORDINANCES
FORM 13

Annex to Forms 5, 6, 7, 9, and 10.

*Particulars to be supplied when a Voluntary
or Temporary Patient is received*

Full Name

Maiden Name (in the case of a married woman).....

Age Date of Birth

Whether Married or Single

Occupation

Religion

Address from which received

Date of Reception

Name and address of responsible relative:—

Duration of existing illness

Has the Patient previously been in
a Mental Hospital or otherwise
under care for mental illness?.....

If so, when and where

.....

THE THIRD SCHEDULE (Regulation No. 25)

*Authorised Staff of States' Mental Health Services*1.— *In charge of the States' Mental Health Services:*

A Medical Superintendent

2.— *At Le Vauquiédor Hospital and Psychiatric Clinic:*A.— *Whole-time Staff*

A Matron
A Chief Male Nurse
16 Female Nurses
10 Male Nurses
A Hospital Porter
A Cook
An Assistant Cook
4 Housemaids
3 Kitchenmaids
A Vanman and Gardener
A Boilerman

Whole-time or Part-time, as required

A Clerk of the Hospital
A Seamstress

C.— *Visiting and other Part-time Staff*

A Chaplain
A Dental Surgeon
An Occupational Therapist
3 Charwomen

THE FOURTH SCHEDULE (Regulation No. 16,
section (6), and Part IV. of the Regulations)

Specified Mechanical Means of Bodily Restraint

- (1) A jacket or dress, made of strong linen or some other strong material (a) laced or buttoned down the back, having long outside sleeves fastened to the dress only at the shoulders, with closed ends to which tapes may be attached for tying behind the back when the arms have been folded across the chest; or (b) of some other pattern approved by the Board;
- (2) Gloves without fingers, so fastened at the wrists that they cannot be removed by the wearer, and made of linen, leather (chamois or other), or some strong material, padded or otherwise;
- (3) Sheets or towels, when tied or fastened to the sides or ends of a bed or to other objects;
- (4) If, in the opinion of the Medical Superintendent or other medical practitioner who gives the certificate required by Article 36 of the Mental Treatment Law (Guernsey), 1939, some other mechanical means of bodily restraint is necessary in a particular case where the circumstances are exceptional, such means may be used with the previous sanction of the President of the Board for such period as he authorises.

APPENDIX

**Article 36 of the Mental Treatment Law
(Guernsey), 1939**

ARTICLE 36.—MECHANICAL RESTRAINT

(1) Mechanical means of bodily restraint shall not be applied to any patient unless the restraint is necessary for purposes of surgical or medical treatment, or to prevent the patient from injuring himself or others.

(2) In every case where such restraint is applied a medical certificate shall, as soon as it can be obtained, be signed, describing the mechanical means used, and the reasons for the application of the same.

(3) The certificate shall be signed, in the case of a patient in a mental hospital, by the medical officer thereof, and in the case of a patient detained elsewhere, by his medical attendant.

(4) A full record of every case of restraint by mechanical means shall be kept from day to day by the master or matron of a mental hospital or by the person in charge of a patient in any other place.

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

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

Definitions

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

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

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

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

“Horticultural Committee” means the States Committee for Horticulture.

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

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

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

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

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

(a) under glass; or

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

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

Applications
for
licences

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

Agricultural
Committee
may require
particulars
concerning
crops, etc.

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

Horticultural
Committee
may require
particulars
concerning
bulbs or
flowers

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

Failure to
furnish
particulars,
etc.,
an offence

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

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

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

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

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

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

Penalty
for not
carrying out
directions

Agricultural
land not
included in
the definition

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

Failure to
comply with
directions
an offence

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

Power to
enter upon
land

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

To obstruct
or impede
an offence

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

Meaning
of "the
Committee"

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

**Ordonnance relative aux Fosses d'Aisance (Puits-Perdus)
et Latrines, 1940. (Le 31 août 1940)**

LA COUR, sur les représentations de l'Officier Médical de Santé et ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

It shall be an offence to place on or in or to distribute over or to cause or allow to be placed on or in or to be distributed within 60 feet of any human dwelling or of or in any fruit or vegetable garden any matter extracted by the clearance or partial clearance thereof from any cesspool, latrine or earth-closet used partially or exclusively for the reception of human excreta whether the place of distribution be a yard, garden, field or other place, cultivated or uncultivated, except at such place and at such time as the States Medical Officer of Health may permit and on fulfilling such conditions as that Officer may prescribe— provided however that in cases where the space available to the occupant of the place does not permit of the matter resulting from such clearance being distributed at a distance of 60 feet or more from the human dwelling and the fruit and vegetable gardens nearest thereto then it shall be a defence to any proceedings under this Ordinance to show that the matter was buried completely as far from every such place as was reasonably practicable in the circumstances.

Any person contravening this Ordinance shall be amenable to a fine not exceeding Ten Pounds for a first offence and to a fine not exceeding Twenty-five Pounds for each subsequent offence.

**Ordonnance dite "The Stray Dogs Ordinance, 1941".
(Le 29 mars 1941)**

LA COUR, sur les représentations du Comité des Etats dit "Island Police Committee" et ouïes les conclusions du Contrôle du Roi, a ordonné et ordonne:—

Stray dogs
may be
seized and
detained by
the Police

1.—(1) Where a police officer has reason to believe that any dog found in a highway or place of public resort is a stray dog, he may seize the dog and may transfer it to an establishment for the reception of stray dogs and the dog may be detained until the owner has claimed it and has paid the prescribed fee in respect of its detention.

Prescribed
fees for
detention
of dogs

(2) The prescribed fee in respect of the detention of a dog shall be as follows:—

- (a) Where the dog is claimed on the day of seizure and before transfer to an establishment for the reception of stray dogs, the sum of One Shilling payable to the Island Police Committee; or
- (b) Where a dog is claimed after transfer to such an establishment the sum of One Shilling and sixpence payable for each day or part of a day during which it shall have been detained or the gross sum of five shillings whichever shall be the greater.

In any case where an owner of a dog shall have regained possession thereof before payment of the prescribed fee the appropriate fee may be recovered from the owner by the Island Police Committee as a civil debt.

Dogs
wearing
collars with
names of
owners
inscribed
thereon. etc.

(3) Where any dog so seized wears a collar having inscribed thereon or attached thereto the address of any person, or the owner of the dog is known, the Police Inspector shall serve on the person whose address is given on the collar, or on the owner, a notice in writing stating that the dog has been so seized and will be liable to be sold or destroyed if not claimed within seven clear days after the service of the notice.

Service of
notices

(4) A notice under this section may be served either—

- (a) by delivering it to the person on whom it is to be served; or

- (b) by leaving it at that person's usual or last known place of abode, or at the address given on the collar; or
- (c) by forwarding it by post in a prepaid letter addressed to that person at his usual or last known place of abode, or at the address given on the collar.

(5) Where any dog so seized has been detained for seven clear days after the seizure, or, in the case of such a notice as aforesaid having been served with respect to the dog, then for seven clear days after the service of the notice, and the owner has not claimed the dog and paid the prescribed fee in respect of its detention, the person in charge of the establishment for the reception of stray dogs in which the dog is detained may cause the dog to be sold or to be destroyed in a manner to cause as little pain as possible.

(6) Where any such dog as is mentioned in section (1) of this section is so badly injured that it is proper that it should be destroyed immediately, then, notwithstanding any other of the provisions of this Ordinance, it shall be the duty of a police officer or of the person in charge of the establishment for the reception of stray dogs in which the dog is, on becoming aware of such injury to cause the dog to be promptly destroyed in a manner to cause as little pain as possible and in such case the cost of destroying the dog (not exceeding the sum of Three shillings and sixpence) may be recovered as a civil debt by the Island Police Committee or by such person, as the case may be, from the owner of the dog.

(7) No dog seized under the provisions of this section shall be given or sold for the purposes of vivisection.

(8) The Police Inspector shall cause to be kept a register of all dogs seized under this section. The register shall contain a brief description of the dog, the date of seizure and particulars as to the manner in which

the dog is disposed of by the police, and such register shall be open to inspection at all reasonable times by any member of the public on payment of a fee not exceeding sixpence.

Register of
stray dogs

(9) There shall be kept at every establishment for the reception of stray dogs a register containing a brief description of the dog, the date of its reception, and particulars of the manner in which it is disposed of by the establishment and such register shall at any reasonable time be open to inspection by a police officer without payment of any fee and by any other person on payment of a fee not exceeding sixpence.

Maintenance
of detained
dogs

(10) The police officer or other person having charge of any dog detained under this section shall cause the dog to be properly fed and maintained.

Expenses
incurred

(11) All expenses incurred by the police under this section shall be defrayed out of Island Police funds and any money received by the police under this section shall be paid to the account of those funds.

Duties of
finders of
stray dogs

2.—(1) Any person (in this section referred to as “the finder”) who takes possession of a stray dog shall forthwith either —

(a) return the dog to its owner; or

(b) inform a police officer of the finding and if so required allow the police to take possession of the dog.

Finder who
desires to
become
owner of
a stray dog

(2) If the finder of a dog whose owner is unknown is desirous of becoming the new owner thereof the Police Inspector may allow him to keep it but without prejudice to the right on the part of the owner who has lost it to reclaim it. A finder who is allowed to keep possession of a dog which he has found shall thereupon be responsible for its care and for payment of the relative tax.

He shall be given by the Police Inspector a certificate in writing briefly narrating the facts in such form as the Police Inspector may prescribe and the

particulars on each such certificate shall be recorded in a register to be kept at the Police Station.

(3) If the finder fails to comply with any of the provisions of this section, he shall be liable on conviction to a fine not exceeding forty shillings. Finder not complying with above

Ordonnance dite

“ THE POWERS OF POLICE SEARCH ORDINANCE, 1942 ”. (Le 14 novembre 1942)

LA COUR, en vertu tant des dispositions de la Loi précisant les pouvoirs de la Cour des Chefs Plaids de décerner la peine d'Emprisonnement et d'autoriser la Visite de Prémisses enregistré le 23 mai 1936 que des dispositions de l'Ordre en Conseil intitulé “ The Emergency Powers (Guernsey Defence) Order in Council, 1939,” et ouïes les conclusions du Procureur Général, a ordonné et ordonne comme suit: —

1. (1) Where there is reason to believe* or suspect that an offence against any Law, Ordinance or Defence Regulation, or any Order made or Direction given under any of the foregoing, has been committed and that evidence of the commission of the offence is to be found in or upon any premises, an officer of police, not below the rank of Sergeant, accompanied by any other officer or officers of police shall, upon production on lawful request of an instrument in writing dated and signed by the chief officer of police thereunto authorising him, be entitled to enter any premises, by force if necessary, and to search those premises for such evidence as aforesaid and to remove therefrom all such matters and things as he may find therein relating to the alleged offence. Powers of Police to enter and search premises

PROVIDED that the right of entry and search aforesaid shall only be exercisable during the hours of daylight.

(2) In this Section the expression “ chief officer of police ” has the same meaning as in the Defence Regulations (Guernsey), 1939.

Penalty for
obstructing
or impeding
Police

2.— If any person shall obstruct or impede, or attempt to obstruct or impede, any officer of police acting in the exercise of his duty by virtue of the provisions of this Ordinance, that person shall be guilty of an offence and may be summarily apprehended, and shall, on conviction before the Royal Court or before the Police Court, be liable to a fine not exceeding Fifty pounds or to a term of imprisonment, with or without hard labour, not exceeding Four months, or to both such fine and such imprisonment.

Ordonnance dite

**“ THE PUNISHMENT OF INFRACTIONS OF
ORDINANCES, ETC., ORDINANCE, 1943 ”.**

(Le 9 janvier 1943)

LA COUR, tant en vertu des dispositions de la Loi précisant les pouvoirs de la Cour des Chefs Plaids de décerner la peine d’Emprisonnement et d’autoriser la visite de Prémises, enregistrée le 23 mai 1936 et des dispositions de l’Ordre en Conseil intitulé “ The Emergency Powers (Guernsey Defence) Order in Council, 1939 ” qu’en vertu de ses pouvoirs inhérents touchant les matières ci-après contenues, et ouïes les conclusions du Procureur Général, a ordonné et ordonne que les dispositions suivantes auront effet en cette Ile: —

Definitions

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

“ contravention ” includes non-compliance;

“ enactment ” means —

(a) any Ordinance of the Royal Court whether heretofore or hereafter enacted;

(b) any Order made, or any direction given, or requirement imposed, whether heretofore or hereafter, under any such Ordinance or any such Order.

“ Police Inspector ” includes any Police Officer acting as, or deputising for, the Police Inspector.

“the 1936 Law” means the Law entitled “Loi précisant les Pouvoirs de la Cour des Chefs Plaids de décerner la Peine d’Emprisonnement et d’autoriser la visite de Prémisses” registered on the 23rd day of May, 1936.

“the Magistrate” means the Police Court Magistrate or Acting Police Court Magistrate.

*2.—Where the maximum penalty for any contra-^{Proceedings}vention of any enactment is a fine in excess of Ten ^{before the}pounds or a term of imprisonment, whether with or ^{Magistrate}without hard labour, in excess of Two months, or such a fine and such a term of imprisonment cumulatively, proceedings may be instituted before the Magistrate for the punishment of any such contravention and, subject to the provisions of the 1936 Law, the Magistrate shall be competent to inflict upon any person convicted before him in respect thereof a fine not exceeding ONE HUNDRED POUNDS or a term of imprisonment, with or without hard labour, not exceeding SIX MONTHS, or both such fine and such imprisonment.

PROVIDED that nothing contained in this Section shall be construed as increasing any penalty imposed under any other enactment in respect of any such contravention.

3.—(1) Proceedings in respect of any contravention ^{Institution of}of any enactment may be instituted in the Police Court ^{Proceedings}by means of the tabling by the Police Inspector of a charge setting forth concise details of the Offence to which the charge relates and a reference to the enactment concerned.

(2) Every person against whom such a charge is ^{Warning}preferred, upon being notified, whether verbally or ^{to attend}otherwise, by a Police Officer of the nature of the charge ^{Court}and warned, not later than forty-eight hours before the time of the commencement of the sitting of the Police Court at which the charge is to be tabled, to attend that

* See also the “Loi étendant la Juridiction du Magistrat en Police Correctionnelle et pour le Recouvrement de Menues Dettes (1946)”.

sitting at that time, shall attend accordingly and in the event of that person's non-attendance the Magistrate may direct that that person shall be brought before him, by force if necessary, at the next sitting of the Police Court or such other sitting thereof as the Magistrate may direct.

PROVIDED that nothing contained in this subsection shall invalidate a warning given later than forty-eight hours before the time of the commencement of the sitting of the Police Court to which the warning relates if the person warned to attend agrees to accept such later warning.

Section deemed to have had effect from August 31st, 1939

(3) This Section shall be deemed to have had effect as from and after the 31st day of August, 1939, and all proceedings instituted after that date, whether or not the period elapsing between the warning given to attend a sitting of the Police Court and the commencement of that sitting was as prescribed in this Section, and every conviction recorded and punishment imposed in consequence of any such proceedings, shall be deemed to have been as valid and effectual as if they had been instituted, recorded and imposed under the provisions of this Ordinance.

Ordonnance portant règlement pour la Perception de l'Impôt sur le Tabac crû en ce Bailliage et fabriqué en cette Ile. (Le 27 octobre 1943)

VU la délibération des Etats en date de ce jour fixant un impôt sur le Tabac crû en ce Bailliage et fabriqué en cette Ile:

Vu l'acte enregistré sur les Records de cette Ile ce jour sanctionnant la levée du dit impôt:

LA COUR, ouïes les conclusions du Procureur Général Délégué, a, par voie des dispositions suivantes rédigées en anglais, ordonné et ordonne:—

Definitions

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

“Licence” means an unrevoked licence issued by the States Supervisor to cut up tobacco as defined in this Ordinance;

“Licensed Cutter” means a person who holds a valid licence to cut up tobacco as defined in this Ordinance;

“Person” includes any body corporate or not corporate;

“Revenue Officer” includes the States Supervisor and any person duly authorised by him to carry out any duties under this Ordinance;

“Royal Court” means the Royal Court sitting as an Ordinary Court;

“Tobacco” means tobacco which has been grown in the Bailiwick of Guernsey;

The masculine shall include the feminine and the singular shall include the plural and *vice versa* unless the context requires otherwise.

2.—As from the passing of this Ordinance no person shall —

- Tobacco
may not be
cut up
without
a licence
- (a) cut up tobacco, whether mechanically or otherwise, either for himself or for any other person, unless that person is in possession of a licence;
 - (b) procure or attempt to procure the cutting up of tobacco by any person who is not a licensed Cutter.

3.—A person desirous of applying for a licence shall send an application in writing to the States Supervisor setting forth the following particulars: —

- Applications
for licences
- (a) Full name of applicant.
 - (b) Full residential address of applicant.
 - (c) Age of applicant.
 - (d) Present occupation of applicant.
 - (e) Full Postal address of premises wherein it is proposed to cut up tobacco and to keep the necessary records.
 - (f) Names and Full Postal addresses of two rate-payers of the parish of residence of the

applicant who are prepared to vouch for his good character.

(g) Signature of applicant and date of application.

Fees payable for a licence 4.—When making an application for a licence the applicant shall pay to the States of Guernsey a licence fee of £1 if the licence is for the unexpired portion of the year 1943 and a licence fee of £5 if the licence is for any subsequent year or portion of a year. He shall moreover deposit the sum of £20 with the States of Guernsey by way of security. If the application be refused the licence fee shall be returned to the applicant together with the deposit less the sum of £1 which shall be retained as a service charge for investigating the application.

Refusal to grant licence, etc. 5.—(a) The States Supervisor may refuse to grant or to renew a licence and may cancel a licence at any time without assigning any reason therefor. A person whose application for a licence or the renewal of a licence has been refused, or whose licence has been cancelled, may summon the States Supervisor to appear before the Royal Court to show cause why a licence, or the renewal or restoration of his licence, as the case may be, should not be granted to him. The decision of the Royal Court in all such cases shall be final and without appeal.

Cancelled licences (b) The holder of a licence which has been cancelled shall forthwith surrender it to the States Supervisor for cancellation.

Issue of licence to cutter 6.—The States Supervisor shall deliver to each person to whom a licence shall be granted or whose licence shall be renewed a document setting forth that the applicant is a licensed Cutter, the period of validity of the licence, the premises for which the licence is operative and all such other particulars as he shall consider necessary. The States Supervisor shall issue a duplicate licence to a licensed Cutter against payment of a fee of Five shillings if the former is satisfied that the original licence has been lost, destroyed or defaced.

7.—The States Supervisor shall keep a record of all licences granted by him which record shall contain the date of the grant of the licence, the full name and residential address of the licensee, the address of the premises wherein tobacco is cut up and the dates on which the licence is renewed.

Record of
licences
issued

8.—Every licence shall expire on the 31st day of December next following the date of the grant of such licence but shall be renewable during the month of December in each year for a period of twelve months upon application for renewal being made to the States Supervisor and upon payment to him of the sum of £5.

Expiry and
renewal of
licences

9.—A licensed Cutter shall not cut up tobacco in premises other than those mentioned in his licence.

Cutting up
of tobacco

10.—Licences shall be displayed prominently at all times in the premises in which tobacco is received for the purpose of being cut up so as to be clearly visible to persons entering the premises.

Licences
to be
displayed
in premises

11.—(a) Every licensed Cutter shall keep a register in such manner as the States Supervisor shall from time to time direct.

Cutter's
register

(b) The register shall be kept permanently on the premises wherein tobacco is cut up and shall be open to inspection by any Police Officer acting in the execution of his duty or by any Revenue Officer at all reasonable times and the Police Officer and the Revenue Officer shall be entitled respectively to make copies of any of the contents of such register.

(c) Every licensed Cutter shall be bound to supply such information and to make such returns in such form and within such reasonable time as the States Supervisor shall from time to time direct by a general notice addressed to all licensed Cutters or by individual notice.

Returns by
Cutter

12.—Any Police Officer acting in the execution of his duty or any Revenue Officer shall be entitled to enter the premises of a licensed Cutter where tobacco is cut up at all reasonable times and inspect and check all stocks of tobacco and to require the licensed Cutter and any

Entry of
premises

person employed by him or assisting him to supply all such information in relation to the same as is within their knowledge.

Duty
to be paid
on demand

13.—Every licensed Cutter shall pay on demand to the States of Guernsey duty at the rate imposed from time to time by the States of Guernsey on tobacco cut up by him, such rate being calculated on the weight of such tobacco immediately after it has been cut up.

Refund of
duty on
re-export

14.—The duty levied on tobacco which has been imported into the Island of Guernsey for the purpose of being cut up shall be refunded less 10% of such duty on the re-export of such tobacco when the weight thereof after being cut up is not less than 5 pounds avoirdupois. Every person claiming a refund shall send to the States Supervisor a written declaration setting forth the weight of the tobacco, the amount of the duty paid, the name of the licensed Cutter through whom the duty was paid, the place of destination of such tobacco and such other information as the States Supervisor may require.

Offences and
penalties

15.—If any person shall be guilty of a breach of any of the provisions of this Ordinance or shall wilfully impede or obstruct any Police Officer or Revenue Officer in the execution of his duty thereunder or shall knowingly make an entry in the Register to be kept under the provisions of this Ordinance which is false in a material particular or in furnishing any information for the purposes of obtaining a licence or the renewal of a licence or in connection with any return or declaration required by or made to the States Supervisor shall make a statement which he knows to be false in a material particular, that person shall be guilty of an offence and shall be liable before the Royal Court or before the Police Court to a fine not exceeding £250 or to a term of imprisonment with or without hard labour not exceeding 12 months or to both such fine and such imprisonment.*

* Paragraph re confiscation added on 14th October, 1944.

**Ordonnance supplémentaire à l'Ordonnance portant
règlement pour la Perception de l'Impôt sur le Tabac
crû en ce Bailliage et fabriqué en cette Ile.**

(Le 14 octobre 1944)

LA COUR, ouïes les conclusions du Procureur Général Délégué, a, par voie des dispositions suivantes rédigées en anglais, ordonné et ordonne:—

The following paragraph shall be inserted at the end of Section 15 of the Ordinance intituled "Ordonnance portant règlement pour la Perception de l'Impôt sur le Tabac crû en ce Bailliage et fabriqué en cette Ile" dated the 27th day of October, 1943.

"In addition to the above penalties, the Royal Court ^{Confiscation} or the Police Court, as the case may be, may, at its ^{of tobacco} discretion, order the confiscation for the benefit of ^{and} machinery the States of any tobacco and any machine or implement which may be used for the cutting up of tobacco discovered on the premises of any person found guilty of an offence punishable under the provisions of this Ordinance".

**Ordonnance portant amendement à l'Ordonnance
au sujet de la vente de Denrées Alimentaires qui ne
sont pas de la nature, de la substance ou de la qualité
demandée par l'acheteur.**

(Le 13 mai 1944)

LA COUR, sensible que la pénalité prescrite dans l'Ordonnance au sujet de la vente de Denrées Alimentaires qui ne sont pas de la nature, de la substance ou de la qualité demandée par l'acheteur rendue permanente aux Chefs Plaids d'après Noël, tenus le 21 janvier 1889 n'est pas suffisante dans certains cas au moment actuel a, ouïes les conclusions du Procureur Général Délégué, ordonné et ordonne comme suit, savoir:—

1.—La pénalité pour une infraction de la dite ^{Pénalité} Ordonnance sera une amende n'excédant pas Deux cent ^{pour} cinquante livres sterling ou un emprisonnement avec ou ^{infraction}

sans travail forcé n'excédant pas Douze mois ou telle amende et tel emprisonnement cumulativement en outre les frais d'analyse encourus au lieu de la pénalité prescrite dans la dite Ordonnance.

Société
Anonyme

2.—Lorsque la personne trouvée coupable d'une infraction de la dite Ordonnance est une Société Anonyme ou à responsabilité limitée ou autre Corporation, toute personne qui au moment de la commission de la dite infraction était directeur, administrateur, gérant ou autre officier de la dite Société ou autre Corporation sera censée coupable de la dite infraction à moins qu'elle ne prouve que la dite infraction fut commise sans sa connaissance ou qu'elle avait pris toutes les mesures nécessaires pour en empêcher la commission.

Ordonnance dite "The Clean Milk Ordinance, 1945)".
(Le 8 décembre 1945)

La Cour, sur les représentations du Conseil des Etats dit "States Board of Health" et ouïes les conclusions du Procureur du Roi, a ordonné et ordonne comme suit, savoir:—

Infected.
contaminated
or fouled
milk

- 1.—(1) Where by reason of—
- (a) the condition of any place in which any cow is kept or milked; or
 - (b) the condition of any cow at the time it is being milked; or
 - (c) the condition of any person, or of the clothing of any person, when engaged in milking any cow or in handling or otherwise dealing with or transporting milk intended for human consumption; or
 - (d) the condition of any utensil being a utensil used for the reception of or for containing, storing or transporting milk intended for human consumption; or
 - (e) any act or omission on the part of any person when engaged in milking any cow or in

handling, storing or transporting milk intended for human consumption;

milk intended for human consumption is or is likely to be infected, contaminated or fouled, the person in control of the place, cow, or utensil by reason of the condition of which, and any person by reason of whose condition or by reason of the condition of whose clothing or by reason of whose act or omission when engaged as aforesaid, such infection, contamination or fouling occurs or is likely to occur, and the employer of such last mentioned person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding Twenty-five pounds and, on a second or subsequent conviction, to a fine not exceeding One hundred pounds.

(2) In this Article, the expression "milk intended for human consumption" includes milk intended to be processed into any product for human consumption.

2.*

Ordonnance supplémentaire à l'Ordonnance contenant les Règlements de la Prison Publique, 1946.

(Le 25 mai 1946)

LA COUR, ouïes les conclusions des Officiers du Roi, a rappelé et rappelle l'Article 1 paraissant sous le titre "Rémission de Sentence" dans l'Ordonnance contenant les Règlements de la Prison Publique rendue permanente aux Chefs Plaids d'après Noël 1931 tenus le 18 janvier 1932 et y a substitué et substitue l'Article suivant, savoir:—

1.—Celui qui aura été condamné à un terme d'emprisonnement excédant un mois ou constitué prisonnier faute de payer une amende, et dont la durée d'emprisonnement excédera un mois, pourra par sa bonne conduite et par assiduité à son travail, ou par sa bonne conduite seulement dans le cas d'un prisonnier qui n'est pas passible de la peine de travail forcé,

Rémission
de sentence

* Repealed by The Clean Milk (Classification and Fixing of Prices) Ordinance, 1951.

recevoir une rémission de sa sentence n'excédant pas un tiers de l'entier de la sentence, et lors de sa décharge sa sentence sera censée être expirée:

POURVU toutefois que nulle rémission de sentence aura l'effet de réduire aucun terme d'emprisonnement à un terme de moins de trente jours.

Ordonnance portant Règlement pour le Pilotage (1946).
(Le 6 juillet 1946)

LA COUR, sur les représentations du Conseil d'Administration des Etats, et ouïes les conclusions du Procureur du Roi, a ordonné et ordonne:—

The Pilotage Regulations, (1946).

ARRANGEMENT OF ARTICLES

PART ONE.

Article.

1. General Prohibition.
2. General and Special Licences.
3. Constitution and duties of the Pilot Board and the Pilotage Examination Committee.
4. Conditions of admission to the Pilotage Service.
5. Application for admission into the Pilotage Service.
6. Licence fees.
7. Suspension of Licence, and appeal.
8. Medical examination.
9. The Master Pilot.
10. Deposit of Security by Pilot.
11. Duty of Pilots to report irregularities in navigational aids.

PART TWO.

12. Pilot Boats.
13. Duties of Pilots on boarding.

PART THREE.

Article

14. Vessels liable to take a Pilot.
15. The Pilotage Zone, and area of roadstead.
16. Duty of the Master of a vessel to heave-to or follow a Pilot.
17. Duty of the Master of a vessel to fly a Pilot's flag.
18. Duty of the Master of a vessel when sickness aboard.
19. Pilotage fees. Schedule.

PART FOUR.

20. Duty of Harbour Master to supply Pilots with information.
21. Liability of owner.
22. } Penalties.
23. }
24. Saving of existing Licences.
25. Repeal of previous Regulations.
26. Short Title.

PART ONE.

ARTICLE 1.

Subject to the provisions of this Ordinance no person ^{General} shall hereafter act as a pilot in the territorial waters of ^{prohibition} this Island unless

- (1) He is a British Subject aged 21 years or more, and
- (2) He has had issued to him a Pilotage Certificate after due examination by the Pilotage Examination Committee, and
- (3) He has been sworn as Pilot by the Royal Court, and
- (4) He has in his possession a licence issued to him by the Pilot Board in accordance with the provisions of this Law,

and any person who so acts in contravention of this Article or who being the holder of a Special Licence performs an act of Pilotage not within the terms of that licence shall be liable on conviction to a fine not exceeding £100 or to imprisonment not exceeding six months with or without hard labour, or both, and the revocation or suspension of his licence.

ARTICLE 2.

General
and Special
Licences

- (1) There shall be two categories of licences:—
- (i) *General Licences*: for general pilotage in the territorial waters of this Island.
 - (ii) *Special Licences*: for the special pilotage of vessels under the command of a person holding a Licence of this category, and trading, for a specified owner, regularly between a port in this Island and one or more ports designated in the Licence.

(2) The Pilot Board shall, from time to time, fix the number of pilots who may hold General Licences and shall keep a register of licences issued in each category. A duplicate of that register shall be kept by the Harbour Master.

ARTICLE 3.

Constitution
and duties
of the
Pilot Board
and the
Pilotage
Examination
Committee

(1) The Pilot Board shall be composed of not less than three persons appointed by the Board of Administration, at least one of whom shall be a member of that Board. The President of the Pilot Board shall be a member of the Board of Administration. On every such appointment the Board of Administration shall decide the period during which such member of the Pilot Board shall remain in office and upon a vacancy arising for any reason whatsoever, such vacancy shall be filled without delay by an appointee of the Board of Administration. The Board of Administration may at any time at their discretion remove any member of the Pilot Board.

(2) The Pilotage Examination Committee shall be composed of the Harbour Master or in his absence the Deputy Harbour Master and four marine assessors appointed for the purpose by the Royal Court. The Harbour Master or his Deputy shall be President of the Committee. Two of the appointed marine assessors and the Harbour Master or his Deputy shall form a quorum. In the deliberations of that Committee the President shall have a casting vote only. At every examination of a Candidate in pilotage the Committee shall be assisted by not less than two Pilots, holding General Licences, co-opted for the purpose by the Harbour Master. Such Pilots shall effectively examine every candidate in pilotage and shall make recommendations to the Committee. They shall have no vote but their recommendations shall be recorded by the President as part of the proceedings of that Committee.

For the purposes of this Article the expression "marine assessors" means those persons whose profession is or has been the sea and who hold or have held an office of rank indicative of knowledge and experience in seamanship and navigation in His Majesty's Royal Navy or in the Merchant Navy.

ARTICLE 4.*

ARTICLE 5.

(1) A candidate for the post of Pilot shall address a written and signed application to the Pilot Board and the application shall include the following:—

- (a) The full name and address of the applicant.
- (b) The date and place of birth.
- (c) A declaration that to the best of his knowledge the candidate is then in good health and not suffering from any physical defect which is likely to impede his efficiency as a licensed Pilot.

Applications
for admission
into the
Pilotage
Service

* New Article substituted by The Pilotage Regulations (1946) Amendment Ordinance, 1950.

The candidate shall furnish such further particulars, including a Medical Certificate, as the Pilot Board may require.

(2) Any person who in connection with any such application as aforesaid wilfully withholds any material particular or knowingly or recklessly makes any statement or furnishes any information which is false in a material particular, shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding £50 or to imprisonment not exceeding three months, or both, and if a Pilot's licence has been issued to any such person that licence shall be surrendered immediately and shall be deemed to have been revoked.

(3) Upon receipt of an application as aforesaid the Pilot Board, if satisfied as to the particulars thereof, shall inform the Pilotage Examination Committee of their desire to have the candidate examined with a view to the issue to him of a Pilot's Licence and thereupon that Committee shall proceed to an effective examination of the knowledge of that candidate in Pilotage in the territorial waters of this Island, or in such Pilotage and in seamanship as the case may require.

(4) It shall be the duty of the Harbour Master to notify the candidate of the time and place appointed for his examination, but no such examination shall be held unless and until the candidate shall have deposited with the Pilotage Examination Committee the sum of Five pounds by way of examination fee. The candidate shall provide a boat suitable, in the opinion of that Committee, for the purposes of the examination. The amount so deposited shall be paid to those members and assessors who conduct the examination, in such proportions as they shall agree among themselves.

(5) (i) The Pilotage Examination Committee shall issue gratis to every candidate who by examination satisfies the requirements of that Committee, a certificate of competency which shall be entitled "Pilotage Certificate," and shall notify the Pilot Board upon the issue of every such certificate.

- (ii) It shall be the duty of the Harbour Master to keep a register in which shall be entered the particulars of every Pilotage Certificate issued by the Pilotage Examination Committee.
- (iii) The Pilot Board may, upon notification as aforesaid, and provided that as regards General Licences, the number of them will not exceed that fixed by the Board, recommend to the Law Officers of the Crown that the Candidate be presented to the Royal Court, sitting as an Ordinary Court, to be sworn as a Licensed Pilot, and if the Candidate is so sworn the Pilot Board shall forthwith deliver to the Pilot a licence of the category to which he has been admitted.

ARTICLE 6.

1. (1) Every Pilot holding a General Licence shall pay Licence fees to the Treasurer of the States the sum of Two Pounds upon the first issue of his licence in respect of that year, and thereafter annually and for so long as the licence is not revoked he shall pay a like sum to the Treasurer of the States before the expiration of the 31st day of January in each year. No reduction shall be made in respect of a portion of any year or in respect of any period during which a licence is suspended.*
- (ii) Every Pilot who holds a Special Licence shall pay to the Treasurer of the States the sum of Twenty-five Pounds upon the first issue of his licence in respect of that year, and thereafter annually and for so long as the licence is not revoked he shall pay a like sum to the Treasurer of the States before the 31st day of January in each year. No reduction shall be made in respect of a portion of any year, or in respect of any period during which a licence is suspended.

* Proviso added 11th September, 1948.

(iii) The first annual payment of the fees above prescribed shall be made not later than the 31st day of January, 1947.

2. The licence fees prescribed in the preceding paragraph shall be paid from time to time into a Pilots' Fund to be kept by the Treasurer of the States. The amount of that fund shall be applied from time to time, at the discretion of the Board of Administration, for the relief of Pilots and their dependents.

ARTICLE 7.

Suspension
of Licence
and appeal

1. A Pilot's Licence shall be deemed to be suspended as from the date:—

- (a) when and for so long as his licence fee is due and remains unpaid; or
- (b) when in the opinion of the Pilot Board, after considering satisfactory evidence of the facts, the Pilot ceases by reason of his age, health or character to be adequately fitted to discharge with efficiency all the duties of a Licensed Pilot. In such case the Pilot Board shall immediately send written notice of the fact to the Pilot concerned, or
- (c) when he last performed an authorised act of Pilotage if, thereafter and without the permission of the Harbour Master, he has absented himself from duty for fourteen days or more; or
- (d) when, upon the complaint of the Master or the owner of a vessel, or of the Harbour Master, the Pilot Board, after due enquiry, is satisfied that the Pilot against whom the complaint is made has:—
 - (i) committed an offence punishable under the provisions of this Ordinance; or (ii) has committed an infringement of the Harbour Regulations; or (iii) has been guilty of gross misconduct either by wilful disobedience of the orders of the Master Pilot or of the Harbour Master or of the Pilot Board, or of conduct of such a nature that,

in the opinion of the Pilot Board, he has failed or is unlikely in the future to discharge efficiently the duties of a Pilot;

and any person who acts as a Pilot in the territorial waters of this Island and whose licence at the time of so acting is in suspense shall be deemed to have so acted without licence and shall on conviction be punishable as if he had committed an offence against Article 1 of this Ordinance.

2. (i) Where a licence has been suspended in accordance with the provisions of sub-paragraphs (b), (c) or (d) of the preceding paragraph and, in the opinion of the Pilot Board the facts are of insufficient gravity to warrant the revocation of the licence, the Pilot Board shall determine the period, not exceeding three months, during which such suspension shall operate, and shall inform the Pilot concerned, in writing, of their decision; provided always that where the period of suspension shall exceed one month the Pilot concerned may appeal to the Royal Court, sitting as the Ordinary Court, against the decision of that Board. The appeal shall be made by way of Petition and the appellant shall cause the President of the Pilot Board to be served with a summons (with a copy of the Petition annexed) to be present at the hearing of the appeal to shew cause why the decision of that Board should not be set aside, and thereupon the Court whose decision shall be final may allow the appeal, or may disallow the appeal and increase or decrease the period of suspension, or may revoke the licence.

(ii) Where in the opinion of the Pilot Board there exist facts of such gravity as to warrant the revocation of a Pilot's Licence, that Board shall shew cause, by way of Petition to the Royal Court sitting as a Full Court why, upon the facts set out in the Petition, the licence of that Pilot should be revoked and the Court may upon the hearing thereof impose a term of suspension or revoke the licence. A copy of the Petition, annexed to the summons to appear, shall be served upon the Pilot concerned, and the decision of the Full Court shall be final.

ARTICLE 8.

Medical
examination

At any time during the currency of a licence the Pilot Board may require a Pilot to produce a certificate signed by a Medical Practitioner previously approved by the Pilot Board, as to the physical condition of that Pilot and such certificate may be required to relate generally to the health and physique of the Pilot or specifically to the state and condition of his ocular organs, and if a Pilot, having been so required, fails or refuses to produce the required certificate either within the time stated in the requirement or otherwise within a reasonable time after the day when he receives such requirement, then the Pilot Board may proceed to the consideration of his case as provided in sub-paragraph (b) of paragraph 1 of the preceding Article.

ARTICLE 9.

The Master
Pilot and
Deputy
Master Pilot

1. (i) Not later than thirty days after the date of the coming into operation of this Ordinance the Pilot Board shall assemble the Pilots who hold General Licences and those Pilots present shall, subject to the approval of that Board, and by a majority of those Pilots present and voting, elect a Master Pilot and Deputy Master Pilot who shall remain in office until the 31st day of January, 1947. In that year and in each succeeding year a similar meeting shall be convened and held upon the same conditions and for the like purpose. Subject as aforesaid the retiring Master Pilot and Deputy Master Pilot shall be eligible for re-election.
- (ii) In the absence from duty of the Master Pilot or during a vacancy in that office, the Deputy Master Pilot shall fulfil the duties of the Master Pilot.
- (iii) The Master Pilot shall be responsible to see that the orders of the Pilot Board and of the Harbour Master are promptly and efficiently carried out, and he shall

be responsible to the Pilot Board for the organisation of the Pilotage Service and the discipline of the Pilots.

- (iv) Pilots who hold General Licences shall be subject to the orders and disciplinary control of the Harbour Master and the Pilot Board.

ARTICLE 10.

Every Pilot* upon the first issue of his licence, shall furnish the Treasurer of the States with good and sufficient security in the sum of £50 sterling to make good any damage resulting from his neglect or incapacity in the fulfilment of his duties as Pilot.*

Deposit of
security
by Pilot

ARTICLE 11.

1. It shall be the duty of every Pilot to report to the Harbour Master without delay any information coming to his knowledge concerning:—
- (i) Any fixed or moored beacon, buoy or navigational mark which is not in its correct position, and
- (ii) Any damage to or defect in any beacon, buoy, navigational mark, and any irregularity in any light or fog signal, and
- (iii) All damage caused to, or sustained by, a vessel under his charge or being piloted by him.

Duty of
Pilot
to report
irregularities
in
navigational
aids

PART TWO.

ARTICLE 12.

1. (i) For the purpose of performing the Pilotage service, the Pilots who hold General Licences shall supply and maintain, in serviceable condition, and at their expense, two Pilot-boats to be approved by the Pilot Board.
- (ii) At least one Pilot-boat shall be maintained at all times in a state of readiness to be used for Pilotage purposes.

* Amended 11th September, 1948.

- (iii) A Pilot-boat when on duty at sea shall fly continuously a flag five feet by four feet in minimum dimension, rectangular in shape and coloured half red and half white, the white part of which shall be above the red.
- (iv) Every Pilot when on duty shall observe, as if they were incorporated in the present Ordinance, the regulations of the British Board of Trade, from time to time in force, concerning day and night signals for piloting.

ARTICLE 13.

Duties of
Pilots on
boarding

1. On boarding a vessel for the purpose of piloting that vessel, it shall be the duty of the Pilot:—
 - (i) to exhibit his licence, if required so to do by the Master or other officer in charge of that vessel; and
 - (ii) to hoist a flag not less than three feet six inches long and four feet three inches wide, the base in red and the top in white. That flag shall remain hoisted until the pilotage of that vessel has been completed; and
 - (iii) to put to the Master or other officer in charge of that vessel, the following questions:—
 - (a) Where are you from?
 - (b) Has there been disease, sickness or death among the crew or passengers during the voyage?
 - (c) Are the crew and passengers now in good health?
 - (iv) to deliver to the Master or other officer in charge of that vessel, a Pilot Boarding Note in the appropriate form set out in the Schedule to this Ordinance. The Master or other officer shall complete and sign that form and return it to the Pilot before the Pilot leaves the ship and the Pilot on landing shall deliver that form immediately to the Harbour Master.
2. Any Pilot who fails to exhibit his licence when required, or to hoist his flag on boarding, or to put the statutory questions or deliver the statutory Boarding Note as required by this Article, and any Master or other

officer as aforesaid who fails or refuses to answer the questions or to complete and sign and return the Boarding Note, or who withholds any information or makes any answer or statement whether oral or written which to his knowledge is false in a material particular shall on conviction be liable to a fine not exceeding £100.

PART THREE.

ARTICLE 14.

1. Every vessel except: —

- (i) A vessel of His Majesty's Royal Navy; or the Navy of a Dominion, Colonial or Foreign Government;
- (ii) A vessel, if not engaged in trade, belonging to or under the control of a department of His Majesty's Government;
- (iii) A trading vessel of less than forty tons, gross tonnage, if not carrying passengers for hire or reward;
- (iv) Pleasure Yachts and boats licensed by the Board of Administration in accordance with the provisions of any Ordinance from time to time in force;
- (v) A vessel the Master* of which is a Pilot holding a Special Licence;

Vessels
liable to
take a
pilot

shall, upon arriving at the limits of the territorial waters of this Island, and, if bound for the roadstead or for a port in Guernsey, fly the distinctive flag calling for a Pilot and that vessel, on arriving in the Pilotage Zone delimited in the next succeeding Article, shall take on board the first Pilot who meets that vessel and offers pilotage services and in default thereof the Master of that vessel shall on conviction be liable to a fine not exceeding £100 sterling and both the owner and the Master of that vessel shall be jointly and severally liable for the payment of the Pilotage fee payable under this law in respect of the Pilotage of that vessel into a Port in this Island.

2. Every vessel liable to take a Pilot on its arrival may on leaving the harbours or the roadstead of this Island,

* "or a Mate" added on 11th September, 1948.

demand the services of a Pilot, and shall take the first Pilot who offers his services. If such offer is not accepted the Master and the owner of that vessel shall be liable as provided in the preceding paragraph of this Article. If no such services are supplied when so demanded then no Pilotage fees shall be payable.

3. A Pilot shall, if required by the Master of a vessel, pilot that vessel to the limit of the Pilotage Zone.

ARTICLE 15.

The Pilotage
Zone and
area of
roadstead

1. The Pilotage Zone is the area within the following limits:—

- (i) *Northern limit*: A line drawn from the Grandes Brayes Rocks to Tautenay;
- (ii) *Southern limit*: A line drawn from St. Martin's Point to the Lower Heads Buoy;
- (iii) *Eastern limit*: A line drawn from Tautenay Beacon to the Lower Heads Buoy.

2. The roadstead is the area within the following limits:

- (i) *Northern limit*: A line drawn from the Salerie to Crévichon;
- (ii) *Southern limit*: A line drawn from the point of Clarence Battery to the Grande Fauconnaire Rock;
- (iii) *Eastern limit*: A line drawn from the Vale Mill to Mont Crevelt Tower prolonged so as to cross the two former lines.

ARTICLE 16.

Duty of the
Master of a
vessel to
heave-to or
or follow
a pilot

1. The Master of every vessel under way and liable under this Ordinance to take a Pilot shall heave-to on the approach of a Pilot and take him on board and in default thereof shall be liable, on conviction, as if he had committed an offence under Article 14 of this Ordinance.

2. If by stress of weather a Pilot cannot board a vessel at sea, the Master of that vessel and the Pilot shall arrange that the Pilot-boat shall lead and serve as guide to a safe anchorage or to a berth in port, and the owner and the

Master of that vessel shall be jointly and severally liable for payment of the Pilotage fees payable under this Ordinance.

3. The pilotage of a vessel liable under this law to take a Pilot shall not cease until the vessel, if bound for the roadstead or one of the harbours of this island, is moored to the quay, or safely anchored in the roadstead as the case may be.

ARTICLE 17.

The Master of a vessel:

1. who shall have taken a Pilot on board; or
2. being the holder of a Special Licence

shall fly at the masthead the Pilot's flag so long as that vessel is under way in territorial waters, or at anchor in the roadstead, with a Pilot on board, and the Master of any vessel that flies a Pilot's flag when a Pilot whose duty it is to pilot that vessel is not on board, shall be liable, on conviction, to a fine not exceeding £100 sterling.

Duty of the Master of a vessel to fly a Pilot's flag

ARTICLE 18.

Upon arriving in territorial waters, the master of a ship on which there is or has been during the voyage, infectious sickness or disease among the crew or passengers shall fly at the masthead the recognised flag quartered in yellow and black and no person shall leave or give any other person permission to leave that ship, and the flag shall not be lowered until the Harbour Master or his deputy or appointee authorised for the purpose has visited her and given his permission in that behalf. Any person convicted of an offence under this Article shall be liable to a fine not exceeding £100 sterling or to six months imprisonment with or without hard labour, or to both such fine and imprisonment.

Duty of the Master of a vessel when sickness aboard

ARTICLE 19.

1. Pilotage fees shall be payable in accordance with the scale of fees set out in the Schedule to this Article and

Pilotage fees

shall in every instance be paid to the Treasurer of the States for the credit of a Pilotage Account to be kept by him and against which he shall be entitled to debit two and one half per centum per annum for administration expenses and to meet in part the cost of certificates, licences and other documents supplied to the pilots. The balance shall be distributed among the pilots holding general Licences, from time to time and in such manner as they shall, by a majority of them, decide.

2. The fees payable under this Article as regards vessels liable to take a Pilot shall not be payable by nor charged against a vessel the Master of which holds a Special Licence but they shall be payable at the rates fixed in the Schedule to this Article, if, not being liable to take a Pilot, a vessel accepts Pilotage service.

3. Pilotage fees shall be calculated on the Gross Tonnage of a vessel, and except where otherwise provided in the Schedule, shall be leviable in respect of Pilotage within the Pilotage Zone only.

SCHEDULE.

1. On every vessel bound for this Island and entering the roadstead or the Harbour of St. Peter Port or the Harbour of St. Sampson. *three half-pence per ton.
2. On every vessel proceeding to sea out of a Harbour in this island *three half-pence per ton.
3. On every vessel boarded or left by a Pilot outside the Pilotage Zone, *two-pence per ton.
4. On every vessel proceeding from the Harbour of St. Peter Port to the Harbour of St. Sampson or from the Harbour of St. Sampson to the Harbour of St. Peter Port, *one penny per ton.

PROVIDED ALWAYS that the maximum fee payable as aforesaid for the pilotage of a vessel on any one occasion shall not exceed *Fifteen pounds sterling and the minimum fee shall not be less than one pound sterling.

* Amended 11th September. 1948.

5. On every vessel piloted from one berth to another in the Harbours of St. Peter Port and St. Sampson, one pound sterling.
6. A vessel which is detained in the roadstead shall not be charged an additional fee upon proceeding from the roadstead to the Quayside or to the limit of the Pilotage Zone, as the case may be, but a Pilot who, for any reason beyond his control, is obliged to remain on board a vessel in the roadstead shall be paid, in addition to the Pilotage fee, at the rate of one pound sterling per tide or part of tide, and the Master of that vessel shall provide, free of cost, food for the Pilot until the pilotage of that vessel ceases.
7. Where, for any reason beyond his control, a Pilot is carried beyond the limits of the Pilotage Zone, the Master of the vessel shall pay him thirty shillings per day for every day the Pilot is away from the place where the pilotage began and the Master shall, in addition, supply him with food free of cost, and his return fare.

PART FOUR.

ARTICLE 20.

It shall be the duty of the Harbour Master to deliver to every Pilot, a copy of the present Ordinance and any amending Ordinances that may be passed from time to time; a copy of all regulations from time to time made concerning the Harbours of this Island, and a copy of the British Board of Trade Regulations concerning day and night signals for Piloting.

Duty of Harbour Master to supply Pilots with information

ARTICLE 21.

Where it appears that the owner of a vessel has committed an infraction of this Ordinance and is not within the jurisdiction, then proceedings may be instituted against the Master of that vessel or against the local Agent of the owner and a conviction recorded in those proceedings shall be deemed to be a conviction of the owner in

Liability of owner

respect of that infraction and any fine thus imposed against, and any costs ordered to be paid by the defendant, shall be discharged by the Master or the local Agent as the case may be, out of funds in their hands belonging to the owner, so, however, without making the Master or local Agent personally liable.

ARTICLE 22.

Suspension
of Licence

1. Where it appears in this Ordinance that a fine may be imposed upon a Pilot convicted of an offence the Court may, in addition to or in lieu of such fine, order that the licence held by that Pilot shall be suspended for such time, not exceeding twelve months, as the Court shall decide, or may order the revocation of that licence.

2. Where an order of suspension is made, the Pilot shall immediately surrender his licence to the Pilot Board who shall endorse the same with particulars of the order and shall hold that licence until the expiration of the period of suspension. Where a licence is ordered to be revoked. the Pilot shall surrender the same immediately to the Pilot Board.

3. It shall be the duty of the Pilot Board to enter in the register of Pilots the fact of every such suspension or revocation.

ARTICLE 23.

Penalty

Save where it is otherwise expressly provided for, a person convicted of an offence against this Ordinance shall on conviction be liable to a fine not exceeding Fifty Pounds sterling with or without imprisonment not exceeding six months and, in the case of a Pilot, to have his licence suspended or revoked in accordance with the provisions of the preceding Article.

ARTICLE 24.

Existing
licences

For the avoidance of doubt it is hereby declared that any licence which was in force at the date of this Ordinance shall continue in force subject to the provisions of this Ordinance.

ARTICLE 25.

Are and hereby remain repealed all previous Ordinances for the regulation of Pilots in the territorial waters of this Island. Repeal of previous regulations

ARTICLE 26.

This Ordinance may be cited as "The Pilotage Regulations, (1946)."
Short title

SCHEDULE.

(referred to in Article 13).

STATES OF GUERNSEY.

PILOT BOARDING NOTE.

INWARDS.

Name of Ship.....

Port of Registration.....

Gross Tonnage.....

Name of Master.....

Where from.....

Particulars of disease, death or sickness during the voyage.....

Name of Pilot.....

Where boarded

Where Pilot left.....

Name of Owner.....

Name of Agent.....

Signed.....

Date.....

STATES OF GUERNSEY.



PILOT BOARDING NOTE.

OUTWARDS

Name of Ship.....

Port of Registration.....

Gross Tonnage.....

Name of Master.....

Name of Pilot.....

From

Where Pilot left.....

Name of Owner.....

Name of Agent.....

Signed.....

Date.....

**The Pilotage Regulations (1946) Amendment
Ordinance, 1948.
(11th September, 1948)**

THE COURT, on the representations of the States Board of Administration, and having heard the Law Officers of the Crown thereon, hereby orders:—

1. In sub-paragraph (i) of paragraph 1 of Article 6 of Amendment to—Article 6 the Pilotage Regulations (1946), there shall be substituted for the full-stop following the word “suspended” a colon, and there shall be added thereafter the words—

“ Provided always that such a Pilot must, in respect of any period during which he acts as Master or as a Mate of a vessel using any port in the Island of Guernsey, pay to the Treasurer of the States the sum of Twenty-five pounds upon first taking up such appointment, and thereafter annually a like sum so long as he holds the appointment. No reduction shall be made in respect of a portion of a year.”

2. In Article 10 of the Pilotage Regulations, (1946),— Article 10

- (1) after the word “Pilot,” where that word first occurs, there shall be inserted the words “who holds a General Licence”; and
- (2) after the word “Pilot,” where that word lastly occurs, there shall be inserted a comma and the words “and shall maintain that security at that figure.”

3. In sub-paragraph (v) of paragraph 1 of Article 14 Article 14 of the Pilotage Regulations (1946), after the word “Master” there shall be inserted the words “or a Mate.”

4. The Schedule to Article 19 of the Pilotage Regula- Article 19, Schedule tions (1946), shall be amended as follows—

- (1) In paragraphs 1 and 2 thereof, for the words “three half-pence” there shall be substituted the word “twopence.”
- (2) In paragraph 3 thereof, for the word “twopence” there shall be substituted the words “twopence half-penny.”

- (3) In paragraph 4 thereof, for the words "one penny" there shall be substituted the words "three half-pence"
- (4) In the Proviso thereto, for the words "Fifteen Pounds" there shall be substituted the words "twenty pounds"

Defence (General) (Guernsey) Regulations, 1945.

**Ordinance increasing the powers of supervision
of the control of Food, (1946).
(7th September, 1946)**

THE COURT, in exercise of the powers conferred upon it by Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945, as extended by the Ordinance entitled "Ordinance directing that certain Defence Regulations shall have effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945, as extended to the Bailiwick of Guernsey," passed on the 16th day of February, 1946, and having heard the conclusions of His Majesty's Comptroller, has ordered and doth hereby order as follows:—

Definitions

1. In this Ordinance the following words shall have, unless repugnant to the context, the meanings respectively attributed to them:—

"Food" means—

- (a) any livestock or living creature used for human food and any feeding stuffs for such livestock or living creature;
- (b) any article used as food or drink for human consumption other than water, including any article which ordinarily enters into or is used in the composition or preparation of human food, tea, coffee, cocoa, and any flavouring matter or condiment.

"Undertaking" means any undertaking by way of any trade or business.

“Food Undertaking” means any undertaking carried on for the purpose of the production, treatment, keeping, storage, movement, transport, distribution, disposal, acquisition, use or consumption of any food.

“The Committee” means the States Committee for the Control of Essential Commodities.

2. Every person carrying on any food undertaking shall keep such books, accounts and records relating to that undertaking as the Committee may from time to time direct. Records to be kept

3. Every person carrying on or employed in connection with any food undertaking shall— Inspection, of premises, etc.

(a) permit any person appointed by the President of the Committee in writing, and producing such appointment on request, with a view to securing compliance with any Order made or hereafter to be made under the Regulation and/or Ordinance hereinbefore referred to, as amended or extended from time to time.

(i) to enter and inspect any premises used for or in connection with any food undertaking to which that Order relates;

(ii) to seize and remove any food in respect of which such person shall have reasonable grounds for believing that an offence against such order has been committed, and any document or article which such appointed person has reasonable grounds for believing to be evidence of the commission of such offence.

(b) if requested so to do by or on behalf of the Committee, produce to such person or to a person of such class or description as may be mentioned in the request such books, accounts or other documents relating to such food undertaking and furnish to him within such time as may be specified in the request such estimates, returns or information relating to such food undertaking, as may be mentioned or described in the request.

Offences

4. Any failure to comply with any provision of this Ordinance shall be deemed to be an offence against the Defence (General) (Guernsey) Regulations, 1945.

**Ordinance concerning the dress of the
Judge of Matrimonial Causes.
(2nd November, 1946)**

THE COURT, after hearing the views of His Majesty's Procureur, has ordered and hereby orders as follows:—

The Judge in Matrimonial Causes shall be entitled to wear the head-dress and robes referred to in Section 1 of the Ordinance passed at the Chief Pleas after Christmas held on the 17th day of January, 1853.

**The Jurats (Powers and Duties) Ordinance, 1947.
(8th February, 1947)**

THE COURT, having heard His Majesty's Procureur thereon, has ordered and hereby orders:—

Notwithstanding any Ordinance to the contrary it shall be permissible and shall be deemed always to have been permissible for a Jurat of the Royal Court to be appointed to and to perform the duties and functions and to assume the powers and authority attaching to the office of Income Tax Commissioner, Chairman or independent member of the Industrial Disputes Tribunal, and member of the States Cadastre Committee.

**The Industrial Disputes (Rules of Procedure and
Scale of Fees) Ordinance (1947).
(22nd February, 1947)**

THE COURT, by virtue of the provisions of Article 12 of the Industrial Disputes and Conditions of Employment Law (1947), (hereinafter referred to as "the Law") and having heard the Law Officers of the Crown, hereby lays down the following rules of procedure and scale of fees for enquiring into industrial disputes and for making awards and decisions by the Tribunal.

1. *Definitions.*

In this Ordinance any words or expressions used are to be interpreted as if this Ordinance were read in conjunction with the Law.

2. *Reference of industrial dispute to the Tribunal.*

Every reference of an industrial dispute to the Tribunal shall be made in writing as near as may be in form A set out in the Schedule hereto addressed to the Chairman of the Tribunal and signed by the Industrial Disputes Officer.

3. *Notice by Tribunal that it intends to enquire into and make an award as to an industrial dispute.*

Immediately upon the receipt by the Chairman of the Tribunal of the reference of an industrial dispute, he shall cause to be sent to each person or body mentioned in the reference a notice of the intention of the Tribunal to enquire into and make an award as to such dispute.

The notice shall be in writing signed by the Secretary to the Tribunal as near as may be in form B set out in the Schedule hereto.

The Chairman shall cause a copy of the notice to be exhibited in the Royal Court House from the time of its being so sent until the time of the beginning of the enquiry by the Tribunal.

4. *Representation.*

Any person or body to whom a notice has been sent under Rule 3 shall have the right to present his case before the Tribunal either personally or through some person producing to the Tribunal an authority in writing to appear on his behalf signed by the person or persons whom he represents.

5. *Record of the Proceedings.*

The Chairman of the Tribunal shall cause a record to be kept of the proceedings which shall include documents or copies thereof which shall have been put in evidence,

and where reasonably practicable such things as shall have been put in evidence as exhibits. At the end of the enquiry he shall sign such record and cause it to be delivered to the States Supervisor.

6. *Conduct of the Enquiry.*

A. Save as is otherwise provided by the Law or by these rules, the Tribunal shall regulate the manner in which the enquiry shall be conducted, including the number of speeches, the order in which they shall be heard and the order and manner in which evidence shall be taken:

PROVIDED THAT

- (1) every person presenting a case before the Tribunal shall be entitled to make two speeches;
- (2) only such evidence shall be admitted as is relevant to the dispute;
- (3) evidence shall be excluded if the Tribunal shall declare that it might tend to incriminate the witness and if the witness refuses to give such evidence;
- (4) any witness called before the Tribunal may be cross-examined by any person presenting a case before the Tribunal in furtherance of an interest other than that in support of which such witness is called; any witness so cross-examined may be re-examined on any matter arising out of cross-examination by a person presenting a case in furtherance of the interest in support of which such witness was called; any witness called by the Tribunal not on the application of any person presenting a case before it may be cross-examined by any person presenting a case before the Tribunal in such order as the Tribunal may direct.

B. No award, decision or interpretation by the Tribunal shall be invalidated solely by reason of any irregularity in the procedure laid down by these rules unless such irregularity shall amount to the prevention of any

person or body named in the reference of the dispute to the Tribunal from presenting and expounding his or its case fairly before the Tribunal.

7. *Summoning of Witnesses.*

The Tribunal may, and on the application of any person presenting a case before the Tribunal shall, unless the Tribunal shall decide that any evidence given by such witness would be irrelevant, summon any person to appear as a witness before it, and may, subject to Section (2) of the proviso to Rule 6, order such person to produce before the Tribunal any document or exhibit in his possession or control relevant to the dispute.

Every summons to a witness shall be in writing in form C in the schedule hereto signed by the Secretary to the Tribunal and shall be delivered to such person by His Majesty's Sergeant.

8. *Place and Time of sitting of the Tribunal.*

The Tribunal shall sit at such times and in such places as the Chairman may from time to time direct, and may adjourn the proceedings from time to time.

9. *Scale of Costs.*

The sums, which having been incurred by any person or body in the preparation or presentation of his case incidental to the hearing of any matter referred to it by the Tribunal, may be ordered by the Tribunal to be paid by the States of Guernsey or otherwise, shall be at the discretion of the Tribunal subject to the following maxima, which maxima shall be the sums payable only in cases of complexity:—

Fees payable to an advocate, if one shall be employed, for perusal of documents, conferences, advice prior to the enquiry by the Tribunal, and preparation and copying of documents, inclusive	£30
Fee payable to an advocate for presentation of case at the enquiry—for each day or part of a day	£10

Sums payable to a witness—travelling and maintenance expenses, and in addition £10 per diem for loss of wages or profit incurred through attendance, or through the preparation or perusal of documents with a view to giving evidence.

10. *Form of Oath.*

The oath to a witness shall be administered by the Chairman in the same form as the oath is administered in the Royal Court.

11. *Making of Award.*

The Tribunal shall orally announce the time and place at which it will orally pronounce its award and shall reduce its award to writing as near as may be according to form D in the schedule hereto; the Tribunal shall then not later than three working days thereafter both orally pronounce the award in public as part of the proceedings in the enquiry, adding thereto such observations by way of explanation as may seem fit to it and send copies of the award to any person presenting a case before it. The award shall be marked and distinguished by the year of the award followed by a serial number.

12. *Application for the Interpretation of an Award.*

Every application for the interpretation of an award shall be made in writing within 21 days of the making of the original award as near as may be in form E in the Schedule hereto, addressed to the Chairman of the Tribunal and to each of the persons who shall have presented a case before the Tribunal, and signed by the applicant or applicants.

13. *Interpretation of Award.*

Within 3 days of receipt of an application for the interpretation of an award the Chairman shall cause any person who presented a case before the Tribunal in the

original enquiry into the dispute to be informed of the date, time and place at which the Tribunal shall proceed to interpret its said award, and the Tribunal shall proceed to give its interpretation of its award not less than five working days after receipt of the said application.

Before giving its interpretation the Tribunal shall allow such persons as would be entitled to have presented a case before it in the original enquiry to speak before it (unless such persons shall have consented not so to speak) in such order and on such occasions as the Tribunal may think fit.

14. The interpretation shall first be reduced to writing as near as may be in form F of the Schedule hereto, and shall thereafter be pronounced and published in the same manner as if it were an original award.

ORDINANCES
THE SCHEDULE.

FORM A.

Reference of industrial dispute to the Tribunal.

In the matter of the Industrial Disputes and Conditions of Employment Law (1947).

WHEREAS I have been notified on the _____ day of _____ 19____ that an industrial dispute exists _____ between the persons and/or bodies whose is apprehended _____ names and places of business are set out in the sheet attached hereto:

AND WHEREAS it appears to me that the matter in dispute is as follows:—

AND WHEREAS I have tried unsuccessfully to settle the dispute by conciliation and by arbitration voluntarily submitted to by such persons and bodies.

I hereby refer the dispute to the Tribunal that it may enquire into and make an award as to it.

Signed

Industrial Disputes Officer.

This day of 19 .

FORM B.

Notice by the Tribunal of its intention to enquire into and make an award as to an industrial dispute.

In the matter of the Industrial Disputes and Conditions of Employment Law (1947).

WHEREAS the Industrial Disputes Officer has been notified that an industrial dispute between you exists

is apprehended:

AND WHEREAS it appears that the matter in dispute is as follows:—

AND WHEREAS the Industrial Disputes Officer has referred the dispute to the Industrial Disputes Tribunal that it may enquire into and make an award as to such dispute:

TAKE NOTICE that the Tribunal will proceed with such enquiry and award on the day of 19 , at the hour of in the noon at , and thereafter at such times and places as may to the Tribunal seem fit.

AND FURTHER TAKE NOTICE that should you attend before the Tribunal either in person or by some person on your behalf you, or such person if he produces to the Tribunal a document signed by you authorising him to represent you, shall be heard by the Tribunal.

AND FURTHER TAKE NOTICE that should you not so attend an award may be given in your absence.

AND FURTHER TAKE NOTICE that the Tribunal will consider any evidence either oral or otherwise relevant to the dispute which may be tendered before it.

AND FURTHER TAKE NOTICE that should you require the compulsory attendance before the Tribunal of any witness on any matter relevant to the dispute, or should you require any person having in his possession or control any document or exhibit relative to such dispute to be compelled to produce such document or exhibit

before the Tribunal, you should so inform me in writing with all material particulars as soon as possible, or failing your so informing me you should orally inform the Tribunal as soon as possible after the beginning of the hearing, in order that such attendance or production may be enforced.

To

Signed

Secretary to the Industrial Disputes Tribunal,
States Office,
Guernsey.

This day of 19 .

FORM C.

Summons to Witness.

In the matter of the Industrial Disputes and Conditions of Employment Law (1947).

WHEREAS an industrial dispute has been referred to the Industrial Disputes Tribunal.

AND WHEREAS it appears that the matter in dispute is as follows:—

You are hereby summoned to appear for the purpose of giving evidence before the Tribunal at
on the day of 19 , at
the hour of in the noon, and there-
after at such times and places from time to time as the
Tribunal may require of you.

And you are required to produce before the Tribunal on your said appearance the following documents and/or things:—

Signed

Secretary to the Industrial Disputes Tribunal,
States Office,
Guernsey.

This day of 19 .

FORM D.

Award of the Industrial Disputes Tribunal.

In the matter of the Industrial Disputes and Conditions of Employment Law (1947).

WHEREAS on the _____ day of _____ 19____, there was referred to this Tribunal a dispute existing _____ between the persons set out in the sheet apprehended attached hereto.

AND WHEREAS this Tribunal has enquired into the said dispute.

TAKE NOTICE that the award of the Tribunal as to the said dispute is as follows:—

AND FURTHER TAKE NOTICE that the Tribunal orders that this award shall take effect from the _____ day of _____ 1947, being the date of knowledge.*

AND FURTHER TAKE NOTICE that the Tribunal makes the following order for the payment of the costs of the parties hereto incurred by them in the preparation or presentation of their cases incidental to this hearing:—

Signed

Chairman.

To

This _____ day of _____ 19____.

* delete if inapplicable.

ORDINANCES

FORM E.

*Application to the Tribunal for the interpretation of
an award.*

In the matter of the Industrial Disputes and Conditions
of Employment Law (1947).

WHEREAS the Industrial Disputes Tribunal on the
day of 19 made an award
as to a certain industrial dispute (serial number
of 19).

AND WHEREAS in the said award there appear the
following words:—

AND WHEREAS we, the undersigned, are uncertain
of the meaning of, and seek interpretation of the said
words, we do hereby request the Tribunal to interpret
them.

Signed

This day of 19 .

FORM F.

Interpretation of award by the Tribunal.

In the matter of the Industrial Disputes and Conditions
of Employment Law (1947).

WHEREAS on the day of 19 ,
the Tribunal made an award, serial number
of 19 , in an industrial dispute.

AND WHEREAS the Tribunal has been requested to interpret the following words forming part of the said award:—

The Tribunal hereby decides that the said words shall have the following interpretation:—

And the Tribunal hereby makes the following order regarding the costs of the parties hereto incurred in the preparation or presentation of their case incidental to this interpretation:—

Signed

Chairman.

This day of 19 .

Monuments Protection Ordinance, 1947.

(1st March, 1947)

THE COURT, by virtue of the provisions of Article 1 of the Law entitled “Loi relative à la Protection des Monuments de l’Ile” registered on the records of this Island on the 26th day of March, 1938 (hereinafter referred to as “the Law”), and in pursuance of the Resolutions of the States dated the 25th day of October, 1939, the 20th day of December, 1939, and the 11th day of December, 1946, and having heard His Majesty’s Comptroller, orders as follows:—

1. Each of the buildings, structures or objects or of the remains of buildings, structures or objects specified in the first column of the Schedule hereto and situate as set out in the second column of the said Schedule shall henceforth be a monument subject to the provisions of the Law. Protected
Monuments
2. The Ordinance entitled “Ordonnance relative à la Protection des Monuments de l’Ile (1940)” is hereby repealed.

ORDINANCES
SCHEDULE.

<i>FIRST COLUMN.</i>	<i>SECOND COLUMN.</i>
<i>Name of building, structure, object or remains thereof.</i>	<i>Situation of building, structure, object or remains thereof.</i>
Beaucette Battery.	Beaucette, Vale.
Bec du Nez Battery and Magazine.	Bec du Nez, St. Martin.
Becquet Battery.	Fermain, St. Martin.
Brock Battery.	Rocquaine Road, St. Peter-in-the-Wood.
Burton Battery.	Cobo, Castel.
*Catoroc Watch-house.	Catoroc, St. Saviour.
Centre Battery.	L'Ancrese Common, Vale.
Chouet Batteries.	La Lochande, Vale.
Cobo Magazine.	Saline Road, Castel.
Coquelin (The Pepper Pot) and Magazine, Fermain Point.	Fermain, St. Martin.
Déhus Dolmen.	La Hougue de Déhus, Vale.
Delancey Battery.	Delancey Park, St. Sampson.
Fermain North Battery.	Fermain, St. Martin.
Fort Doyle.	Vale.
Fort Le Marchant.	Le Plomb, Vale.
Fort Pezeries.	Pezeries Point, Torteval.
Fort Richmond.	Richmond, St. Saviour.
Fort Sausmarez.	L'Erée, St. Peter- in-the-Wood.
Grande Mare Magazine.	Vazon Road, Castel.
Grande Rocque Battery.	Grande Rocque, Castel.
Hougue-à-la-Perre Battery.	Les Banques, St. Peter Port.

* Castle Cornet added by Ordinance of 30th December, 1948.

Houmet Benest Battery.	Bordeaux Harbour, Vale.
La Moye Battery.	Jerbourg, St. Martin.
Le Creux-ès-Faies Dolmen.	L'Érée, St. Peter- in-the-Wood.
L'Érée Point Battery.	L'Érée, St. Peter- in-the-Wood.
Left Battery, Rue de la Hougue.	Rue de la Hougue, Castel.
Les Sommeilleuses Watch-house.	Les Sommeilleuses, Forest.
Les Tielles Battery and Watch-house.	Les Tielles, Torteval.
Le Trépied Battery.	Catioroc, St. Saviour.
Le Trépied Dolmen.	Catioroc, St. Saviour.
L'Islet Dolmen.	L'Islet, St. Sampson.
No. 2 Martello Tower and Magazine.	Les Banques, St. Sampson.
No. 4 Martello Tower.	L'Anresse Common, Vale.
No. 5 Martello Tower and Magazine.	L'Anresse Common, Vale.
No. 6 Martello Tower.	L'Anresse Common, Vale.
No. 7 Martello Tower and Magazine.	L'Anresse Common, Vale.
No. 8 Martello Tower and Magazine.	L'Anresse Common, Vale.
No. 9 Martello Tower.	Baie de la Jaonneuse, Vale.
No. 10 Martello Tower.	Chouet, Vale.
No. 11 Martello Tower.	Rousse, St. Sampson.
No. 12 Martello Tower.	Vazon Road, Castel.
No. 13 Martello Tower and Magazine.	Petit Bôt, Forest.
No. 14 Martello Tower.	Saints Bay, St. Martin.
No. 15 Martello Tower.	Fermain Bay, St. Martin.

Mont Crevelt Fort.	Mont Crevelt, St. Sampson.
Mont Hérault Watch-house.	Mont Hérault, St. Peter-in-the-Wood.
Moulin Huet Right Battery.	Moulin Huet, St. Martin.
Nid de l'Herbe Battery and Magazine.	L'Anresse Common. Vale.
Perelle Battery and Magazine.	Perelle Road, St. Saviour.
Platon Battery, Fort Pembroke.	L'Anresse Common. Vale.
Pleinmont Battery.	Pleinmont, Torteval.
Pleinmont Watch-house.	Pleinmont, Torteval.
Prévôté Watch-house.	Havre de Bon Repos, St. Peter-in-the-Wood.
Priory of St. Mary. Right Battery, Rue de la Hougue.	Lihou Island. Rue de la Hougue, Castel.
Rocquaine Castle.	Rocquaine, St. Peter-in-the-Wood.
Rocque du Guet, Cobo.	Cobo, Castel.
Rousse Battery and Magazine.	Rousse, St. Sampson.
Saints Bay Left Battery.	Saints Bay, St. Martin.
Saints Bay Right Battery and Magazine.	Saints Bay, St. Martin.
Salerie Battery.	Salerie, St. Peter Port.
Spur Point Battery.	Spur Point, St. Sampson.
St. Appoline Chapel.	Perelle, St. Saviour.
The Pions Table.	Pleinmont, Torteval.
Vale Castle.	Vale.
Vazon Left Battery.	Vazon Road, Castel.
Vazon Right Battery.	Vazon Road, Castel.

**Monuments Protection (Castle Cornet) Ordinance, 1948.
(30th December, 1948)**

THE COURT, in pursuance of the Resolution of the States of the 21st day of April, 1948, and having heard His Majesty's Procureur thereon, under and by virtue of the provisions of Article 1 of the Loi relative à la Protection des Monuments de l'Île, registered on the Records of this Island on the 26th day of March, 1938, hereby orders:—

1. The Schedule to the Monuments' Protection Ordinance, 1947, shall be amended as follows—

- (1) In the first column of that Schedule, immediately below the words "Burton Battery" and above the words "Catiaroc Watchhouse", shall be inserted the words "Castle Cornet, the Islet whereon it is erected and the other buildings on that Islet".
- (2) In the second column of that Schedule immediately below the words "Cobo, Castel" and above the words "Catiaroc, St. Saviour", shall be inserted the words "St. Peter Port Harbour".

**Ordonnance (1947) supplémentaire à l'Ordonnance de
1909 relative aux Jours Fériés. (Le 15 mars 1947).**

Vu la Délibération des Etats en date du 25 février 1947, la Cour, ouïes les conclusions du Contrôle du Roi, a ordonné et ordonne:—

L'Article 1 de l'Ordonnance de 1909 relative aux Jours Fériés aura effet comme si les mots "Le jour fixé pour la célébration du jour de naissance de Sa Majesté" furent rayés et 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" y furent substitués. Liberation
Day

Ordinance for the Control of Timber, 1947.
(26th April, 1947).

THE COURT, on the representations of the States Housing Authority and having heard His Majesty's Procureur, hereby orders as follows:—

Repeals

1. The Control of Timber (Temporary Provisions) Ordinance, 1939, as amended by The Control of Timber (Temporary Provisions) No. 2 Ordinance, 1939, and by The Control of Timber (Temporary Provisions) Ordinance, 1940, is hereby repealed.

Definitions

2. In this Ordinance—

“the Authority” means the States Housing Authority;

“timber” includes plywood but excludes—

(a) used timber;

(b) sawn boxboards;

(c) trees growing in the Island and timber produced from trees grown in the Island;

(d) round timber or underwood of which the butt diameter measured under bark or without bark does not exceed three inches; or

(e) timber of such a nature that it may be considered fit only for conversion into fire-wood blocks or kindling wood for use as fuel.

All timber to be acquired or disposed of by licence

3. (1) No person shall acquire or agree or offer to acquire any timber except under the authority of and in accordance with a licence granted by or on behalf of the Authority.

(2) No person shall dispose of or agree or offer to dispose of any timber except—

(a) to a person who is authorised to acquire that timber by virtue of a licence granted by or on behalf of the Authority; or

(b) under the authority of and in accordance with a licence granted by or on behalf of the Authority.

4.—(1) The holder of any licence granted under this Ordinance shall comply with any condition contained or incorporated in the licence.

Conditions of licence must be complied with

(2) If any licence granted under this Ordinance is revoked by or on behalf of the Authority, the holder of the licence shall forthwith deliver it up to, or as directed by or on behalf of, the Authority.

Revoked licences

5.—Every person carrying on any undertaking which involves the acquisition or disposal of any timber shall keep a record showing the following particulars in respect of any timber acquired or disposed of or agreed to be acquired or disposed of by him, namely —

Records of acquisition or disposal of timber to be kept

- (a) the name and address of the other party to the transaction;
- (b) the description of the timber forming the subject matter of the transaction; and
- (c) the quantity acquired or disposed of or agreed to be acquired or disposed of.

6.—Nothing in this Ordinance shall prohibit or restrict the entering into and carrying out of any transaction between the Authority and any person upon such terms as may be agreed between the Authority and that person.

Transactions with Housing Authority

7.—Any person contravening any of the provisions of this Ordinance shall be liable to a fine not exceeding £250 or imprisonment with or without hard labour for a term not exceeding twelve months or to both such fine and imprisonment.

Penalty

8.—This Ordinance may be cited as the Control of Timber (Guernsey) Ordinance, 1947.

Citation

Ordonnance de 1947 portant amendement à l'Ordonnance permanente du 19 avril 1819 portant règlement au Perchage de Fiefs. (Le 26 avril 1947).

LA COUR, sur l'application des Douzeniers de la Paroisse du Valle, et après avoir entendu les Connétables de toutes les Paroisses, qui avaient été tous chargés de

consulter leurs Douzaines à cet égard, et ouïes les conclusions du Procureur du Roi, a ordonné et ordonne que l'Ordonnance permanente du 19 avril 1819 portant règlement au Perchage de Fiefs aura effet comme si les mots "six pennis par vergée ou fraction de vergée" furent substitués aux mots "Un Denier par Perche" et comme si les mots "six pennis" furent substitués aux mots "Cinq Sous".

Ice Cream (Heat Treatment) Ordinance, 1947.
(12th July, 1947)

THE COURT, on the recommendation of the States Board of Health and having heard the Law Officers of the Crown thereon, hereby orders:

Commence-
ment

1.—This Ordinance shall come into operation on the 1st day of August, 1947, with the exception of subparagraph (iv) of paragraph (b) of Article 4 which shall come into operation on a date to be appointed by the Medical Officer of Health (hereinafter referred to as "the Authority").

Definitions

2.—In this Ordinance:—

"ice-cream" includes water ices and any article under whatever description it is sold, which is so similar to ice-cream as to constitute a substitute therefor;

"ingredients" includes sugar and dried egg, but does not include colouring or flavouring materials or fruit, nuts, chocolate or other similar substances; and

"complete cold mix" means a product capable of being manufactured into ice-cream with the addition of water only, which is sent out by the manufacturer in airtight containers, and has been made by evaporating a liquid mixture which has already been submitted to heat treatment comparable with that prescribed in this Ordinance.

3.—There shall be kept at the office of the Authority a register to be called “the Ice-Cream Manufacturers Register” and any person or Company intending to manufacture ice-cream intended for sale for human consumption shall before beginning such manufacture supply to the Authority in writing his name or in the case of a Company, the Company’s name and the address at which such manufacture is intended to be carried on, and shall further inform the Authority immediately in writing of any change in the particulars so supplied.

4.—The following requirements shall be observed in the manufacture of ice-cream intended for sale for human consumption:—

- (a) Where a complete cold mix is used which is reconstituted with wholesome drinking water and to which nothing is added other than colouring or flavouring materials, fruit, nuts, chocolate or other similar substances, the reconstituted product shall be converted into ice-cream within one hour of reconstitution.
- (b) In any other case, after the ingredients have been mixed together the following provisions shall apply:—
 - (i) the mixture shall not be kept for more than one hour at any temperature which exceeds 45° Fahrenheit before being subjected to heat treatment in accordance with the next following sub-paragraph;
 - (ii) the mixture shall be subjected to heat treatment as follows:—
It shall be raised to and kept at a temperature of not less than 150° Fahrenheit for 30 minutes or alternatively of not less than 160° Fahrenheit for 10 minutes;
 - (iii) after the mixture has been subjected to heat treatment as aforesaid it shall be reduced to a temperature of not more than 45° Fahrenheit within 1½ hours and shall be kept at such

temperature until the freezing process is begun;

- (iv) the manufacturers shall use such indicating and recording thermometers as the Authority considers requisite for indicating and recording the temperature to or at which the ice-cream is raised, kept or reduced;
- (v) the manufacturers shall preserve the records of any thermometers used to record the temperatures to or at which ice-cream is raised, kept or reduced for a period of not less than one month and shall produce the same to the Authority whenever required in writing so to do;
- (vi) all apparatus used for the purposes of this Article shall be installed, maintained and operated to the satisfaction of the Authority.

Conditions
of sale

5.—Ice-cream shall not be sold or offered for sale unless either:—

- (a) It has been kept at a temperature not exceeding 28° Fahrenheit since it was frozen; or
- (b) If its temperature has risen above 28° Fahrenheit at any time since it was frozen, it has again been subjected to the treatment prescribed by subparagraphs (i), (ii) and (iii) of paragraph (b) of Article 4 and after having again been frozen, has been kept at a temperature not exceeding 28° Fahrenheit.

Protection
from dirt,
etc., and
cleansing
of utensils

6.—Ice-cream shall be protected from dirt, dust or other contamination at all times during its manufacture, storage and distribution and all apparatus and utensils brought into contact with ice-cream during its manufacture, storage or distribution shall be thoroughly cleansed immediately after use and shall at all times be kept clean.

Inspection
of premises
where
ice-cream is
manufactured

7.—The Authority or any person duly authorised by him in writing may at any time with or without previous notice enter any premises including any van or mobile structure, whereon he has reason to believe that ice-cream

is being manufactured, for the purpose of examining the same and ascertaining whether such manufacture is carried on in accordance with the provisions of this Ordinance and any person refusing or failing to admit the Authority or any person so authorised by him shall be deemed to be guilty of an offence punishable under Article 8 of this Ordinance.

8.—Any person failing to comply with any of the provisions of this Ordinance shall be guilty of an offence and shall be liable on conviction in the case of a first offence, to a fine not exceeding £20 and in the case of a subsequent offence, to a fine not exceeding £100 or to imprisonment with or without hard labour for a term not exceeding 3 months or to both such fine and imprisonment. Penalty for
contraven-
tion of
Ordinance

PROVIDED that it shall be a defence for a person charged with an offence under sub-paragraph (iii) of paragraph (b) of Article 4 which is alleged to have been committed before the 1st day of August, 1948, to prove that before the date of the alleged offence suitable apparatus to enable him to comply with the provisions of that sub-paragraph has been ordered by him or on his behalf, that all reasonable steps had been taken to secure delivery of the same and that the same had not been delivered, and further that he had taken all practicable steps to comply as far as possible with the provisions of the said sub-paragraph.

Highways Protection Ordinance, 1947.

(6th October, 1947)

THE COURT, on the representations of the States Public Thoroughfares Committee, and having heard His Majesty's Procureur thereon, hereby orders:—

Any person who by himself, his servants or agents, whether with or without any vehicle or instrument, causes damage to the surface of any public highway on this Island other than damage caused with lawful authority or from fair wear and tear caused by normal and lawful Damage to
the surface
of any public
highway

passage thereover either on foot or with a vehicle or vehicles not having a spike, bar or other metal projection part thereof or attached thereto coming in contact with such surface shall be guilty of an offence and shall be liable on conviction in respect of a first offence to a fine not exceeding five pounds and in respect of any subsequent offence, to a fine not exceeding ten pounds or to imprisonment with or without hard labour for a term not exceeding three months or to both such fine and such imprisonment, and whether in respect of a first or of any subsequent offence may, in addition to the penalties hereinbefore set out, be ordered to pay to the States such sum as the Court in its discretion may deem reasonable in respect of the cost of repair of such damage.

**Prohibition of Dog-Racing (Guernsey), Ordinance, 1947.
(1st November, 1947)**

THE COURT, in view of the Resolution of the States of the 1st day of October, 1947, and having heard His Majesty's Procureur thereon, hereby orders:—

Prohibition of dog-racing 1. It shall not be lawful that any dog-race be held or take place on this Island or on the Islands of Herm or Jethou.

Penalty 2. Any person who in contravention of the provisions of this Ordinance shall take part in any dog-race shall be liable on conviction to a fine not exceeding £100 or to imprisonment with or without hard labour for a term not exceeding three months or to both such fine and such imprisonment.

Meaning of "dog-race" 3. For the purposes of this Ordinance, the expression "dog-race" shall mean any race in which any dog shall run or be made to run in competition with any other dog, or against time, for any prize of what nature or kind soever, or for any bet or wager made or to be made in respect of any such dog, and at which more than ten persons are present, and the expression "dog" shall include a bitch or puppy.

4. This Ordinance may be cited as the “Dog-Racing Citation (Prohibition) Ordinance, 1947.”

**Control of Motor-Bicycle Racing (Guernsey)
Ordinance, 1948.”
(13th March, 1948)**

THE COURT, in view of the Resolution of the States of the 14th day of January, 1948, and having heard the Law Officers of the Crown thereon, hereby orders:—

1.—It shall not be lawful that any motor-bicycle race be held or take place on this Island otherwise than on a public road thereof, unless the licence of the Royal Court shall previously have been obtained by a person who undertakes to the Court the control and organization of that race.

Licence required for certain motor-bicycle races

2.—(1) Subject to the provisions hereinafter in this Section contained, the Royal Court may in their discretion grant or refuse any application for a licence, or may grant a licence for such period and subject to such conditions as the Court may think fit.

Powers of Royal Court

(2) The only grounds on which the Royal Court shall be entitled to refuse the grant of a licence, or which, if a licence be granted subject to conditions, they shall take into consideration in the imposition of those conditions, shall be that the race might—

Grounds for refusing a licence, etc.

- (a) cause a nuisance to owners or occupiers of land near to the site on which the race is proposed to be held; or
- (b) not be in harmony with the natural surroundings of that site.

(3) In considering any application for a licence, the Royal Court shall have before them—

Reports from Douzaine and Natural Beauties Committee

- (a) a report from the Douzaine of any Parish concerned as to the possibility of a nuisance being caused to owners or occupiers of land near to the site on which the race is proposed to be held; and

- (b) a report from the States Committee for the Preservation of Natural Beauties as to how far the holding of the proposed race might not be in harmony with the natural surroundings of the site on which the race is proposed to be held.

Notice of applications to be given in the Gazette Officielle

3.—The Royal Court shall not entertain any application under this Ordinance unless a notice shall have appeared in the Gazette Officielle not later than fourteen days before such application is made, setting out the date and time when the application is to be made and the time when and place where it is sought that the race in question may be licensed to be held.

Penalty for contravention of Ordinance

4.—Any person who in contravention of the provisions of this Ordinance shall take part in any motor-bicycle race shall be liable on conviction to a fine not exceeding twenty-five pounds, and any person who organizes such a race without a licence from the Royal Court, or who, having obtained such a licence, fails or neglects to observe any of the conditions (if any) attached thereto, 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 three months, or to both such fine and such imprisonment.

Meaning of "motor-bicycle race"

5.—For the purposes of this Ordinance the expression "motor-bicycle race" shall mean any race in which any person riding a motor-bicycle shall compete against any other such person, or against time, and at which more than ten persons are present.

Advertisement of Houses Control Ordinance, 1947.
(22nd November, 1947)

THE COURT, on the representations of the States Housing Authority, and having heard His Majesty's Procureur thereon, hereby orders:—

Advertisements to be approved

1.—The editor of any newspaper or other periodical published in this Island shall not publish in such newspaper or periodical any advertisement or announcement,

whether for reward or not, indicating that any premises situate in this Island are for sale or to be let, whether furnished or unfurnished, unless the advertisement or announcement intended to be published bears upon it the approval of the President and the President may not withhold such approval except during such reasonable time as will enable him to identify the premises in question.

2.—Any editor who contravenes or fails to comply with any of the provisions of this Ordinance shall be liable on summary conviction before the Police Magistrate to a fine not exceeding Ten pounds for a first offence and Fifty pounds for any subsequent offence.

Penalty for
contraven-
tion of
Ordinance

3.—In this Ordinance—

Definitions

The expression “ editor ” includes any person for the time being performing the duties of editor.

The expression “ let ” includes sub-let or assigned.

The expression “ premises ” means any dwelling house or flat or part of a dwelling house or flat.

The expression “ the President ” means the President for the time being of the States Housing Authority, and includes any person for the time being performing the duties of that office.

**Ordinance (1948) enacting the Cadastre Law,
1947 Rules.
(3rd January, 1948)**

THE COURT, in pursuance of the Resolution of the States of the 17th day of December, 1947, and having heard His Majesty's Comptroller thereon, under and by virtue of the provisions of Article 12 of the Cadastre Law, 1947, hereby orders:—

1.—The Provisional Ordinance enacting the Cadastre Law, 1947 Rules of the 28th day of July, 1947, is hereby repealed.

Repeal

2.—The Rules set out in the Schedule hereto are hereby declared to be in force for the purposes of the Cadastre Law, 1947.

Cadastre
Law Rules

SCHEDULE.

Determina-
tion of values 1.—The Cadastre Committee in its determination of values shall employ such person or persons as the States* shall have directed or may direct.

2.—The rateable value of every property in so far as it does not consist of commercial glasshouses, agricultural land, horticultural land, or does not fall within category F hereinafter described shall be the sum arrived at by deducting from the annual rental value one quarter of such annual rental value.

The rateable value of commercial glasshouses, agricultural land, horticultural land and of properties falling within category F hereinafter described shall be the same as the annual rental value.

3.—The values of land covered with buildings shall be taken into account in determining the values of such buildings but not otherwise.

4.—For the determination of annual rental values all properties shall be divided into the following six categories according to the purposes for which they are normally usable:—

PROVIDED THAT

- (a) where a property falls within two or more categories neither of which is category F its annual rental value shall be determined as if the property fell within that one of those categories which would result in the highest annual rental value being attributed to it;
- (b) where a property falls within two or more categories one of which is category F, the Cadastre Committee shall decide what proportion of such property should, having regard to its normal use, be treated as falling within category F and thereupon the annual rental value of such proportion of such property shall be determined as if such proportion fell within category F and the annual

* Amended by Ordinance of August 28th, 1948.

rental value of the remainder shall be determined as if such remainder fell within that Category which would result in the highest annual rental value being attributed to it.

CATEGORY A.

Dwelling-houses and their domestic out-buildings, including domestic gardens, which together with any land covered by a dwelling-house to which they are appurtenant, do not exceed 20 perches in area.

Shops and rooms within the same curtilage as a shop and used exclusively for storage of the goods normally sold in such shop.

Property designed, or when occupied normally used, for obtaining monetary profit other than by way of manufacture and processing, and not being agricultural or horticultural land.

CATEGORY B.

Property designed, or when occupied normally used, for obtaining profit by manufacture or processing, not being agricultural or horticultural land.

CATEGORY C.

Agricultural Land.

Horticultural Land.

Land, uncovered by buildings, not otherwise herein categorized.

CATEGORY D.

Commercial Glasshouses.

CATEGORY E.

Property, other than land uncovered by buildings not otherwise herein categorized.

CATEGORY F.

Property falling under the following classes:

- (a) such properties owned or occupied by the Guernsey Gas Light Company Limited as are used for the purposes of the production of, distribution of, and obtaining payment for, gas and its by-products;
- (b) such properties occupied by the States of Guernsey Water Board as are used for the purposes of the collection of, storage of, purification of, distribution of, and obtaining payment for, water;
- (c) such properties occupied by the States of Guernsey Telephone Council as are used for the purposes of the provision of, and obtaining payment for, telephonic communication;
- (d) such properties occupied by the States of Guernsey Electricity Department as are used for the purposes of the production of, distribution of, and obtaining payment for, electric energy.

Determin-
ation of
rental values

5.—The annual rental values of properties falling within their respective categories shall be determined as follows: —

CATEGORY A.

The annual rental value shall be the sum arrived at by taking the reasonable rent at which the property would be expected to be let from year to year on the terms that the landlord be liable for all repairs and pay all landlord's rates and taxes and insurances.

CATEGORY B.

The annual rental value shall be a sum equal to 4 per cent. of the capital value of the property (including such fixtures as in law form part of the realty).

CATEGORY C.

The annual rental value shall be on a sliding scale varying according to the potential productivity of the land, being £3 per vergée for the most productive land and nothing for worthless land.

CATEGORY D.

The annual rental value of commercial glasshouses fitted with a heating system which is capable of being used or not shall be £3 10s. 0d. per perch save in the parishes of St. Saviour, St. Peter, Torteval and the Forest wherein the annual rental value shall be £3.

The annual rental value of commercial glasshouses not so fitted shall be £2 10s. 0d. per perch irrespective of locality.

The Cadastre Committee shall be empowered, at its discretion, to reduce the annual rental value of glasshouses when, in the opinion of the Committee, such glasshouses are uncultivable.

CATEGORY E.

The annual rental value shall be a sum equal to 4 per cent. of the capital value of the property (including such fixtures as in law form part of the realty).

CATEGORY F.

Sub-Category (a).

The annual rental value shall be collectively at the rate of £20 per million cubic feet of gas sold during the period of one year ending with the 31st March immediately prior to the date of the latest determination of the annual rental value.

Sub-Category (b).

The annual rental value shall be collectively at the rate of £20 per million gallons of water distributed to consumers during the period of one year ending with the 25th December immediately prior to the date of the latest determination of the annual rental value.

Sub-Category (c).

The annual rental value shall be collectively eleven shillings and threepence for each subscriber to the telephone service during the period of one year ending with the 31st December immediately prior to the date of the latest determination of the annual rental value.

Sub-Category (d).

The annual rental value shall be collectively at the rate of £1,547 per million kilowatt-hours of electric energy sold during the period of one year ending with the 31st December immediately prior to the date of the latest determination of the annual rental value.

**Ordinance (1948) amending the Cadastre Law,
1947 Rules.
(28th August, 1948).**

THE COURT, in pursuance of the Resolution of the States of the 21st day of April, 1948, and having heard His Majesty's Comptroller thereon, under and by virtue of the provisions of Article 12 of the Cadastre Law, 1947, hereby orders:—

1. In Rule No. 1, contained in the Schedule to the Provisional Ordinance, 1948, enacting the Cadastre Law, 1947 Rules, (No. I of 1948), the words "as the States Board of Administration may, after consultation with the States Cadastre Committee, appoint." shall be substituted for the words "as the States shall have directed or may direct".

**The Liquor Licensing Ordinance, 1948
(24th March, 1948)**

THE COURT, on the recommendation of the States Tourist Committee and having heard H.M. Comptroller thereon, hereby orders:—

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FIRST SCHEDULE — Repealed enactments.

SECOND SCHEDULE — Permitted Hours.

THIRD SCHEDULE — Form of application for Renewal.

Repeals 1. The Ordinances set out in the First Schedule hereto are hereby repealed.

Definitions 2. In this Ordinance, where the context so admits, the following expressions shall have the meanings hereby respectively assigned to them —

“Chief Officer” means the Chief Officer of the Island Police Force.

“the Committee” means the States Island Police Committee.

“Half-year” shall mean the period of six months ending on the 30th day of June or the 31st day of December in any year as the case may be.

“intoxicating liquor” includes spirits, wines, beer, porter, cider and perry.

“licensed premises” means the premises in respect of which a licence for the sale of intoxicating liquor exists.

“a meal” means cooked or prepared food of a value of not less than one shilling and sixpence,* exclusive of any service or other extra charge.

“Police Force” includes the Island Police Force, together with any Special Constabulary when on duty.

* “Two shillings and threepence” substituted by Ordinance of 25th April, 1951.

† “summer period” and “winter period” shall mean respectively the periods in each year from the 1st day of May to the 30th day of September and from the 1st day of October to the 30th day of April.

“Tourist Committee” means the Committee set up under the provisions of the Tourist Law, 1948.

3. (1) A person shall not sell or expose for sale intoxicating liquor unless he holds a licence from the Royal Court for the sale of that intoxicating liquor. Prohibition of sale without licence

(2) If any person acts in contravention of this section he shall be liable in respect of

- (a) a first offence, to a fine which shall not exceed fifty pounds, and
- (b) a second offence, to a fine which shall not exceed one hundred pounds, and
- (c) any subsequent offence, to imprisonment for a term not exceeding twelve months or to a fine not exceeding five hundred pounds, or to both such imprisonment and fine.

(3) On the conviction of any person for an offence under this section, the Court may, if they think it expedient to do so, declare that all or any intoxicating liquor found on the premises of such person be forfeited for the account of the States.

4. Licences for the sale of intoxicating liquor are divided into the following:— Classes of licence

- 1. Club licences.
- 2. Hotel licences.
- 3. Inn licences.
- 4. Public House licences.
- 5. Licences for the sale of intoxicating liquor for consumption off the premises, hereinafter called “General Off-licences.”
- 6. Licences for the retail of beer and cider for consumption off the premises, hereinafter called “Beer Off-licences.”

† New definitions substituted by Ordinance of 6th May, 1949.

7. Licences for the sale of beer and cider for consumption on the premises, hereinafter called "Beer licences."
8. Café licences.
9. Restaurant licences.
10. Guest House licences.

Hours

5. The only hours during which intoxicating liquor may be supplied under licence shall be as follows, that is to say:—

CLUBS.

Week Days.

On week days in clubs during ten hours between eleven o'clock in the morning and midnight, the hours to be regulated by and included in the rules of the club, subject to the approval and sanction of the Royal Court.

Sundays, Christmas Day and Good Friday.

On Sundays, Christmas Day and Good Friday during five hours between noon and ten o'clock in the evening, the hours to be regulated by and included in the rules of the club subject to the approval and sanction of the Royal Court.

PREMISES OTHER THAN CLUBS.

Establishments in respect of which there exists a licence for the sale of intoxicating liquors may be open for such sale and for supply during the hours and subject to the conditions set out in the Second Schedule to this Ordinance.*

Penalties for
irregular
sale

6. (1) Any person who shall, except during the hours and in the circumstances permitted by the preceding section

(a) sell or supply either by himself or by any servant or agent to any person in any licensed

* Proviso re Herm added by Ordinance of 23rd July, 1948.
See also Ordinances of 20th June, 1951, and 17th April, 1952.
as to opening hours during the summer period.

premises any intoxicating liquor to be consumed either on or off the premises, or permit the consumption thereof on such premises, or deliver either by himself or any servant or agent intoxicating liquor at any place; or

- (b) consume in or take from any licensed premises any intoxicating liquor

shall be guilty of an offence and shall be liable on conviction in the case of a first offence to a fine not exceeding twenty pounds, in the case of a second offence to a fine not exceeding one hundred pounds, and in the case of any subsequent offence to a fine not exceeding two hundred pounds. Further, on the conviction of any person under this section the Court may declare that all or any intoxicating liquor found on such premises be forfeited for the account of the States.

(2) Subject to the provisions of section 7 (c) of this Ordinance any holder of a Café licence who shall either by himself or any servant or agent supply intoxicating liquor otherwise than to persons seated at a table and any holder of a Restaurant licence who shall either by himself or by any servant or agent supply intoxicating liquor otherwise than with a meal and to persons seated at a table and any holder of a Guest House licence who shall either by himself or by any servant or agent supply intoxicating liquor otherwise than with a meal to any person other than a resident or guest of a resident or who shall fail to keep or to produce to any member of the Police Force on demand a separate book wherein is entered the name and address of every guest of a resident so served with intoxicating liquor and the name and address of the resident concerned shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ten pounds and in the event of a second conviction to a fine not exceeding fifty pounds, and in the case of any subsequent offence to a fine not exceeding one hundred pounds. Further, on the conviction of any person under this section the Court may declare that all

or any intoxicating liquor found on the premises of such person be forfeited for the account of the States.

Supply to
residents
and others

7. Nothing in sections 5 and 6 of this Ordinance shall be deemed to prohibit or restrict

- (a) the supply to, or consumption by, any person of intoxicating liquor in any licensed premises where he is residing; or
- (b) the ordering of intoxicating liquor to be consumed off the premises or the delivery by the vendor of liquor so ordered, at the residence of a purchaser, provided that such delivery if effected before the earliest hour authorised by section 5 for the sale or supply of intoxicating liquor shall be in quantities of not less than one reputed quart to any one person and contained in stoppered bottles or other vessels of a capacity of not less than one reputed quart.
- (c) the supply of intoxicating liquor: —
 - (i) to any member of the staff of the holder of the licence bona fide entertained by him at his own expense, for consumption on the premises; or
 - (ii) to any relative or private friend of the holder of the licence bona fide entertained by him at his own expense, for consumption only on some part of the premises not used for the sale, supply or storage of intoxicating liquor,
 or the consumption in such circumstances of intoxicating liquor so supplied.
- (d) the supply of intoxicating liquor to a trader for the purpose of his trade or to a club for the purposes of the club; or
- (e) the supply of intoxicating liquor to or in any canteen where the supply of intoxicating liquor is carried on under the authority of a Secretary of State or the Admiralty, or the

Lieutenant Governor, or to any authorised Mess of Officers or Non-Commissioned Officers of His Majesty's Naval, Military, or Air Forces.

8. (1) Subject to the provisions of the proviso to paragraph (d) of this sub-section in respect of the grant of provisional licences, the Royal Court may, after considering reports upon the application from the Douzaine of the Parish concerned and from the Committee, in its discretion grant or renew a licence provided that

(a) No Hotel or Inn licence may be granted or renewed unless the Royal Court is satisfied that

(i) the establishment concerned has been classified as an hotel or inn, as the case may be, by the Tourist Committee under the provisions of the Tourist Law, 1948; or

(ii) until the date on which the Tourist Law, 1948, comes into force, the granting or renewal of such licence has been recommended by the States Tourist Committee then in being.

(b) In the case of a Café licence, the Royal Court is satisfied that the premises are adapted for the service of intoxicating liquor only by the licensee or his servants to persons seated at a table.

(c) In the case of a Restaurant licence, the Royal Court is satisfied that the premises are adapted to the proper exercise of the licence by the licence holder.

(d) In the case of a Guest House licence, the Royal Court is satisfied

(i) that the establishment in question contains not less than eight bedrooms for the accommodation of residents other than the licensee, his family and his servants,

and the proportion of bathrooms and water-closets to bedrooms is not less than one bathroom and one water-closet to five bedrooms; and

- (ii) that the grant or renewal of such a licence is recommended by the Tourist Committee, or, until the date on which the Tourist Law, 1948, comes into force, by the States Tourist Committee then in being.

PROVIDED THAT in any case where the requirements set out in sub-paragraph (i) of this paragraph are not complied with, the Royal Court may nevertheless in its discretion grant a provisional licence on such terms and conditions and for such period as it may direct, and if and whenever the applicant shall fail to fulfil any of such terms or conditions the provisional licence so granted shall cease to be valid.

(2) The Royal Court may on the application of any licence-holder but subject to the provisions hereinbefore contained, vary the class of his licence.

(3) Where on the application of a Law Officer of the Crown, the licence holder being cited, the Royal Court is satisfied that an establishment holding a Guest House licence is used unduly for the sale of intoxicating liquor to guests of the residents, the Royal Court may order the forfeiture, suspension or variation of the licence.

(4) In all cases where in this Ordinance the Royal Court is empowered to order the forfeiture or suspension of a licence, the Royal Court may as respects a Hotel licence order its alteration to another class of licence.

Renewal
and Removal
of licences

9. (1) All licences expire on the thirty-first day of December of each year, but shall, save in the case of a Guest House licence, which may be renewed only on application to the Royal Court, be renewed for the following year on payment to the States of the annual sums as specified in the section next following and on production of a signed certificate in the form set out in the Third

Schedule hereto, unless the Royal Court shall disallow such renewal on application made by a Law Officer of the Crown, such application being made not later than the 1st day of November in the year preceding that for which such renewal is applied for, and not less than fourteen days' notice thereof being served on the holder of the licence and on the States Supervisor; a Law Officer may in any case apply for the disallowance of an application for renewal, and shall do so if so requested by the Constables of the Parish concerned, the Committee or the Tourist Committee:

PROVIDED that the Royal Court may at any time suspend vary or order the forfeiture of a licence on the application of the Committee who shall in such case summon the holder of the licence before the Royal Court to show cause why his licence should not be varied, suspended or forfeited as the case may be.

Any summons under this section shall set out the grounds on which the Committee intend to rely.

(2) Any holder of a licence who shall, at the expiration of any half-year, continue to carry on his trade without having paid to the Treasurer of the States, the half-yearly sum mentioned in the section next following shall be deemed to be selling intoxicating liquor without a licence.

(3) Any person who shall wilfully make any false statement in the Certificate accompanying his application for renewal of a licence shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty pounds in the case of a first offence and in the case of any subsequent offence to a fine not exceeding one hundred pounds or to imprisonment with or without hard labour for a term not exceeding three months or to both such fine and imprisonment.

10. The following annual sums shall be paid in advance Fees to the States in equal half-yearly payments on or before

the 31st day of December and the 30th day of June in each year in respect of the following licences: —*

Formalities
in respect of
application
for and
issue of
licences

11. (1) Every application for a licence shall be in writing and shall contain a description of the premises in respect of which a licence is sought and shall specify the class of licence applied for. Such application shall be made to the Royal Court.

(2) Club licences may be granted to a Club on the application of the President, Manager or Secretary of the Club subject to a report being presented to the Royal Court by the Committee and the Constables and Douzaine of the parish in which the Club is situated. The rules of the Club shall be submitted to the Law Officers of the Crown for their approval not less than fifteen days prior to the application being made to the Royal Court. All additions and alterations which may from time to time be made to the rules of a club shall also be submitted to the Law Officers of the Crown for their approval.

PROVIDED that no change in the hours during which intoxicating liquor may be sold as fixed by the rules shall be permitted without the sanction of the Royal Court.

A copy of the rules of every club and all alterations thereto shall be deposited at the office of the Greffe.

(3) Any person intending to apply for a licence other than a Club licence, shall send, not less than fifteen days prior to the date of application, a written notice of his intention to the Committee and to the Constables and Douzaine of the parish where the proposed licensed premises are situated notifying them of the situation of the premises and of the day and hour on which the application is to be made to the Royal Court. A copy of such notice shall be inserted on two occasions in the "Gazette Officielle"; a copy of the said notice shall also be affixed for fourteen days immediately preceding the date of the application on or as near as possible to the establishment where the licence is proposed to be exercised consistent

* See Ordinance of 28th June, 1950. for Fees.

with its being easily read by persons passing on a public thoroughfare. The notice to be affixed to the establishment shall be at least two feet square in dimensions and shall be in legible print, written in English.

In the event of an applicant for a Hotel, Inn or Public House licence not having resided in the Island for the three consecutive years immediately preceding the date of the application, he shall furnish the Committee with a Certificate of character from the Chief Officer of Police of each place in which he, the applicant, shall have lived during the said three years.

In the event of the applicant being of foreign nationality, the certificate or the certificates as the case may be shall bear the visa of the accredited agents (if any) in Guernsey of the country to which the applicant belongs.

PROVIDED that where a licence of the same class as that applied for is already in force in respect of the same premises at the time of the application, the affixing of a copy of the notice on the establishment shall not be required.

PROVIDED also that where an application is made for a licence in respect of a building projected but not yet erected or which is in course of erection or undergoing or about to undergo alteration the notice required to be affixed to the establishment under this sub-section may in such case be affixed to any temporary or permanent erection on the site as the Committee may direct, and in the case of such application, plans of the proposed building showing all necessary and relevant particulars shall be lodged at the Greffe not later than the date of the first public announcement of the application and also shall be submitted to the Committee, to the Constables and Douzaine, and to the Royal Court. The Committee and the Constables and Douzaine shall report to the Royal Court on the application in accordance with the provisions of this Ordinance in so far as they are applicable in such case. If a licence is granted a copy

of the plans shall be marked for identification and filed at the Greffe and such licence shall remain in abeyance until a second application is made to the Royal Court after completion of the building. The Royal Court, on the granting of a licence on the first application, may prescribe the maximum time allowed for completing the building and making the second application and may impose such other conditions as well as variations of the plans as it may deem proper. No public notice shall be required in respect of the second application and no opposition thereto shall be heard except opposition, if any, alleging breach of the conditions imposed by the Royal Court, or a material departure from the approved plans. The applicant shall however send the prescribed notice of the second application to the Committee and the Constables and Douzaine, who shall severally inspect the premises and report thereon to the Royal Court. The licence granted under the first application shall be cancelled by the grant or refusal of an effective licence under the second application. The fees payable under section 13 of this Ordinance shall be paid in respect of each application but the sum payable in respect of the licence under section 10 of this Ordinance shall be payable only in respect of the effective licence.

(4) The application for a licence shall not be entertained by the Royal Court in the event of any of the provisions of this section not having been complied with.

(5) A person shall not be debarred from the grant or renewal of a licence solely on the ground that he is already the holder of one or more licences, provided that he satisfies the Royal Court that he can adequately supervise personally the exercise of each licence granted to him.

(6) Where by an happening beyond the control of the licensee, any licensed premises are destroyed or are so damaged that their occupation in accordance with the licence is affected, the Chief Officer shall report thereon to

the Law Officers of the Crown who shall apply to the Royal Court for an order appropriate to the circumstances. The Chief Officer shall notify the licensee to attend at the hearing of the application and the Royal Court may on such application make an order for the withdrawal or suspension of the licence or may sanction its continuance provisionally under such restrictions and conditions as the Royal Court may think fit to impose and generally may make such order as it may deem appropriate in the circumstances, and may at any time thereafter review and vary any order so made.

(7) (a) It shall be lawful for a limited liability company to apply for and to be the holder of a licence under this Ordinance. The company may be represented in the application and the formalities accessory thereto by the Manager of the business or by the Manager, the Secretary or a Director of the company.

(b) When giving the notice of application the company shall at the same time furnish the Committee with the name and description of the Manager of the business or other official of the company designated by the company to be responsible for the conduct of the licence and the provisions of sub-section (3) of this section relating to the production of certificates of character shall apply to such designated official whenever and in the same way as they would apply if he were the applicant in his own right. At the time of the application such designated official shall be presented before the Royal Court and if approved, his name shall be endorsed upon the licence if the same is granted, and shall also be entered upon the records at the Greffe. The provisions of this paragraph shall apply in like manner to every person selected by the company to succeed a designated official as such.

(c) In the case of any infringement of this

Ordinance proceedings may be taken and penalties enforced against both the designated official and the company severally.

(d) If a company shall neglect to replace a designated official who has ceased to act in that capacity, the company, the Manager and every Director of the company shall be severally liable to a fine not exceeding ten pounds.

(e) The provisions of section 17 of this Ordinance shall apply to the designated official of a company as though he were the holder of the licence, but the company shall be liable severally with the designated official in respect of the penalties therein prescribed.

(8) His Majesty's Greffier shall keep a special register of all licences.

Constables'
duties

12. On receipt of a written notice of intention to apply for a licence, the Constables shall visit the premises and make a report to their Douzaine. On the day of the hearing of an application for a licence to the Royal Court, the Constables shall present a written report from the Douzaine and themselves containing the following particulars:

1. A description of the premises and its surroundings.
2. In the case of an Inn Licence, a Public House licence or a Beer licence, the number of closets and urinals and whether in their opinion the number of them is sufficient.
3. The number of similarly licensed houses in the parish.
4. Their objections to the application, if any.

The Chief Officer shall also at the same time present in person a report from the Committee containing the views of the Committee respecting the application.

Stamp fees

13. An applicant for a licence shall pay by stamps to the Treasurer of the States prior to the application in respect of a licence other than a Beer Off-licence or a Beer licence, a fee of thirty shillings, and in respect of a Beer Off-licence a fee of twenty shillings, of which fees

respectively the accounts of the Royal Court and of His Majesty's Greffier shall each be credited with one quarter.

The applicant shall also pay to the Constables who shall have examined the premises a fee of seven shillings and sixpence in respect of a licence other than a Beer Off-licence or a Beer licence and a fee of five shillings in respect of a Beer Off-licence.

14. (1) His Majesty's Greffier shall, on proof that all ^{Issue of} sums payable to the States in respect of a licence have been paid, deliver to every person to whom a licence has been granted an extract of the Order of the Royal Court granting such licence, together with a copy of this Ordinance and of all other Ordinances amending it. A person shall not sell intoxicating liquor until the licence has been issued to him by His Majesty's Greffier and in the event of his so doing he shall be deemed to be selling without a licence.

(2) In the event of an application for a licence other than a Beer Off-licence or Beer licence being made during the currency of a half-year and more than two weeks after the commencement thereof, the proportion of the annual sum payable to the States for such licence in respect of the half year then current shall be in proportion to the unexpired portion of such half year.

PROVIDED that in computing the unexpired portion of such half year the reckoning shall be by weeks and no account shall be taken of any outstanding fraction of a week unless it exceeds two days in which case it shall count as a full week.

(3) In the event of the licence being refused, the sum paid to the States under section 10 of this Ordinance shall be reimbursed to the applicant.

(4) In the event of a holder of a Hotel licence, Inn licence, Public House licence, Café licence or General Off-licence giving up his business during the currency of a half year in respect of which the sum payable under section 10 of this Ordinance has been paid, unless he be deprived of his licence by order of the Royal Court he

shall be entitled to a reimbursement of such proportion of the amount so paid as shall be appropriate to the unexpired portion of the term of his licence.

PROVIDED that where the amount of such reimbursement would be less than one pound, no reimbursement shall be made.

PROVIDED also that in computing the unexpired portion of the half year reckoning shall be by weeks and no account shall be taken of any outstanding fraction of a week.

Regulations
as to sale
or supply
of liquor.
Special
licences

15. (1) The holder of a licence shall not sell, expose or supply intoxicating liquor at any place except that authorised by his licence, and if he shall act in contravention hereof he shall be liable in respect of

- (a) a first offence, to a fine not exceeding twenty pounds;
- (b) a second offence, to a fine not exceeding One hundred pounds;
- (c) any subsequent offence, to a fine not exceeding Two hundred pounds for each such offence.*

(2) Every special licence granted by a Law Officer of the Crown shall be immediately notified to the Chief Officer by such Law Officer.

(3) The provisions and penalties provided for in this Ordinance shall, in so far as they may be applicable, apply to the holders of special licences.

(4)†

Display of
licensee's
name

16. (1) The holder of a licence other than a Club licence, Hotel licence or Guest House licence shall cause to be painted on the establishment in respect of which his licence is granted, in a conspicuous place, his name with the addition after the name, of the word "licensed" and of words to express the business for which his licence has been granted and in particular whether the licence is a

* See Ordinance of 6th May, 1949, for provisos to this sub-section.

† New sub-section (4) substituted by Ordinance of 28th June, 1950.

full licence or for the sale or supply only of beer and cider and whether to be consumed on or off the premises.

(2) If any person fails to comply with or acts in contravention of this section, he shall be liable in respect of each offence to a fine not exceeding, in the case of a first offence, five pounds, and in the case of any subsequent offence, ten pounds.

17. (1) The holder of a Hotel licence, Inn licence, Public House licence* or Beer licence shall not, without a written permit of the Committee, absent himself from the business of personally supervising the exercise of such licence for any reason whatever for a period exceeding seven days; the permit, however, of that Committee shall not extend beyond the period of two months.

Absence of
licensee

(2) The holder of a licence of any of the above classes desiring so to absent himself beyond the said period of two months shall, after due notification in writing to the Committee, apply to the Royal Court sitting as the Ordinary Court for a permit to that effect.

That Court may grant such permission for such period as they may think reasonable, after hearing any representations which the Committee may put forward.

(3) The holder of the licence shall, in both of the above cases, at the time when he makes application, present for the approval of the Committee or of that Court, as the case may be, a suitable person personally to supervise the exercise of his licence during his absence. In default of presenting such person, the application shall not be entertained.

(4) The person approved of shall, during the absence of the holder of the licence, be responsible for the personal supervision of the exercise of the licence as if he were the holder of the licence.

(5) The holder of a licence of any of the above classes who shall absent himself from the personal supervision of the exercise of the licence for a period exceeding seven days without the permission of the Committee

* " Guest House licence, Café licence, Restaurant licence " added by Ordinance of 25th April, 1951.

or of that Court as the case may be, shall be liable on conviction to a fine which shall not exceed ten pounds and to the suspension or forfeiture of his licence at the discretion of that Court.

Decease of
licencee

18. (1) On the decease of the holder of a licence or on his being certified by a medical practitioner authorised to practise in this Island as incapable of personally exercising his licence, the Committee on the application of the legal personal or other representative of the holder of the licence, may grant him permission to carry on the licence for such period as may be necessary to enable application to be made to the Royal Court for the issue of a new licence.

(2) Any person who shall, after the decease of the holder of a licence or of his being certified as incapable of properly exercising his licence, continue to carry on such business without the permission mentioned in subsection (1) of this section, shall on conviction be liable to the penalties imposed by section 3 of this Ordinance.

Conduct on
licensed
premises

19. (1) The holder of a licence shall not permit drunkenness or any violent or riotous conduct on his premises, nor supply any intoxicating liquor to a drunken person, and to enable him to maintain order, he may eject any person from his premises without giving a reason for so doing.

(2) If the holder of a licence acts in contravention of this section, he shall be liable in respect of each offence to a fine not exceeding, in the case of the first offence, twenty pounds, and in the case of any subsequent offence, fifty pounds.

(3) If the holder of a licence is charged with permitting drunkenness on his premises in contravention of this section, and it is proved that any person was drunk on his premises, it shall lie on the holder of the licence to prove that he and the persons employed by him took all reasonable steps for preventing drunkenness on the premises.

(4) Any person found drunk on licensed premises shall, on conviction, be liable to a fine not exceeding one pound for the first offence, or five pounds for any subsequent offence.

(5) The holder of a licence may refuse to admit to and may turn out of his licensed premises any person who is drunken, violent, quarrelsome or disorderly or whose presence on the licensed premises is undesirable and any person whose presence on his premises would subject him to a penalty under this Ordinance.

(6) Any such person as is described in the last preceding sub-section who, upon being requested in pursuance of this section by the holder of the licence, or his agent or servant, or by any member of the Police Force, to quit the premises, refuses or fails so to do, shall be guilty of an offence and shall be liable on conviction in respect of each such offence to a fine not exceeding ten pounds, and all members of the Police Force required to expel or to assist in expelling such person from the premises and the holder of the licence, his agents or servants, may use such force as may be necessary for that purpose.

20. (1) The holder of a licence shall not—

(a) knowingly harbour or suffer to remain on his premises any member of the Police Force during any part of the time appointed for such member being on duty, unless for the purpose of executing his duty; or

(b) supply any liquor or refreshment to any member of the Police Force on duty unless by authority of that member's superior in rank.

Offences in
relation
to the
Police Force

(2) If the holder of the licence acts in contravention of this section he shall be guilty of an offence and shall be liable in respect of each such offence to a fine not exceeding in the case of the first offence, twenty pounds, and in the case of any subsequent offence, fifty pounds.

21. (1)*

Supply to
Young
Persons

* New sub-section substituted by Ordinance of 15th February, 1950.

(2) If the holder of a licence acts in contravention of sub-section (1) of this section he shall be liable in respect of each offence to a fine not exceeding in the case of the first offence, twenty pounds, and in the case of any subsequent offence, fifty pounds.

(3) The holder of a licence shall not knowingly supply or allow any person to supply, save at the residence or working place of the purchaser, any description of intoxicating liquor to any person under the age of fourteen years for consumption by any person on or off the premises, except such intoxicating liquor as is supplied in corked or sealed vessels in quantities of not less than one reputed pint for consumption off the premises only.

(4) A person shall not knowingly send any person under the age of fourteen years to any place where intoxicating liquor is sold, or delivered, or distributed, for the purpose of obtaining any description of intoxicating liquor, excepting as aforesaid, for consumption by any person on or off the premises.

(5) The holder of a licence shall not allow minors under the age of eighteen years to play on his licensed premises at any game of chance.

(6) The holder of a Hotel licence, Inn licence, Public House licence or Beer licence shall not employ any minor under the age of eighteen years or any unmarried women under the age of twenty-five years to sell or retail intoxicating liquor.

(7) If any person acts in contravention of sub-sections (3), (4), (5), or (6) of this section, he shall be liable in respect of each offence to a fine not exceeding in the case of the first offence, twenty pounds, and in the case of any subsequent offence, fifty pounds.

(8) For the purposes of this section the expression "corked" means closed with a plug or stopper of any material; and the expression "sealed" means secured with any substance without the destruction of which the cork, plug or stopper cannot be withdrawn.

(9) Nothing in this section shall derogate from the provisions of Article 41 of the law relating to the protection of children and young persons, registered on the Records of the Island on the 10th day of February, 1917.

22. (1) The holder of a Club licence, Hotel licence, Inn licence or Guest-House licence shall not allow games of chance to be played for stakes upon his licensed premises, but the card games of Whist, Bridge, Euchre, Cribbage, Bezique, Piquet and Ecarté may be played for stakes thereon provided that, in the case of the playing of such games on licensed Hotel, Inn or Guest-House premises, such games are not promoted or organized by the Licence Holder.

(2) The holder of any other class of licence shall not allow games of any kind to be played for stakes upon his licensed premises.

(3) If the holder of a licence acts in contravention of this section, he shall be liable in respect of each offence to a fine not exceeding, in the case of the first offence, twenty pounds, and in the case of any subsequent offence, fifty pounds.

23. (1) The holder of a licence shall not knowingly permit his premises to be the habitual resort or place of meeting of reputed prostitutes, whether the object of their so resorting or meeting is or is not prostitution, but nothing in this section shall prevent his allowing any such person to remain on his premises for the purpose of obtaining reasonable refreshment for such time as is necessary for the purpose.

(2) The holder of a licence shall not permit any premises under his control to be a brothel.

(3) If the holder of a licence acts in contravention of this section, he shall be liable for each offence to a fine not exceeding, in the case of the first offence, twenty pounds, and in the case of any subsequent offence, fifty pounds.

24. (1) The holder of a licence shall not, either by himself or by any servant or agent, sell, or supply on his

licensed premises to any person other than a resident on those premises, any intoxicating liquor to be consumed on the premises unless it is paid for at the time when it is sold or supplied.

(2) No person other than a resident thereon shall consume any intoxicating liquor in licensed premises unless it be paid for before or at the time when it is sold or supplied.

PROVIDED always that if the liquor be sold or supplied for consumption with a meal supplied at the same time and be consumed with such meal, the provisions of sub-sections (1) and (2) of this section shall not be deemed to be contravened if the price of the liquor is paid together with the price of such meal.

(3) Nothing in this section shall be deemed to prohibit or restrict the sale or supply of intoxicating liquor to or in any canteen where the sale of liquor is carried on under the authority of a Secretary of State or the Admiralty or the Lieutenant Governor or in any authorised Mess of Officers or Non-Commissioned Officers of His Majesty's Naval, Military or Air Forces.

(4) The holder of a licence shall not receive anything by way of pledge for the payment of a debt due him in respect of the supply of intoxicating liquor save from a person resident or recently resident in the licensed premises.

(5) Any person acting in contravention of this section shall be liable for each offence to a fine not exceeding ten pounds. He shall also in the case of a contravention of sub-sections (1) and (4) be debarred from taking legal proceedings for the recovery of the debt due in respect of the liquor sold and in the case of a contravention of sub-section (4) he shall in addition restore the object given in pledge.

No other
business
to be
carried on
by licensee

25. (1) The holder of an Inn licence or a Public House licence shall not keep a shop or carry on any business on his licensed premises other than that of the provision of board and lodging or the sale of drinks, tobacco, cigars.

cigarettes. pipes. matches or food to be consumed on the premises.

(2) Any person acting in contravention of this section shall be liable to a fine not exceeding, in the case of the first offence, ten pounds, and in the case of every subsequent offence, twenty-five pounds.

26. (1) An alteration in any premises in respect of which a licence is in force, which gives increased facilities for drinking, or conceals from observation any part of the premises used for drinking or which affects the communication between the part of the premises where intoxicating liquor is sold and any other part of the premises or any street or other public way, shall not be made without the consent of the Royal Court.

(2) The Royal Court may before giving their consent, require plans of the proposed alterations to be deposited at the Greffe at and for such time as they may determine.

(3) If any such alteration be made without such consent as aforesaid, the Royal Court may declare the licence to be forfeited or suspended upon such conditions as the Royal Court may deem fit.

27. (1) Subject to the provisions of this Ordinance, all premises in respect of which Public House or Beer licences have been granted shall be closed except during the hours specified in section 5 of this Ordinance.

PROVIDED always that the holder of a licence of either of the above classes may keep his premises open on weekdays during the hours from 8 a.m. to 11 a.m. for the sale of non-alcoholic drinks and articles of food; such refreshments shall be served in that portion of the premises as is usually set apart for the service of meals and shall in no case be served in the public drinking bar which shall be closed during those hours.

The holder of a licence shall give not less than fourteen days previous notice in writing to the Chief Officer of the date on which he intends to begin to avail himself of the provisions of this sub-section.

(2) Nothing in this Ordinance shall prohibit or restrict the sale or supply of intoxicating liquor during all hours to persons residing in premises licensed otherwise than by General Off-licences or Beer Off-licences and to the licensees, lessees or managers of such premises, the members of their family and staff.

(3) If any person during the time at which premises for the sale or supply of intoxicating liquor are directed to be closed by or in pursuance of this Ordinance, sells or exposes for sale in those premises any intoxicating liquor, or opens or keeps open those premises for the sale of intoxicating liquor, or allows any intoxicating liquor although purchased before the hours of closing, to be consumed on those premises, that person shall be liable in respect of each offence to a fine not exceeding, in the case of a first offence, twenty pounds, and in the case of any subsequent offence, fifty pounds.

Adulteration

28. (1) The holder of a licence shall not mix or cause to be mixed with any intoxicating liquor any ingredient for the purpose of increasing the apparent strength of such intoxicating liquor or which may render it injurious to health.

(2) Any person acting in contravention of this section shall be liable to the penalties contained in the supplementary law to the law relating to the application of penalties (Application des Peines) registered on the Records of this Island on the 13th day of April, 1878.

(3) The Chief Officer, the States Gauger and any assistant States Gauger shall have free access at all times to any licensed premises except Clubs to examine and take samples of all intoxicating liquor therein.

Strength of
intoxicating
liquor

29. (1) The holder of a licence other than a Club licence shall not sell or expose for sale, brandy, whisky, rum or gin at a strength below sixty degrees and except in stoppered bottles at a strength above eighty-five degrees.

(2) Any person who shall act in contravention of this section shall be liable on conviction to a fine not exceeding twenty pounds for the first offence, and for any

subsequent offence to a fine not exceeding one hundred pounds, and in either case to the confiscation of the liquor at the discretion of the Court.

30. (1) The holder of a General Off-licence shall not sell intoxicating liquor, with the exception of sparkling wines, otherwise than in stoppered bottles reputed in the trade to contain at least half a pint.

Sale in stoppered bottles

(2) The holder of a Beer Off-licence shall not sell beer or cider in quantities less than one gallon otherwise than in stoppered bottles.

(3) Any person who shall act in contravention of this section shall be liable, in the case of a first offence, to a fine not exceeding ten pounds, and in the case of every subsequent offence, to a fine not exceeding twenty-five pounds.

31. (1) The holder of a General Off-licence or Beer Off-licence shall not sell or supply by retail to anyone, any intoxicating liquor to be consumed on the premises.

Restriction on sale by certain licensees

(2) The holder of a Beer licence shall not sell or supply any wines or spirits.

(3) Any person who shall act in contravention of this section shall be liable, in the case of a first offence, to a fine not exceeding ten pounds, and for every subsequent offence to a fine not exceeding twenty-five pounds, and in the case of contravention of sub-section (2) of this section to the confiscation of all wines and spirits found on the premises.

32. (1) The holder of a licence shall not, after receipt of an official notice in writing that the Lieutenant-Governor has placed the licensed premises of such holder out of bounds, allow persons wearing His Majesty's uniform admission to his licensed premises, or sell or supply any drink to them.

Premises out of bounds to members of H.M. Forces

(2) Any person who shall act in contravention of this section shall be liable for each offence to a fine not exceeding twenty-five pounds.

33. (1) In the case of contravention of sections 28 and 29 of this Ordinance, the Royal Court may instruct the Committee to place in such part of the licensed premises

Convictions under sections 28 and 29

of the person convicted as may be suitable, a poster in writing recording the conviction and the amount of the penalty inflicted.

(2) The poster shall remain posted during one month.

(3) If the poster is withdrawn, effaced in whole or in part, or its position altered during the month and the holder of the licence takes no steps to renew it or to replace it, he shall be liable to a fine which shall not exceed ten pounds.

Powers of
Police Force

34. (1) The Chief Officer and members of the Police Force may at all times enter any licensed premises, excepting clubs.

(2) If any person, by himself, or by any person in his employ or acting by his direction or with his consent, refuses or fails to admit the Chief Officer or any member of the Police Force in the execution of his duty demanding to enter in pursuance of this section, that person shall be liable in respect of each offence to a fine not exceeding in the case of a first offence, twenty pounds, and in the case of any subsequent offence, fifty pounds.

Powers of
Bailiff

35. (1) The Bailiff, if satisfied by information in writing by the Chief Officer that there is reasonable ground to believe that at any place, whether a building or not in which liquor is not authorised to be supplied or stored, any intoxicating liquor is being supplied or stored or that at any place adulteration of liquor is being effected may grant in his discretion a warrant under his hand, by virtue whereof it shall be lawful for the Chief Officer or for any member of the Police Force named in the warrant at any time or times within one month from the date thereof, to enter, if need be by force, the place named in the warrant, and every part thereof, and examine the same and search for intoxicating liquor therein, and seize and remove any intoxicating liquor found therein which there is reasonable ground to suppose is in the place for the purpose of unlawful sale at that or any other place, and the vessels containing the liquor.

(2) Any person who shall impede or obstruct the entry of the Chief Officer or any member of the Police Force, acting in pursuance of a warrant under this section, shall be liable to a fine not exceeding, in the case of a first offence, twenty pounds, and in the case of every subsequent offence fifty pounds.

(3) When the Chief Officer or a member of the Police Force has entered any premises in pursuance of a warrant under this section and has seized and removed any liquor as aforesaid any person found at the time on the premises shall, until the contrary is proved, be deemed to have been on the premises for the purpose of illegally dealing in intoxicating liquor, shall be guilty of an offence under this Ordinance and shall be liable in respect of each offence to a fine not exceeding two pounds.

36. (1) Where the Chief Officer has reason to believe that a Club for which a licence for the sale of intoxicating liquor has been granted is being conducted in an improper or disorderly manner, the Bailiff, on receiving from the Chief Officer a written report thereon, may, in his discretion, grant a warrant under his hand to the Chief Officer whereby it shall be lawful for the Chief Officer at any time during one month or for such other less time as may be specified in the warrant, to enter and visit, and if need be by force, the said Club for the purpose of ascertaining the manner in which it is being conducted.

Disorderly
conduct of
premises

(2) The committee may at any time, if they have reason to believe that a club is being conducted improperly or in a disorderly manner, summon the Manager or Secretary of such club to appear before the Royal Court to show cause why the licence of such club should not be either suspended or forfeited and the Royal Court may order the suspension or forfeiture of the licence. The summons shall contain the grounds on which the Committee intend to rely.

37. Every contravention of a section of this Ordinance, or of a sub-section thereof, committed within two years

General
regulations

of a conviction for a contravention of the same section or sub-section shall be deemed to be a second or subsequent offence.

Responsi-
bility of
licensee
for other
persons

38. The holder of a licence shall be deemed to be responsible in respect of contraventions of this Ordinance by members of his family, his employees or agents.

Application

39. This Ordinance shall apply to the Islands of Guernsey, Herm and Jethou.

Saving of
existing
licences and
applications

40. Notwithstanding the repeal of the enactments set out in the First Schedule to this Ordinance

- (1) Any Hotel licence granted under or by virtue of those enactments or of any of them shall, after the date on which this Ordinance comes into force but **not after the 31st December, 1948, and* not after the premises concerned shall have been classified by the Tourist Committee under the Tourist Law, 1948, otherwise than as an Hotel, and unless a new licence shall have been granted in respect of the premises concerned, continue to be valid as if such licence were an Hotel licence granted under the provisions of this Ordinance;
- (2) Any Public House licence or licence of the Sixth class granted under or by virtue of those enactments or of any of them shall, unless and until a new licence has been granted in respect of them, be valid as if such licence had been granted as a Public House licence or Beer licence as the case may be under the provisions of this Ordinance;
- (3) Any Club licence or any licence of the Fourth or Fifth class granted under or by virtue of those enactments or of any of them shall, unless a new licence be granted in respect of the premises concerned, be valid as if such licence

* Words in italics deleted by Ordinance of 13th November, 1948.

had been granted as a Club licence, General Off-licence or Beer Off-licence as the case may be under the provisions of this Ordinance;

- (4) Any application for a licence under the provisions of those enactments or of any of them which shall have been made to the Royal Court before the time of the coming into force of this Ordinance, but which shall not have been either granted or refused at such time, shall for the purposes of this Ordinance be deemed, after the date of the coming into force of this Ordinance, to be an application made under this Ordinance for such class of licence as the applicant shall on the hearing of the application elect.

41.—This Ordinance shall come into force on the 1st day of May, 1948. Duration of Ordinance

FIRST SCHEDULE.

Ordonnance provisoire portant règlement pour la vente de Liqueurs Spiritueuses, Vins, Bière et Cidre, passed on the 19th day of March, 1932.

Ordonnance provisoire supplémentaire à l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre, passed on the 28th day of October, 1933.

Ordonnance provisoire modifiant l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre du 19 mars 1932, passed on the 8th day of December, 1934.

Ordonnance provisoire modifiant l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre du 19 mars 1932, passed on the 15th day of December, 1934.

Ordonnance provisoire modifiant l'Article 10 de l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre du 19 mars 1932, passed on the 5th day of October, 1936.

Ordonnance provisoire modifiant l'Article 4 de l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre du 19 mars 1932, avec la Modification du 1er avril 1933, passed on the 1st day of May, 1937.

Ordonnance provisoire de 1938 modifiant l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre du 19 mars 1932, passed on the 3rd day of December, 1938.

Ordonnance provisoire modifiant l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre du 19 mars 1932, passed on the 1st day of April, 1939.

“ The Intoxicating Liquors (Emergency Provisions) No. 2 Ordinance, 1939,” passed on the 16th day of November, 1939.

Ordonnance provisoire modifiant l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre du 19 mars 1932 (Christmas Eve and New Year Eve), passed on the 23rd day of December, 1939.

“ The Intoxicating Liquors (Emergency Provisions) Ordinance, 1940,” passed on the 13th day of April, 1940.

Ordonnance provisoire de 1940 modifiant l'Ordonnance provisoire portant règlement pour la Vente de Liqueurs Spiritueuses, Vins, Bière et Cidre du 19 mars 1932, passed on the 20th day of April, 1940.

“ The Intoxicating Liquors (Emergency Provisions) Ordinance, 1942,” passed on the 19th day of September, 1942.

“ The Intoxicating Liquors (Emergency Provisions) No. 2 Ordinance, 1942,” passed on the 17th day of October, 1942.

“ Provisional Ordinance relating to the Strength of Liquor,” passed on the 12th day of October, 1946.

*SECOND SCHEDULE.***PERMITTED HOURS.**PART I.**Weekdays, other than Christmas Day and
Good Friday.**†1. Hotel licences*

- (a) winter period—10.30 a.m.—2 p.m.
(2.30 if liquor served with a meal)
5 p.m.—10 p.m.
- (b) summer period—10.30 a.m.—2 p.m.
(2.30 if liquor served with a meal)
5 p.m.—11 p.m.

Save that a licence may be granted by the Royal Court, either generally or for such period as the Court may direct, for the further supply of intoxicating liquor,

- (i) during the winter period, until 10.30 p.m. to a person consuming a meal ordered before 10 p.m. but so that such liquor shall be consumed by such person before 11 p.m.; and
- (ii) during the summer period, until 11.30 p.m. to a person consuming a meal ordered before 11 p.m. but so that such liquor shall be consumed before midnight.

2. Inn licences

- (a) winter period—10.30 a.m.—2 p.m.
(2.30 if liquor served with a meal)
5 p.m.—10 p.m. Monday—Friday
4 p.m.—10 p.m. Saturday.

* See also Ordinances of 20th June, 1951, and 17th April, 1952, as to opening hours during the summer period.

† Amended by Ordinance of 10th October, 1951.

- (b) summer period—10.30 a.m.—2 p.m.
(2.30 if liquor served with a meal)
5 p.m.—11 p.m. Monday—Friday
4 p.m.—11 p.m. Saturday.

3. *Public House licences*

- (a) winter period—10.30 a.m.—2 p.m.
5 p.m.—10 p.m. Monday—Friday
4 p.m.—10 p.m. Saturday.
- (b) summer period—10.30 a.m.—2 p.m.
5 p.m.—11 p.m. Monday—Friday
4 p.m.—11 p.m. Saturday.

4. *General Off-licences*

- 9 a.m.—12.30 p.m.
2.30 p.m.—8 p.m.

5. *Beer Off-licences*

- 9 a.m.—12.30 p.m.
2.30 p.m.—8 p.m.

6. *Beer licences*

- (a) winter period—10.30 a.m.—2 p.m.
5 p.m.—10 p.m. Monday—Friday
4 p.m.—10 p.m. Saturday.
- (b) summer period—10.30 a.m.—2 p.m.
5 p.m.—10 p.m.* Monday—Friday.
4 p.m.—11 p.m. Saturday.

7. *Café licences*

- (a) winter period—10.30 a.m.—2 p.m.
(2.30 if liquor served with a meal)
5 p.m.—10 p.m. Monday—Friday
4 p.m.—10 p.m. Saturday.
- (b) summer period—10.30 a.m.—2 p.m.
(2.30 if liquor served with a meal)
5 p.m.—11 p.m. Monday—Friday
4 p.m.—11 p.m. Saturday.

* "11 p.m." substituted by Ordinance of 1st May, 1948.

8. *Restaurant licences*

- (a) winter period—mid-day—2.30 p.m.
5 p.m.—10 p.m. Monday—Friday
4 p.m.—10 p.m. Saturday.
- (b) summer period—mid-day—2.30 p.m.
5 p.m.—10 p.m.* Monday—Friday.
4 p.m.—11 p.m. Saturday.

†9. *Guest-House licences*

- (a) winter period—10.30 a.m.—2.30 p.m.
5 p.m.—10 p.m.
- (b) summer period—10.30 a.m.—2.30 p.m.
5 p.m.—11 p.m.

*PART II.**Sundays.**Hotel, Inn, Restaurant and Guest House licences.*

mid-day—2.30 p.m.
7 p.m.—9.30 p.m.

PROVIDED that the liquor is served with a meal, and provided further that in the case of a party of excursionists arriving in this Island or the Islands of Herm or Jethou, intoxicating liquor may be served to such a party with a meal during such hours as the Royal Court or one of the Law Officers of the Crown shall specify.

Licences other than Hotel, Inn, Restaurant and Guest House Licences.

No intoxicating liquor may be supplied.

* "11 p.m." substituted by Ordinance of 1st May, 1948.

† Amended by Ordinance of 10th October, 1951.

ORDINANCES

PART III.

*Christmas Day (falling otherwise than on a Sunday)
and Good Friday.*

1. *Hotel licences*

11 a.m.—12.30 p.m.

(2.30 if liquor served with a meal).

7 p.m.—9.30 p.m.

Save that on Christmas Day intoxicating liquor may be served until 10 p.m. to a person consuming a meal ordered before 9.30 p.m. but so that such liquor shall be consumed before 10.30 p.m.

2. *Inn, Café and Guest House licences*

11 a.m.—12.30 p.m.

(2.30 if liquor served with a meal).

7 p.m.—9.30 p.m.

3. *Public House and Beer licences*

11 a.m.—12.30 p.m.

7 p.m.—9.30 p.m.

4. *Restaurant licences*

mid-day—2.30 p.m.

7 p.m.—10 p.m.

5. *General Off-licences and Beer Off-licences*

No intoxicating liquor may be supplied.

THIRD SCHEDULE.

*Certificate to accompany application for renewal of
licence.*

I, AB, holder of a.....
licence in respect of the premises known as.....
..... hereby apply
for the renewal of the said licence until the 31st day of
December, 19..... and declare that the said premises and
the business there carried on conform in all respects with
the requirements of the Liquor Licensing Ordinance, 1948,
in respect of such licence.

The Liquor Licensing Amendment Ordinance, 1948.
(1st May, 1948)

THE COURT, on the recommendation of the States Tourist Committee, and having heard the Law Officers of the Crown thereon, hereby orders:—

1. The Second Schedule to the Liquor Licensing Ordinance, 1948, shall be amended as follows—

In sub-paragraph (*b*) of paragraph 6 and in sub-paragraph (*b*) of paragraph 8 of Part I. for the figures and letters “10 p.m.” there shall be substituted the figures and letters “11 p.m.”

The Liquor Licensing Amendment Ordinance.
No. 2 of 1948.
(23rd July, 1948)

THE COURT, in pursuance of the Resolution of the States of the 21st day of July, 1948, and having heard His Majesty's Comptroller thereon, hereby orders:—

1.*

2. Immediately following the last paragraph of Section 5 of the Liquor Licensing Ordinance, 1948, (No. VII of 1948), ending with the words “and subject to the conditions set out in the Second Schedule to this Ordinance,” the following words shall be inserted:—

“PROVIDED ALWAYS that in respect of such establishments in the Island of Herm, the Royal Court may in its discretion vary the hours during which such establishments may be open for such sale and for supply during the afternoon, but that in no case shall such variation permit any such establishment to remain open longer in any one day than an establishment holding a similar licence in the Island of Guernsey.”

* Substituted by the Liquor Licensing Amendment Ordinance, 1949.

3. The Liquor Licensing Ordinance, 1948, (No. VII of 1948), the Liquor Licensing Amendment Ordinance, 1948, (No. XII of 1948), and this Ordinance may be cited together as the Liquor Licensing Ordinances, 1948.

**The Liquor Licensing Amendment Ordinance,
No. 3 of 1948.
(13th November, 1948)**

THE COURT, on the recommendation of the States Tourist Committee and having heard His Majesty's Comptroller thereon, hereby orders:—

1.—The words “not after 31st December, 1948, and” shall be deleted from sub-section (1) of section 40 of the Liquor Licensing Ordinance, 1948, (No. VII of 1948).

Citation

2.—The Liquor Licensing Ordinance, 1948, (No. VII of 1948), the Liquor Licensing Amendment Ordinance, 1948 (No. XII of 1948), the Liquor Licensing Amendment Ordinance, No. 2 of 1948 (No. XXV of 1948), and this Ordinance may be cited together as the Liquor Licensing Ordinances, 1948.

**The Liquor Licensing (Herm) Ordinance, 1947.
(6th October, 1947)**

THE COURT, on the representations of the States Board of Administration, and having heard His Majesty's Procureur thereon, under and by virtue of the provisions of Article 2 of the Island of Herm Law (1946), hereby orders:—

Every enactment in force in the Island of Guernsey relating to the sale or supply of intoxicating liquor shall have effect in the Island of Herm as though that Island formed part of the Parish of Saint Peter Port.

**Application of Existing Insular Legislation (Extension
to Herm) Ordinance, 1948.
(13th March, 1948)**

THE COURT, in view of the Resolution of the States of the 3rd day of March, 1948, and having heard the Law Officers of the Crown thereon, under and by virtue of the provisions of Article 2 of the Island of Herm Law (1946), hereby orders:—

1.—The Laws and Ordinances set out in the Schedule to this Ordinance shall, to the extent and subject to the modifications set out in the second and third columns respectively of that Schedule, have effect in the Island of Herm.

2.—This Ordinance may be cited as “The Herm Laws Ordinance, 1948.”

SCHEDULE.

PART I.—ORDERS IN COUNCIL

LAW.	EXTENT OF APPLICATION.	MODIFICATION.
A. <i>Taxation, Duty and Licences.</i>		
The Income Tax Laws, 1920 to 1946.	The whole of such Laws.	
Loi relative à la Vente de Tabac, registered 26th November, 1904.	Whole Law.	
Loi amendant la Loi relative à la Vente de Tabac (1945), registered 13th April, 1946.	do.	
Loi ayant rapport aux Licences pour les Salles Publiques, registered 4th July, 1914.	do.	For the purposes of this Law, the Island of Herm shall be deemed to be part of the Parish of St. Peter Port.
Loi relative aux Droits de Timbre, registered 16th January, 1922.	do.	
Loi établissant une nouvelle Cédule (en substitution à la Cédule du 30 août 1924) à la Loi relative aux Droits de Timbre, registered 7th March, 1931.	do.	
Loi relative au Rehaussement des Droits de Timbre et de Certains Droits et Impôts (1946), registered 28th December, 1946.	do.	
Loi relative aux Permis de Port d'Armes de Chasse, registered 30th August, 1922.	do.	For the purposes of this Law, the Island of Herm shall be deemed to be part of the Parish of St. Peter Port.

<i>LAW.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION.</i>
Loi relative aux Colporteurs et aux Marchands Non-résidents, 1932, registered 21st May, 1932.	Whole Law.	
Loi de 1939 amendant la Loi relative aux Colporteurs et aux Marchands Non-Résidents, 1932, registered 5th October, 1939.	do.	
Ordre en Conseil sanctionnant une Taxe sur les Divertissements, registered 27th June, 1932.	do	
Ordre en Conseil sanctionnant une Taxe sur les Divertissements (Amendement), registered 27th June, 1932.	do	
Loi amplifiant les pouvoirs de réglementation par Ordonnance de la perception de la Taxe sur la recette des Divertissements, registered 5th June, 1934.	do.	
Loi autorisant le rehaussement des Droits sur les marchandises importées, de certains Impôts, de la Taxe sur les Divertissements, de la Taxe sur les Valeurs Locatives et du droit de Timbre sur les Chèques, registered 27th December, 1939.	do.	

LAW.	EXTENT OF APPLICATION.	MODIFICATION.
Loi étendant la Perception des Impôts sur les marchandises aux marchandises en magasin de la même espèce, autorisant l'application au revenu général des Etats du produit de certains taxes et impôts ci-devant autrement applicable et déclarant la signification, à certains égards, de l'expression "Impôt on Beer", registered 29th June, 1940.	Whole Law.	
B. <i>Trade and Use of Property.</i>		
Loi au sujet des privilèges pour Loyers de Maisons en Cas de Faillite ou de Déconfiture, registered 4th January, 1890.	do.	
Loi relative à l'Acquisition de Propriété Immobilière en cette Ile par des Etrangers ou par des Sociétés Etrangères, registered 3rd June, 1905.	do.	
Loi interdisant l'ouverture des Magasins le Dimanche, registered 15th April, 1911.	do.	
Loi ayant rapport aux ventes publiques à l'encan, registered 20th April, 1914.	do.	For the purposes of this Law, the Island of Herm shall be deemed to be part of the Parish of St. Peter Port.
Loi relative aux Poids et Mesures, registered 1st February, 1916.	do.	

<i>LAW.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION</i>
Loi ayant rapport à la Construction de Maisons et Bâtiments et au Tracement des Routes et Chemins, registered 28th October, 1922.	Whole Law.	
Loi ayant rapport à la protection de Noms, d'Uniformes et d'Insignes d'Associations incorporées par Charte Royale, registered 21st January, 1929.	do.	
Loi ayant rapport aux Débiteurs et à la Renonciation, registered 2nd August, 1929.	do.	
Loi ayant rapport aux Jugements Arbitraux Etrangers, 1930, registered 20th December, 1930.	do.	
The Glasshouse Control Law, 1936, registered 15th August, 1936.	do.	
Loi relative à la Protection des Monuments de l'Île, registered 26th March, 1938.	do.	
Import and Export (Control) (Guernsey) Law, 1946, registered 4th September, 1946.	do.	
 <i>C. Inheritance and Prescription.</i>		
Loi sur les Successions, registered 3rd August, 1840.	do.	
Testaments de Meubles, Testaments d'Immeubles, Prescription, Garantie, registered 31st July, 1847.	do.	

<i>LAW.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION.</i>
Des Formalités requises pour les Testaments d'Immeubles, registered 26th June, 1852.	Whole Law.	
Loi des Successions, registered 4th January, 1890.		
Loi relative aux Prescriptions, registered 4th January, 1890.	do.	
Loi relative à la portion disponible des biens meubles des Pères et Mères, registered 20th January, 1930.	do.	
Loi relative aux Exécuteurs Testamentaires et aux Administrateurs des Successions de personnes décédées (1930), registered 15th March, 1930.	do.	
<i>D. Husband and Wife and Children and Young Persons.</i>		
Loi ayant rapport à la Protection des Enfants et des Jeunes Personnes, registered 10th February, 1917.	do.	
Loi supplémentaire à la Loi ayant rapport à la Protection des Enfants et des Jeunes Personnes, registered 13th August, 1925.	do.	
Loi supplémentaire à la Loi ayant rapport à la Protection des Enfants et des Jeunes Personnes, (1937), registered 20th November, 1937.	do.	

<i>LAW.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION.</i>
Loi ayant rapport à l'obligation réciproque des père, mère et des enfants de se fournir des Aliments, 1924, registered 23rd August, 1924.	Whole Law.	
Loi supplémentaire à la Loi de 1924 ayant rapport à l'obligation réciproque des père, mère et des enfants de se fournir des Aliments, 1926, registered 27th November, 1926.	do.	
Loi relative à l'entretien des Enfants Illégitimes, 1927, registered 4th June, 1927.	do.	
Loi étendant les droits de la Femme Mariée quant à la propriété mobilière et immobilière, registered 8th September, 1928.	do.	
Loi relative à la Séparation de Mariés en Police Correctionnelle, registered 21st August, 1930.	do.	
<i>E. Public Health.</i>		
Loi relative aux Maladies Secrètes, registered 30th January, 1897.	do.	
Loi ayant rapport aux Faibles d'Esprit, registered 4th September, 1926.	do.	
Loi ayant rapport aux Préservatifs et autres substances dans les aliments, registered 23rd February, 1929.	do.	
Loi relative à la Santé Publique, 1933, registered 17th March, 1934.	do.	

<i>LAW.</i>	<i>ORDINANCES EXTENT OF APPLICATION.</i>	<i>MODIFICATION.</i>
F. <i>General.</i>		
Loi relative à la Compensation qui pourra être accordée aux Familles de Personnes dont la Mort aura été causée par Accident, registered 28th December, 1900.	Whole Law.	
Law Reform (Miscellaneous Provisions)(Guernsey) Law, 1936, registered 14th November, 1936.	do.	
Loi ayant rapport à la Police Salariée pour l'Île Entière, registered 10th January, 1920.	do.	
Loi supplémentaire ayant rapport à la Police Salariée de l'Île de Guernesey, 1947, registered 19th August, 1947.	do.	
Loi ayant rapport à la constitution d'une Liste d'Interdits (Black List) pour cette Île, registered 1st July, 1920.	do.	
Loi ayant rapport à la répression de la circulation et du trafic des publications obscènes, 1924, registered 22nd November, 1924.	do.	
Loi relative aux Mauvaises Herbes, registered 16th July, 1927.	do.	
Loi relative à la Crémation, registered 1st September, 1928.	do.	For the purposes of Article VII of this Law, the Island of Herm shall be deemed to be part of the Parish of St. Peter Port.

<i>LAW.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION</i>
The Non-Contributory Old Age and Blind Persons Law, 1931, registered 7th November, 1931.	Whole Law.	
Loi précisant les pouvoirs de la Cour des Chefs-Plaids de décerner la peine d'emprisonnement et d'autoriser la Visite de Prémisses, registered 23rd May, 1936.	do.	
Third Parties (Rights against Insurers) (Guernsey) Law, 1936, registered 15th August, 1936.	do.	
Law giving the Court increased power to stay execution in actions for eviction, registered 31st August, 1946.	do.	

PART II.—PERMANENT ORDINANCES.

<i>ORDINANCE.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION.</i>
Clameurs de Haro, made permanent 1st October, 1599.	Whole Ordinance.	
Joutes et Batteries de Coqs defendues, made permanent 20th January, 1766.	do.	
Biens-Meubles, made permanent 1st October, 1888.	do.	
Ordonnance par rapport aux Dentistes, made permanent 30th September, 1895.	do.	
Ordonnance supplémentaire à l'Ordonnance par rapport aux Dentistes, made permanent 5th October, 1931.	do.	

ORDINANCE.	EXTENT OF APPLICATION.	MODIFICATION.
Ordonnance relative à la <i>M a l a d i e</i> Contagieuse dans les Vignes, made permanent 30th September, 1895.	Whole Ordinance.	
Ordonnance relative aux Médecins et Chirugiens, made permanent 18th January, 1909.	do.	
Ordonnance relative aux Chimistes et Pharmaciens et au débit de Poisons, made permanent 18th January, 1932.	do.	
Ordonnance relative à la Protection des Dolmens et des Anciens Monuments de l'Île, made permanent 5th October, 1931.	do.	
Ordonnance relative à l'Importation de Plantes, Bulbes, Arbustes et Végétaux dans les Pays-Bas, made permanent 5th October, 1931.	do.	
Ordonnance relative à l'Importation de Plantes, Bulbes, Arbustes et Végétaux dans les pays autres que les Pays-Bas, made permanent 5th October, 1931.	do.	
Ordonnance relative à l'Importation de Chevaux Anes et Mulets, made permanent 5th October, 1931.	do.	
Ordonnance interdisant l'embarquement sans permis de Chiens pour la Grande Bretagne et autres pays, made permanent 5th October, 1931.	do.	

ORDINANCE.	EXTENT OF APPLICATION.	MODIFICATION.
Ordonnance prohibant l'Importation de Huîtres, Moules, Crustacés ou autre Coquillage provenant de la France, made permanent 5th October, 1931.	Whole Ordinance.	
Ordonnance relative à l'Enterrement des Corps de personnes l'état desquels constitue un danger à la Santé Publique, et au transport de tels corps dans des églises, chapelles ou autres lieux de culte, made permanent 5th October, 1931.	do.	For the purposes of this Law, the Island of Herm shall be deemed to be part of the Parish of St. Peter Port.
Ordonnance relative aux Lieux d'Enterrement, made permanent 6th October, 1913.	do.	For the purposes of this Law, the Island of Herm shall be deemed to be part of the Parish of St. Peter Port.
Ordonnance relative à l'Importation et à la Vente d'Essences Méthylliques, made permanent 5th October, 1931.	do.	
Ordonnance relative à l'Inspection des Salles Publiques où des représentations cinématographiques ont lieu, made permanent 1st March, 1930.	do.	
Ordonnance Générale Relative aux Déserteurs d'une Marine Marchande Etrangère, made permanent 30th September, 1907.	do.	
Ordonnance relative à la Pêche, made permanent 5th October, 1931.	do.	

ORDINANCE.	EXTENT OF APPLICATION.	MODIFICATION
Ordonnance ayant rapport au Recensement de Récoltes et de Bétail, made permanent 5th October, 1931.	Whole Ordinance.	
Ordonnance relative à la Maladie dite "Swine Fever," made permanent 5th October, 1931.	do.	
Ordonnance prohibant l'Importation d'Abeilles. made permanent 18th January, 1932.	do.	
Ordonnance relative aux Chirurgiens Vétérinaires, made permanent 18th January, 1932.	do.	
Ordonnance par rapport à l'Installation pour la Lumière ou L'Energie Electrique, made permanent 18th January, 1932.	do.	
Ordonnance interdisant l'embarquement sans permis d'un animal félin pour la Grande Bretagne et autre pays, made permanent 18th January, 1932.	do.	
Ordonnance relative aux Huiles ou Essences Minérales ou autres substances de la même nature, made permanent 18th January, 1932.	do.	
Ordonnance relative à l'Expédition de Fleurs made permanent 18th January, 1932.	do.	
Ordonnance relative à l'Importation de Chiffons et de Vieilles Hardes en cette Ile, made permanent 18th January, 1932.	do.	

<i>ORDINANCE.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION.</i>
Ordonnance relative à l'usage des machines dites "Slot Machines" et aux Paris, made permanent 18th January, 1932.	Whole Ordinance.	
Ordonnance relative à la Notification de la Naisance des Enfants, made permanent 18th January, 1932.	do.	
Ordonnance relative à la Vérification des Poids et Mesures, made permanent 18th January, 1932.	do.	

PART III.—PROVISIONAL ORDINANCES.

<i>ORDINANCE.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION.</i>
Ordonnance relative à l'importation de Brebis, Moutons et Chèvres, dans cette Ile, of 18th January, 1926.	Whole Ordinance.	
Ordonnance relative à l'importation d'ailleurs que la Grande Bretagne, l'Irlande du Nord, l'Éire et les Iles de la Manche, de Carcasses et de Produits de Carcasses de Bétail (1927), of 19th February, 1927.	do.	
The Importation Restrictions (Animal Products) (Great Britain, Northern Ireland, Eire and Jersey) Ordinance, 1939.	do.	
Ordonnance supplémentaire à l'Ordonnance relative aux Chimistes et Pharmaciens et au débit de Poisons, of 23rd April, 1932.	do.	

ORDINANCES

ORDINANCE.	EXTENT OF APPLICATION.	MODIFICATION.
Ordonnance supplémentaire à l'Ordonnance relative aux Chimistes et Pharmaciens et au débit de Poisons, of 12th October, 1935.	Whole Ordinance.	
Ordonnance relative aux Lieux d'Enterrement et à la disposition des restes mortels des êtres humains et à l'Exhumation d'iceux, of 12th October, 1929.	do.	
Ordonnance relative au dépôt d'Immondices dans les Carrières of 6th December, 1924.	do.	For the purposes of this Ordinance, the Island of Herm shall be deemed to be part of the Parish of St. Peter Port.
Ordonnance relative à la maladie dite "The Foot and Mouth Disease," of 1st May, 1915.	Articles 5-18 inclusive	For the purposes of Articles 8 and 9 of this Ordinance, the Island of Herm shall be deemed to be part of the Parish of St. Peter Port.
Ordonnance supplémentaire à l'Ordonnance relative à la maladie dite "The Foot and Mouth Disease," of 24th April, 1922.	Whole Ordinance.	
Ordonnance supplémentaire à l'Ordonnance relative à la maladie dite "The Foot and Mouth Disease," of 21st January, 1924.	do.	
Ordonnance par rapport à la Maladie dite "The Foot and Mouth Disease," of 9th April, 1938.	do.	

ORDINANCE.	EXTENT OF APPLICATION.	MODIFICATION.
Ordonnance relative à la maladie dite "Johne's Disease," of 7th December, 1929.	Ordinance. Whole	
Ordonnance ayant rapport aux Maladies Secrètes, of 22nd January, 1912.	do.	For the purposes of this Ordinance, the Island of Herm shall be deemed to be part of the Parish of St. Peter Port.
Ordonnance supplémentaire ayant rapport aux Maladies Secrètes (1936), of 17th October, 1936.	do.	
Ordonnance relative aux Maladies Secrètes, 1937, of 27th November, 1937.	do.	
Ordonnance ayant rapport aux Maladies Secrètes (1942), of 7th November, 1942.	do.	
Ordonnance supplémentaire à l'Ordonnance ayant rapport aux Maladies Secrètes (1942), of 20th March, 1943.	do.	
Ordonnance relative aux Louages de Meubles et d'Immeubles, of 28th March, 1931.	do.	
Ordonnance ayant rapport à la Construction de Maisons, Salles Publiques et Bâtiments et au Tracement de Routes et Chemins, of 25th April, 1931.	Articles 15, 17, 36, 37, 38, 39, shall not apply. In Article 40 for the words "excepting those numbered 15, 17, 18, 36, 37, 38, and 39" substitute the words "except that numbered 18."	

<i>ORDINANCE.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION.</i>
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, of 8th February, 1936.	Whole Ordinance.	
Ordonnance relative aux Maisons de Prostitution et aux Prostituées, of 22nd January, 1906.	do.	
Ordonnance prohibant l'importation et le transport de Perroquets, of 7th June, 1930.	do.	
Ordonnance portant amendement à l'Ordonnance prohibant l'importation et le transport de Perroquets, of 14th November, 1931.	do.	
Ordonnance prohibant l'importation de Pommes de Terre en cette Ile, of 24th April, 1922.	do.	
Ordonnance relative à la Renonciation, of 30th September, 1929.	do.	
Ordonnance relative à la perception de la Taxe sur la Recette des Divertissements, of 2nd July, 1932.	do.	

ORDINANCE.	EXTENT OF APPLICATION.	MODIFICATION.
Ordonnance supplémentaire à l'Ordonnance relative à la perception de la Taxe sur la Recette des Divertissements of 9th February, 1935.	Whole Ordinance.	
Ordonnance exemptant les Recettes de certains Divertissements de la Taxe sur la Recette des Divertissements, of 11th July, 1936.	do.	
Ordonnance de 1947 portant amendement à l'Ordonnance exemptant les Recettes de certains Divertissements de la Taxe sur la Recette des Divertissements, of 10th May, 1947.	do.	
Ordonnance relative à l'Importation dans cette Ile de la Volaille Vivante et des Œufs pour l'Incubation, of 12th May, 1934.	do.	
Ordonnance suspendant l'opération de l'Ordonnance relative à l'Importation dans cette Ile de la Volaille Vivante et des Œufs pour l'Incubation, of 31st October, 1936.	do.	
Ordonnance ayant rapport aux Pensions pour la Vieillesse et la Cécité, 1931, of 7th November, 1931.	do.	
Ordonnance prohibant l'Importation et l'élevage de Rats Musqués, of 16th July, 1932.	do.	

ORDINANCE.	EXTENT OF APPLICATION.	MODIFICATION.
The Produce (other than Tomatoes) Inspection Ordinance. 1934-1946.	Whole Ordinance.	
Ordonnance relative à l'Arrêt de Gages des Employés, of 8th July, 1933.	do.	
Ordonnance pour la protection des Pigeons, of 21st October, 1933.	do.	
Ordonnance supplémentaire à l'Ordonnance relative aux Huiles ou Essences Minérales ou autres substances de la même nature du 18 janvier 1932, of 10th November, 1934.	do.	
Ordonnance relative à l'Inspection des Appareils à Incendie dans les Salles Publiques, of 29th February, 1936.	do.	
"The Public Health Ordinances, 1936-1942."	The whole of such Ordinances.	
Ordonnance ayant rapport aux Sages-Femmes, of 28th March, 1936.	Whole Ordinance.	
Ordonnance supplémentaire à l'Ordonnance ayant rapport aux Sages-Femmes, of 26th February, 1938.	do.	
Ordonnance par rapport aux Chaudières (1936), of 4th April, 1936.	do.	
Ordonnance supplémentaire à l'Ordonnance par rapport aux Chaudières (1936), of 23rd May, 1936.	do.	
Ordonnance relative à la Tuberculose Bovine, of 6th June, 1936.	do.	

ORDINANCE.	EXTENT OF APPLICATION.	MODIFICATION.
Ordonnance de 1938 supplémentaire à l'Ordonnance relative à la Tuberculose Bovine, of 10th December, 1938.	Whole Ordinance.	
Ordonnance de 1939 supplémentaire à l'Ordonnance relative à la Tuberculose Bovine, of 16th December, 1939.	do.	
Ordonnance de 1946 amendant l'Ordonnance relative à la Tuberculose Bovine, of 18th May, 1946.	do.	
"Tomato Grading and Packing Ordinances, 1936-1940."	The whole of such Ordinances.	
"Tomato Grading and Packing (Emergency Provisions) No. 2 Ordinance, 1940."	Whole Ordinance.	
Ordonnance autorisant l'Octroi d'Insignes aux Connétables Spéciaux, of 13th February, 1937.	do.	
Ordonnance relative à la Destruction de Rats. 1937, of 20th March, 1937.	do.	
Ordonnance dite "The Narcissus Pests Ordinance, 1938," of 5th March, 1938.	do.	
"The Glasshouse (Prescribed Maximum Area) Ordinance, 1939."	do.	

<i>ORDINANCE.</i>	<i>EXTENT OF APPLICATION.</i>	<i>MODIFICATION.</i>
Ordonnance par rapport aux Terres mises à l'Amende, of 29th October, 1938.	Whole Ordinance.	
Ordonnance relative à la Constitution d'un Corps de Police Auxiliaire à la Police Salariée de l'Île, of 11th March, 1939.	do.	
Ordonnance relative aux Armes à Air Comprimé, of 25th March, 1939.	do.	
Ordonnance relative aux Fosses d'Aisance (Puits-Perdus) et Latrines, 1940, of 31st August, 1940.	do.	
Ordonnance dite "The Stray Dogs Ordinance, 1941," of 29th March, 1941.	do.	
Ordonnance relative à l'Effet du Rappel des Ordonnances de la Cour et des Ordres faits par les Comités des Etats, of 29th August, 1942.	do.	
Ordonnance dite "The Powers of Police Search Ordinance, 1942," of 14th November, 1942.	do.	
Ordonnance dite "The Punishment of Infractions of Ordinances, etc., Ordinance, 1943," of 9th January, 1943.	do.	

ORDINANCE.	EXTENT OF APPLICATION.	MODIFICATION
Ordonnance dite "The Clean Milk Ordinance, 1945," of 8th December, 1945.	Whole Ordinance.	
Ordonnance dite "The Importation and Export of Bovine Semen and Artificial insemination by means of imported Bovine Semen (Prohibition) Ordinance, 1945," of 15th December, 1945.	do.	
Ordonnance ayant rapport à la Disposition de Rebut (1946), of 18th May, 1946.	do.	
Ordonnance portant amendement à l'Ordonnance ayant rapport à la Disposition de Rebut (1946), of 29th March, 1947.	do.	
Ordinance controlling the Acquisition and Sale of Penicillin, of 6th July, 1946.	do.	
Ordinance of 1947 amending the Ordinance controlling the acquisition and sale of Penicillin, passed on the 6th day of July, 1946, of 26th April, 1947.	do.	
"Ice Cream (Heat Treatment) Ordinance, 1947," of 12th July, 1947.	do.	

**Control of Borrowing (Bailiwick of Guernsey)
Ordinance, 1948.
(1st May, 1948).**

THE COURT, on the representations of the States Board of Administration, and having heard the Law Officers of the Crown thereon, under and by virtue of the provisions of Section 1 of the Borrowing (Control) (Bailiwick of Guernsey) Law, 1946, hereby orders:—

PART I.

General Extent of Control.

Borrowing
in the
Bailiwick.

1. (1) Subject to the exemptions contained in Part II. of this Ordinance, a person shall not, without the consent of the Committee, borrow money in the Bailiwick where the aggregate of the amount of money borrowed and of any other amounts borrowed in the Bailiwick by that person in the previous twelve months (including any period before the coming into force of this Ordinance) exceeds ten thousand pounds.

- (2) This Section shall not apply to—
- (a) borrowing by any person if the borrowing is in the ordinary course of his business and is from a person carrying on a banking undertaking;
 - (b) borrowing by any person where the money borrowed is repayable on demand or not more than six months after demand and the loan is wholly unsecured or is secured only by a bill of exchange payable on demand or at a fixed period not exceeding six months after the date of the borrowing or after sight or by a promissory note payable not more than six months after the date of the borrowing;
 - (c) acceptance by a person carrying on a banking undertaking of moneys to be placed to the credit of a current or deposit account, whether or not any security is given;

- (d) borrowing by the personal representative of a deceased person in his capacity as such for the purpose of paying death duties payable by reason of the death of the deceased; and
- (e) borrowing from a department of His Majesty's Government in the United Kingdom, from the States of Guernsey, from the States of Alderney or from the Chief Pleas of Sark.

For the purposes of this Section a loan in respect of which a guarantee is given is not an unsecured loan.

2. (1) In this Ordinance references to the borrowing of money include:—

- (a) references to the making of any arrangement by which any money borrowed or any money due under a security (other than money representing interest or dividends), which would otherwise be payable at any date is payable at a later date except where the money is payable by instalments and the arrangement is for the postponement of the payment of any instalment, other than the last instalment, to a date not later than that fixed for the payment of the last instalment; and
- (b) references to the making of any arrangement by which the price of any property except
 - (i) the price of goods sold by a person in the ordinary course of his business; and
 - (ii) the price of any undertaking under the sale thereof to a "Société en Commandite" is allowed to remain unpaid either for a fixed period or indefinitely but charged on the property,

but do not include references to the making of any other arrangement by which a sum which would otherwise be payable at any date is payable at a later date; and references to loans shall be construed accordingly.

(2) An arrangement to give any guarantee or to mortgage or charge any property to secure the payment of any sum which is already due when the arrangement is made or is payable not later than six months after the arrangement is made shall be deemed for the purposes of this Section to be an arrangement by which that sum is payable at a date later than that on which it would otherwise be payable.

(3) A sum which, at the time of, or by virtue of, the making of any arrangement is payable on demand or on the expiration of a fixed period after demand shall be deemed for the purposes of this Section to be payable at the time of the making of the arrangement, or as the case may be, on the expiration of the fixed period after the making of the arrangement, notwithstanding that no demand has been made.

Raising
money by
issue of
shares

3. (1) Subject to the exemptions contained in Part II. of this Ordinance, a body corporate shall not, without the consent of the Committee, raise money in the Bailiwick by the issue, whether in the Bailiwick or elsewhere, of any shares in that body corporate.

(2) This Section shall not apply to money raised by the issue of shares to the subscribers of a memorandum of association where the total consideration for the issue of all those shares issued to the said subscribers does not exceed five hundred pounds.

(3) This Section shall not apply to money raised by the issue by a "Société en Commandite" of shares to the vendors or the nominees of the vendors of any undertaking sold to the "Société" if

- (a) the shares are all fully paid; and
- (b) the money raised is cash forming part of the assets of the undertaking or cash which has been paid to the vendors as, or as part of, the purchase price of the undertaking.

Issues of
partly paid
shares and
other
issues of
securities

4. (1) Subject to the exemptions contained in Part II. of this Ordinance, a body corporate shall not, without the consent of the Committee, issue partly paid shares, if either the body corporate is incorporated under any of

the laws of the Bailiwick or the shares are or are to be registered in the Bailiwick.

(2) Subject to the exemptions contained in Part II. of this Ordinance, a body corporate incorporated under any of the laws of the Bailiwick shall not, without the consent of the Committee, issue any securities where the whole or any part of the consideration for the issue is the issue or transfer of securities of another body corporate, unless one or other of the bodies corporate in question is to be wound up.

(3) Subject to the exemptions contained in Part II. of this Ordinance, a body corporate incorporated under any of the laws of the Bailiwick shall not, without the consent of the Committee, issue any securities if the purposes or effects of the transaction consist of or include—

- (a) the capitalisation of profits or reserves; or
- (b) the raising or borrowing of money outside the Bailiwick; or
- (c) the exchanging or substituting of new securities for redeemable securities already issued.

(4) Subject to the exemptions contained in Part II. of this Ordinance, a body corporate not incorporated under any of the laws of the Bailiwick shall not, without the consent of the Committee, issue any securities which are or are to be registered in the Bailiwick if the purposes or effects of the transaction consist of or include—

- (a) the raising or borrowing of money outside the Bailiwick; or
- (b) the exchanging or substituting of new securities for redeemable securities already issued.

5. Subject to the exemptions contained in Part II. of this Ordinance, no securities of any government, other than His Majesty's Government in the United Kingdom or the States of Guernsey, Alderney or Jersey, or the Chief Pleas of Sark, which are or are to be registered in the Bailiwick shall be issued for any purpose without the consent of the Committee.

6. Subject to the exemptions contained in Part II. of this Ordinance, a person shall not, without the consent of

Government securities

Prospectuses and offers

the Committee, circulate in the Bailiwick any offer for subscription, sale or exchange of—

- (a) any securities of any body corporate not incorporated under any of the laws of the Bailiwick; or
- (b) any securities of any government other than His Majesty's Government in the United Kingdom or the States of Guernsey, Alderney or Jersey or the Chief Pleas of Sark,

if the offer is a public offer or an offer to existing holders of securities of the body corporate or government in question or to existing holders of securities of any body corporate specified in the offer.

Unit trusts

7. (1) Subject to the exemptions contained in Part II. of this Ordinance, a person shall not, without the consent of the Committee—

- (a) raise money in the Bailiwick for the purposes of a unit trust scheme by issue of any unit under the scheme; or
- (b) issue any units under a unit trust scheme if the purposes or effects of transaction consist of or include the raising of money outside the Bailiwick and either the scheme is governed by any of the laws of the Bailiwick or the units are or are to be registered in the Bailiwick:

PROVIDED that this sub-section shall not apply to the issue, or to the raising of money by the issue, of any unit or sub-unit under a unit trust scheme if the issue does not cause the total number of issued units or sub-units to exceed the total number outstanding on the twelfth day of May, 1941, including units or sub-units which at the said date the trustees could be required by the managers of the trust to issue.

(2) Section 6 of this Ordinance shall apply in relation to units under a unit trust scheme not governed by any of the laws of the Bailiwick as it applies in relation to securities of a body corporate not incorporated under any of the laws of the Bailiwick.

PART II.

General Exemptions.

8. (1) Subject to the provisions of this Section, the consent of the Committee shall not be required to the carrying out by any such person as is mentioned in any of the provisions of Part I. of this Ordinance of any transaction mentioned in that provision if the amount involved in the transaction together with the amount involved in all previous transactions by the same person in the previous twelve months, being transactions which are taken into account in accordance with sub-section (2) of this Section does not exceed fifty thousand pounds.

Exemptions
where annual
limit not
exceeded

(2) The previous transactions to be taken into account for the purposes of this Section are—

- (a) any borrowing of money in the Bailiwick except such borrowing as is mentioned in sub-section (2) of Section 1 of this Ordinance, whether or not the consent of the Committee under this Ordinance was required thereto; and
- (b) any other transaction to which the consent of the Committee under this Ordinance was required or would, apart from the provisions of this Part of this Ordinance, have been required, and include transactions effected before the coming into force of this Ordinance to which the preceding provisions of this sub-section would have applied if this Ordinance had then been in force:

PROVIDED THAT

- (i) where the effect of any of the said previous transactions consisting of the borrowing or raising of money was that a capital liability (other than a capital liability in respect of any such borrowing as is mentioned in sub-section (2) of Section 1 of this Ordinance) discharged contemporaneously with, or not more than three months before, that transaction was replaced by another capital liability, the amount involved in that transaction

shall be treated as reduced by the amount so discharged;

- (ii) where any of the said previous transactions consisted of an arrangement for postponing the repayment of money borrowed or raised, not being an arrangement to which sub-section (2) of Section 2 of this Ordinance applies, the amount involved in that transaction shall be left out of account;
- (iii) where any of the said previous transactions consisted solely of the borrowing of money which, subsequent to that borrowing, was repaid in whole or in part, the amount involved in that transaction shall be treated as reduced by the amount repaid unless the repayment formed part of any other of the said previous transactions and the whole or part of the amount involved in that other transaction has been left out of account by virtue of proviso (i) of this sub-section.

(3)*

(4) The Committee may at any time direct that the exemption conferred by this Section shall not apply to any person specified in the direction.

Any direction given under this sub-section may be revoked by a subsequent direction of the Committee.

(5) In this Section, the expression "the amount involved" means—

- (a) in relation to the borrowing of money, the amount of money to be borrowed;
- (b) in relation to the issue of securities or the raising of money by such an issue, the amount of the money to be raised or the total nominal value of the securities or the value of any assets to be acquired in return for the securities, whichever is the greatest;
- (c) in relation to the circulation of an offer of securities—

* Deleted by The Control of Borrowing (Bailiwick of Guernsey) (Amendment of Exemption Provisions) Ordinance, 1949.

- (i) in the case of an offer to existing holders of securities registered in the Bailiwick, the total price, under the offer, of the securities offered to such holders;
- (ii) in any other case, the total price, under the offer, of all the securities offered;
- (d) in relation to an arrangement for the postponement of payment of any money, the amount the payment of which is to be postponed.

The references in paragraph (c) of this sub-section to the price of securities include, in the case of an offer of securities for exchange, reference to the total value of the securities so offered.

(6) Sub-section (5) of this Section shall apply in relation to units under a unit trust scheme as it applies in relation to securities of a body corporate.

9. Nothing in Part I. of this Ordinance applies to any issue of shares made in pursuance of a profit sharing scheme whereby a share in the net profits from time to time made by a body corporate falls to be distributed on a pre-determined basis among all the employees of that body corporate who are entitled to participate in the scheme (not being less than three-quarters of the total number of employees of that body corporate) in the form, either wholly or in part, of fully paid shares and such distribution is made in addition to the payment to such employees of wages at rates standard in the industry of which that body corporate forms part.

10. Where the consent—

- (a) of His Majesty's Treasury in Great Britain, under any Order made in pursuance of the Borrowing (Control and Guarantees) Act, 1946; or
- (b) of the Ministry of Finance, Northern Ireland, under any Order made in pursuance of the Loans Guarantee and Borrowing Regulations (Northern Ireland) Act, 1946; or
- (c) of the Finance Committee of the States of Jersey under any Order made in pursuance of the Borrowing (Control) (Jersey) Law, 1947;

Profit sharing schemes

Exemption for transactions sanctioned by the Governments of Great Britain, Northern Ireland and Jersey

has been given to the carrying out of any transaction to which the Order so made applies, then, so long as that consent remains in force and provided that any conditions attached to the consent are complied with, the consent of the Committee under this Ordinance shall not be required to the carrying out of that transaction.

PART III.

Supplemental.

Provisions
as to
consent of
Committee

11. Any consent granted by the Committee under this Ordinance—

- (a) may be either general or special;
- (b) may be revoked by the Committee;
- (c) may be absolute or conditional; and
- (d) may be limited so as to expire at the end of a specified period unless renewed.

Definitions

12. (1) In this Ordinance, unless the context otherwise requires—

“the Committee” means the States Finance Committee;

“issue” includes re-issue;

“registered”, in relation to any security or unit, includes inscribed;

“registered in the Bailiwick” means, in relation to securities or units, registered in a register in the Bailiwick. and “register”, in relation to securities or units, includes any book in which securities or units are registered;

“security” includes shares, bonds, notes, debentures, debenture stock and rente bonds;

“share” includes stock and any perpetual debenture or perpetual debenture stock;

“unit trust scheme” means any arrangements made for the purpose, or having the effect, of providing facilities for the participation by persons, as beneficiaries under a trust, in profits or income arising from the acquisition, holding, management or disposal of securities or any other property whatsoever;

“ unit ” means, in relation to a unit trust, any right or interest (whether described as a unit or as a sub-unit or otherwise) which may be acquired under the scheme, being a right or interest created or issued for the purpose of raising money for the purposes of the scheme or a right or interest created or issued in substitution (whether directly or indirectly) for any right or interest so created or issued.

(2) A person shall be deemed for the purposes of this Ordinance to borrow or raise money in the Bailiwick if the money is made available in the Bailiwick or, in any such case as is mentioned in Section 2 of this Ordinance, if the money would, but for the arrangement in question, have been payable in the Bailiwick and, without prejudice to the preceding provisions of this sub-section, a person shall also be deemed for the purposes of this Ordinance to borrow money in the Bailiwick if the money is borrowed on the security of property in the Bailiwick.

13. This Ordinance applies to the borrowing or raising of money in pursuance of authority conferred by any enactment in force in the Bailiwick before the tenth day of May, 1947, being the date of registration of the Borrowing (Control) (Bailiwick of Guernsey) Law, 1946.

Application to borrowing under laws passed prior to registration of the Borrowing (Control) (Bailiwick of Guernsey) Law, 1946.

**Ordonnance de 1948 amendant l'Ordonnance relative
à l'Entretien des Voies Publiques.
(Le 15 mai 1948).**

LA COUR, vu la Délibération des Etats du 1er octobre 1947, ouïes les conclusions des Officiers du Roi, a ordonné et ordonne:—

1. Dans l'Ordonnance relative à l'Entretien des Voies Publiques, renouvelée comme Ordonnance permanente le 18 janvier 1932, lors de l'enregistrement sur les Records de cette Ile de la Loi de 1948 portant amendement aux Lois relatives à l'Entretien des Voies Publiques, les mots “ valeur locative ” et “ valeurs locatives ” seront rayés

partout où ils s'y trouvent, et les mots " valeur contribuable (anglicé ' rateable value ')" et " valeurs contribuable (anglicé ' rateable values ')" y seront respectivement substitués.

2. Dans l'Article II. de la dite Ordonnance, les mots qui suivent les mots " des propriétés arrêtees " seront rayés et les mots " dans le Cadastre Général de l'Île en force de temps à autre " y seront substitués.

Electoral Expenditure Ordinance, 1948.

(4th October, 1948).

THE COURT, in pursuance of the Resolution of the States of the 22nd day of September, 1948, and having heard His Majesty's Procureur thereon, under and by virtue of the power in that behalf granted to them by paragraph (1) of Article 44 of the Reform (Guernsey) Law, 1948, hereby orders:—

At any election to the office of People's Deputy, a candidate shall not, from the commencement of the opening date for the receipt of nominations until the close of the poll, expend any sum of money or give any value in money's worth in respect of such election in excess of the appropriate amount hereinafter set out, that is to say:

- (a) In the case of a candidate for the District of Saint Peter Port, one hundred pounds:
- (b) In the case of a candidate for any of the Districts of Saint Sampson, the Vale, the Castel or Saint Martin, sixty pounds:
- (c) In the case of a candidate for any of the Districts of Saint Saviour, Saint Peter-in-the-Wood, Tor-teval, the Forest or Saint Andrew, thirty pounds.

The Stamp Duties Ordinance, 1948.

(4th October, 1948).

THE COURT, under and by virtue of Article 21 of the Loi relative aux droits de Timbre, registered on the Records of this Island on the 16th day of January, 1922, and having heard His Majesty's Procureur thereon, hereby orders:—

Notwithstanding anything in the 1947 Cadastre (Coming into force and consequential repeals) Ordinance, 1948, contained, the Cadastre prepared under the Loi relative au Cadastre Général de l'Île, registered on the Records of this Island on the 15th day of November, 1919, shall for the purposes of the calculation of Stamp Duty calculable by reference to the General Cadastre and payable under the above-recited Loi relative au droits de Timbre of 1922, be deemed to be the General Cadastre of this Island.

The Tourist Law (Fees) Ordinance, 1948.
(4th December, 1948).

THE COURT, in pursuance of the Resolution of the States of the 20th day of October, 1948, under and by virtue of Section 17 of the Tourist Law, 1948, and having heard the Law Officers of the Crown thereon, hereby orders:—

1. The Tourist Committee, as constituted under section 1 of the Tourist Law, 1948, shall, as a condition attaching to any boarding permit, prescribe the number of persons for whom the holder of that permit may provide sleeping accommodation for reward other than—

- (1) children under the age of 10 years;
- (2) persons engaged in full time domestic duties directly connected with the premises in which they sleep;
- (3) the person in charge of the premises in which the sleeping accommodation is provided and the members of his family usually residing with him;
- (4) persons accommodated in such circumstances that the Committee shall deem it unreasonable to apply the provisions of the Tourist Law, 1948.

2. Every person, within fourteen days of being granted a boarding permit, shall pay a fee of two shillings and six pence for each one of the number of persons so prescribed.

The Alderney (Application of Legislation)**Ordinance, 1948.****(30th December, 1948).**

THE COURT, in pursuance of the Resolution of the States of the 5th day of November, 1948, and having heard His Majesty's Procureur thereon, under and by virtue of the powers in that behalf conferred on them by the Alderney (Application of Legislation) Law, 1948, hereby order:—

Laws and Ordinances to have effect in Alderney

1. The Laws and Ordinances set out in the First Schedule to this Ordinance shall, subject to the exceptions, adaptations and modifications set out in the second column of that Schedule, have effect in the Island of Alderney on and after the 1st day of January, 1949, save that the enactments in Part I. of that Schedule, entitled "Social Services", shall have effect on and after the 2nd day of January, 1949.

Laws and Ordinances relating to any tax, licence fee, impôt or duty

2. The Laws and Ordinances in force in the Island of Guernsey in relation to any tax, licence fee, impôt or duty, which, by virtue of Section 2 of the Alderney (Application of Legislation) Law, 1948, extend so as to apply to the Island of Alderney on and after the 1st day of January, 1949, shall so apply subject to the exceptions, adaptations and modifications contained in the Second Column of the Second Schedule to this Ordinance.

Application of certain references, etc.

3. In any enactment having effect in the Island of Alderney by virtue of the Alderney (Application of Legislation) Law, 1948, or of this Ordinance, unless otherwise specifically provided—

- (1) a reference to any Guernsey Court, otherwise than in connection with the power of the Royal Court to make Ordinances, or to the Magistrate, shall be deemed to include a reference to the Court of Alderney, provided that nothing herein contained shall be deemed—

- (a) to increase the maximum punishment imposable by the Court of Alderney; or
 - (b) to affect the jurisdiction of the Royal Court in criminal matters arising in Alderney;
- (2) a reference to His Majesty's Greffier shall be deemed to be a reference to the Clerk of the Court of Alderney, and a reference to the Greffe shall be deemed to be a reference to the office of the said Clerk;
 - (3) a reference to any harbour in the Island of Guernsey shall be deemed to be a reference to the harbour of Alderney;
 - (4) a reference to a Constable or other parochial officer shall be deemed to be a reference to the Clerk of the Court of Alderney, save in relation to the collection of the Horse Tax under the "Loi relative à l'Entretien des Voies Publiques," registered on the Records of this Island on the 26th day of November, 1904. In that case such a reference shall be deemed to be a reference to the States Supervisor;
 - (5) a reference to any provision in the "Loi relative aux Sociétés Anonymes ou à Responsabilité Limitée," registered on the Records of this Island on the 21st day of March, 1908, shall be deemed to be a reference to the corresponding provision of the Law of the same title relating to Alderney, which was registered on the Records of this Island on the 22nd day of May, 1894;
 - (6) no enactment applied by virtue of this Ordinance shall have retrospective effect;
 - (7) a reference to the Island of Guernsey shall be deemed to include a reference to the Island of Alderney, save that in Article I. of the "Loi ayant rappor à la Police Salariée pour l'Île

Entière," registered on the Records of this Island on the 10th day of January, 1920, the expression " Etats de cette île " shall refer only to the States of Guernsey;

- (8) Notwithstanding the application in Alderney after the 31st day of December, 1948, of the Guernsey Stamp Duty Law styled " Loi relative aux Droits de Timbre " and registered on the 16th day of January, 1922, cheques stamped before the 1st day of January, 1949, with the Revenue Stamp of the States of Alderney, and adhesive Revenue Stamps issued by the States of Alderney before that date, may be used after that date as though such cheques were stamped with, and such adhesive Revenue Stamps were, Revenue Stamps of the States of Guernsey.

THE FIRST SCHEDULE

PART I.

Social Services.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
The Non-Contributory Pensions and Blind Persons Law, 1931.	The following definition shall be added to Article I :— <p data-bbox="524 505 883 612">“ (7) The expression “ Island of Guernsey ” and “ Guernsey,” shall include the Island of Alderney.</p> <p data-bbox="498 628 883 766">The following words shall be deleted from section 4 of Article VIII “ and shall be vouched for by the Constables of the parish in which such person resides.”</p> <p data-bbox="498 782 883 1105">Immediately after the word “Administrator” where it first appears in section 1 of Article X, and between the words “Administrator” and the words “ shall inquire into and report upon any claim or question so referred to him ”, which occur in juxtaposition in the same section, there shall be inserted the words “ or such officer or person as the Administrator may appoint ”.</p> <p data-bbox="498 1121 883 1282">The following words shall be deleted from section 6 of Article X “ or the Constables of the parish in which the aggrieved person resides, on behalf of such person ”.</p> <p data-bbox="498 1298 883 1396">The following words shall be deleted from section 1 of Article XI “ Summary ” and “ in the Police Court ”.</p>

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
The Non-Contributory Pensions and Blind Persons Law, 1931.	The following proviso shall be added to Article XIII:— “PROVIDED that no person resident in the Island of Alderney shall be entitled to a pension under this Law in respect of any period prior to the date on which this Law comes into force as regards the Island of Alderney”.
Old Age Pensions Ordinance, 1931. (No. XXIX of 1931).	Paragraphs (2 <i>b</i>) and (c) of regulation 5 shall be deleted. In paragraph (1) and (2 <i>a</i>) of regulation 5 and in paragraph (1) of regulation 7 the words “or to such officer or person as the Administrator may appoint” shall be inserted immediately following the word “Administrator” wherever it appears. In paragraph (1) of regulation 11 the words “two clear days” shall be deleted and the words “seven clear days” substituted therefor. In regulation 12 the words “and the parish in which” shall be deleted. In the second explanatory note to Form I. contained in the First Schedule, the words “summary” and “in the Police Court” shall be deleted. In Form 20, the following words appearing at the end of that Form shall be deleted:— “We the undersigned Constables of consider that the person proposed to be agent in the above

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Old Age Pensions Ordinance, 1931. (No. XXIX of 1931).	<p>application is in every way qualified to act for and we therefore recommend the application. Constables.”</p>
The Contributory Pensions Law, 1935.	<p>In Article I, in the definition of the expressions “Island of Guernsey” and “this Island” there shall be inserted between the words “Islands of” and the word “Herm” the word “Alderney”.</p> <p>In Article I, in the definition of the expression “Medical Practitioner” for the words “the Royal Court” there shall be substituted the words “the Royal Court or the Court of Alderney, as the case may be,”.</p> <p>In Article I, immediately following the words “Provisions of this Law include the provisions of any Regulations made and approved thereunder”, there shall be inserted the following words: “the States” means the States of Deliberation of the Island of Guernsey”.</p> <p>In section 6 of Article XV, the following words shall be deleted:— “if it be received by the Insurance Authority within the forty-eight hours following the hour at which the medical practitioner was so consulted.”.</p>

<i>Enactment.</i>	<i>Exdeptions, Adaptations and Modifications.</i>
The Contributory Pensions Law, 1935.	In section 1 of Article XXXVII. in paragraph (e) of section 1 of Article XXXVIII and in section 2 of Article XXXVIII. the words "on conviction" shall be substituted for the words "on summary conviction in the Police Court."
Ordonnance ayant rapport aux Pensions Contributives en cas d'Accidents ou de Décès et pour la Vieillesse. (No. X of 1935).	
The Contributory Pensions Ordinance, 1935. (No. XV of 1935).	
The Contributory Pensions Ordinance (No. 2) 1935. (No. XXIX of 1935).	
The Contributory Pensions (Amendment) Law, 1937.	
The Contributory Pensions (Amendment) Ordinance, 1938. (No. XIII of 1938).	
The Contributory Pensions (Supplementary Provisions) Law, 1938.	In section 9 of the substituted Article XIV of the Contributory Pensions Law, 1935, for the words "served by His Majesty's Sergeant", there shall be substituted the words "served by or under the direction of His Majesty's Sergeant", and for the words "two clear days" there shall be substituted the words "fourteen clear days". In section 10 of the substituted Article XIV of the Contributory Pensions Law, 1935, for the words "the Court shall dismiss

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
The Contributory Pensions (Supplementary Provisions) Law, 1938.	the appeal" there shall be substituted the words "the Court may dismiss the appeal or may adjourn the hearing thereof upon such terms as it considers to be just."
The Contributory Pensions (Emergency Provisions) Law. (Guernsey) 1939.	
The Non-Contributory Old Age and Blind Persons Pensions Law, 1931, and the Contributory Pensions Law, 1935 (Increase of Pensions and Benefits) Amendment Law, 1943.	
The Contributory Pensions Law, 1935, Amendment Law. 1945.	
The Contributory Pensions Law, 1935, Amendment Law. 1947.	
The Benefits and Pensions (Contributory and Non-Contributory) Amendment Law, 1947. (No. IX of 1947).	In Article I in the definition of the expression "This Island" between the words "the Islands of" and the word "Guernsey" there shall be inserted the word "Alderney".
The Contributory Pensions Ordinance, 1947. (No. XXII of 1947).	Articles 5, 6. 7. 8. 9 and 10 shall be deleted.
Ordinance of 1947 prescribing the appointed day for the purposes of the Benefits and Pensions (Contributory and Non-Contributory) Amendment Law, 1947. (No. XXIII of 1947).	

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Family Allowances Law, 1947.	In Article 20, the word "Alderney," shall be inserted between the words "islands of" and the word "Herm". Immediately following the first proviso to Article 20 there shall be inserted the following words: "And Provided further that where the right to an allowance is dependent upon the provisions of the Alderney (Application of Legislation) Ordinance, 1948, the date of entitlement shall in no case be a date earlier than that on which this Law comes into force as respects the Island of Alderney".
Family Allowances Regulations Provisional Ordinance, 1948. (No. VIII of 1948).	In Regulation 31 the word "Alderney" shall be inserted between the words "Islands of" and the word "Herm".
<i>*The Non-Contributory Old Age and Blind Persons Pensions Law, 1931, Supplementary Law, 1948.</i>	<i>The proviso to section 3 shall be deleted.</i>
<i>The Contributory Pensions Supplementary Law, 1948.</i>	<i>In Article I, in the substituted subparagraph (b) of paragraph 2 of Article III of the Contributory Pensions Law, 1935, the words "after the coming into force of this Law" shall be deleted and the words "after the 2nd day of January, 1949", substituted therefor.</i>

* All words in italics deleted by the Alderney (Application of Legislation) (Non-Contributory Pensions) Ordinance, 1949.

*Enactment.**Exceptions, Adaptations
and Modifications.*

PART II.

Education.

- Education Law (Guernsey) 1935 (as amended by the Education (Amendment) Law (Guernsey) 1938).
- To have effect as though Alderney formed part of Guernsey, and as though any Alderney Committee charged with the administration or inspection of education in Alderney were, and had the powers and duties of, a Guernsey Parochial Education Committee, not being the Parochial Committee of St. Peter Port.
- Sub-sections (3) and (4) of section 2 shall not apply.
- In section 3 the word "parish" shall be omitted.
- In sub-section (1) of section 7, the word "twelve" shall be substituted for the word "eleven".
- Sub-sections (2), (3) and (5) of section 7 shall not apply.
- Sub-section (7) of section 7 shall not apply, and in lieu thereof the following sub-section shall be inserted:—
- "(7) The Education Committee in Alderney shall be elected from among and by such persons and in such manner as the States of Alderney may appoint".*
- Sections 8, 9 and 10 shall not apply.
- Sub-section (2) of section 11 shall not apply.

* See the Alderney (Application of Legislation) Amendment Ordinance, 1951, for insertion.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Education Law (Guernsey) 1935 (as amended by the Education (Amendment) Law (Guernsey) 1938).	<p>Section 12 shall not apply, and in lieu thereof the following section shall be inserted:—</p> <p>“(12) The Alderney Education Committee may at any time make representations to the Council concerning any matter affecting the well-being of any child attending a school in Alderney”.</p> <p>In sub-section (8) of section 14. the words “Rector or Curate of the Secular Parish in which the Public Elementary School is situate” shall be omitted, and the words “Incumbent for the time being of Alderney” substituted therefor.</p> <p>In section 17, the reference to the Royal Court shall be deemed to be a reference to the Court of Alderney.</p> <p>In section 23, references to the Police Court shall be deemed to be references to the Court of Alderney, and the reference to the Magistrate shall be construed accordingly.</p> <p>The words in sub-section (1) “of a rank not lower than that of Sergeant” and “the Inspector of” shall be omitted.</p> <p>In sub-section (1) of section 24. there shall be substituted for the words “on the date of the commencement of this Law” the words and figures “on the 1st day of January, 1949”.</p>
Teachers' Superannuation Law. 1948.	To have effect as if Alderney formed part of Guernsey.

*Enactment.**Exceptions, Adaptations
and Modifications.*

PART III.

Immigration.

Loi portant Réglementation sur l'admission et l'enregistrement des Etrangers, registered on the Records on the 29th day of July, 1922.

In the first paragraph of Article 2 the words " d'Auregny " shall be inserted immediately following the words " Ile de Guernesey ".

In Article 10, immediately following the words " dans l'Ile de Guernesey " there shall be inserted the following words " ou dans l'Ile d'Auregny ".

In Article 14 the words " sommaire, devant la Cour siégeant en Police Correctionnelle " shall be deleted and immediately following the word " conviction " there shall be inserted a comma.

In Article 17 the whole of the first paragraph (bearing the marginal note of "Adaptations ") shall be deleted.

Loi supplémentaire à la Loi portant Réglementation sur l'admission et l'enregistrement des Etrangers, registered on the Records on the 16th day of February, 1924.

Loi supplémentaire à la Loi portant Réglementation sur l'admission et l'enregistrement des Etrangers, registered upon the Records on the 4th day of September, 1926.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Loi supplémentaire à la Loi portant Réglementation sur l'admission et l'enregistrement des Etrangers, 1931.	In Article 1, the words "à l'Île de Man, à l'Île de Jersey ou à l'Île d'Auregny" which occur in the second paragraph of the amendment to Article 2 of the Law entitled "Loi portant Réglementation sur l'admission et l'enregistrement des Etrangers" registered upon the Records of the Island on the 29th day of July, 1922, shall be deleted and the words "à l'Île de Man ou à l'Île de Jersey" substituted therefor.

PART IV.

Police.

Loi ayant rapport à la Police Salariée pour l'Île Entière, registered on the 10th January, 1920.	References to Ordinances of the Royal Court shall include a reference to Alderney Ordinances
Loi supplémentaire ayant rapport à la Police Salariée de l'Île de Guernesey, 1947.	
Powers of Police Search Ordinance, 1942.	
Loi précisant les pouvoirs de la Cour des Chefs Plaids de décerner la peine d'emprisonnement et d'autoriser la Visite de Prémisses, registered on the 23rd May, 1936.	Only Articles 5 and 6 shall be applied. References to Ordinances of the Royal Court shall be deemed to include a reference to an Alderney Ordinance.

PART V.

Public Thoroughfares.

Loi ayant rapport à la Construction de Maisons et Bâtiments et au Tracement des Routes et Chemins, registered on the 28th October, 1922.	To have effect so far as the law relates to roads.
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<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Ordonnance relative à la Construction de Maisons, Salles Publiques et Bâtiments, et au Tracement de Routes et Chemins of the 25th April. 1931.	Section 35 only shall apply.
Highways Protection Ordinance, 1947.	
PART VI.	
<i>Water Supply.</i>	
States Water Supply Laws, 1927 to 1947.	Article 9 shall not apply. For the purposes of these laws Alderney shall be deemed to be a Parish of Guernsey. In Article 14 the reference to the General Cadastre shall be deemed to be a reference to the valuation carried out under section 4 of the Alderney (Application of Legislation) Law, 1948. In Article 39, the reference to the 31st day of December, 1937, shall be deemed to be a reference to the 31st day of December, 1948. Throughout, a reference to the Medical Officer of Health shall be deemed to include a reference to any person authorised by him, and a reference to the Public Thoroughfares Committee shall be deemed so far as the same relates to roads maintained by Alderney to be a reference to the Alderney Authority responsible for such maintenance.
States Water Supply (Temporary Provisions) Law, 1938.	The reference to the 10th day of May, 1938, shall be deemed to be a reference to the 31st day of December, 1948.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Waterworks Bye-Laws Ordinances, 1938 and 1948.	The reference, in the Ordinance of 7th May, 1938, to newspapers published "in this Island" shall refer to newspapers published in the Island of Guernsey but ordinarily circulating also in Alderney.

Ordonnance ayant rapport aux Immeubles occupés par le Conseil des Eaux des Etats of the 24th October, 1931.

PART VII.

Health Services.

Loi relative aux Maladies Secrètes (Registered on the 30th January, 1897).

Loi ayant rapport aux Pré-servatifs et autres substances dans les Aliments (Registered on the 23rd February, 1929).

References to "the Committee" and to "the Board" shall be deemed to include the appropriate Authority in Alderney charged with the duty of safeguarding the public health; and references to the States Officer of Customs shall be deemed to include references to any person for the time being exercising in Alderney the functions of Customs Officer.

Loi relative à la Santé Publique, 1934.

- (1) References to "the Constables" and to "a Constable" shall be omitted.
- (2) References to any public official or subordinate, and references to any Board or Authority of the States of Guernsey shall be deemed to include references to any person, Board or Authority from

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Loi relative à la Santé Publique, 1934.	<p>time to time exercising in Alderney with the authority of the States of Guernsey Board of Health, the functions of any such official, subordinate, Board or Authority.</p> <p>(3) Save in section 2 (1)(a), references to any Court shall be deemed to include references to the Court of Alderney.</p> <p>(4) References to "the Bailiff" shall be deemed to include references to the Chairman for the time being of the Court of Alderney.</p> <p>(5) Sections 4 and 5 shall be omitted.</p>
Loi relative à la Vaccination des Enfants (Registered on the 9th March, 1935). (No. IV of 1935).	<p>(1) References to a "Vaccinateur" and to "the Vaccinator" shall be deemed to include the person for the time being acting as such in Alderney under an appointment by or on behalf of the States of Alderney with the approval of the States of Guernsey Board of Health, and references to a "paroisse", to a "Comité Paroissial" and to "officiers paroissiaux" shall be deemed to be references to the appropriate authority in Alderney charged with the duty of safeguarding the public health, save that where such a reference involves a payment of money that payment shall be deemed to have been made by the said appropriate authority on behalf of and recoverable by them from the States of Guernsey.</p>

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
<p>Loi relative à la Vaccination des Enfants (Registered on the 9th March, 1935). No. IV of 1935).</p>	<p>(2) Section 1 shall be omitted.</p> <p>(3) Section 12 shall be omitted.</p> <p>(4) Sections 17 and 18 shall be omitted.</p>
<p>Loi par rapport à l'Inoculation des Enfants contre la Diphtérie 1939) (Registered on the 18th March, 1939). (No. I of 1939).</p>	<p>(1) In sections 1 and 2 references to residence in the Island of Guernsey shall be deemed to be references to residence in the Island of Alderney and references to attendance at school in Guernsey shall be deemed to be references to attendance at school in Alderney.</p> <p>(2) References to the States Medical Officer of Health shall be deemed to include the person for the time being exercising the functions and performing the duties of Medical Officer of Health in Alderney; and references to the States Board of Health shall be deemed to include the appropriate Authority in Alderney charged with the duty of safeguarding the public health, save that where such a reference involves a payment of money, that payment shall be deemed to have been made by the said appropriate Authority on behalf of and recoverable by them from the States of Guernsey.</p>

*Enactment.**Exceptions, Adaptations
and Modifications.*

- Ordonnance provisoire ayant rapport aux Maladies Secrètes (Passed the 22nd January. 1912).
- (1) References to "Les Connétables d'une paroisse", "les dits Connétables", "les Connétables de la paroisse où elle réside" and "des dits Connétables" shall be deemed to be references to the person for the time being exercising the functions of M.O.H. in Alderney.
- (2) In Article 1 the words "Royale siègeant en Cour de Police" shall be omitted.
- Ordonnance supplémentaire ayant rapport aux Maladies Secrètes (1936), (No. XXVIII of 1936).
- Ordonnance relative aux Maladies Secrètes (1937), (No. XXII of 1937).
- References to "the States Board of Health" shall be deemed to be references to the States of Guernsey Board of Health.
- Ordonnance relative aux Fosses d'Aisance (Puits-Perdus) et Latrines, 1940, (No. LXXXVII of 1940).
- The Whole Ordinance.
- References to the States Medical Officer of Health shall be deemed to include references to the person for the time being performing the duties of that officer as respects the Island of Alderney.
- Ordonnance dite "The Clean Milk Ordinance, 1945" (No. XXXIX of 1945).
- Article 1.
- Ordonnance relative aux Maisons de Prostitution et aux Prostituées. (Passed the 22nd January. 1906).
- The words "de la Ville et Paroisse de Saint Pierre Port" shall be omitted.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande. (Passed the 20th April, 1918).	<p>(1) The following Articles shall be omitted: 1, 2, 4, 5, 7, 8, 23, 24, 26, 27, 28.</p> <p>(2) References to any Committee shall be deemed to be references to the Authority for the time being in Alderney charged with the duty of safeguarding the Public Health; and references to the Market Superintendent shall be deemed to be references to the said Authority.</p> <p>(3) In Article 6 the words " dans le marché public ou " and the words beginning with " bien entendu " and ending with " Saint Pierre Port " shall be omitted.</p> <p>(4) Article 13 shall be omitted and the following substituted therefor: " Il est défendu à toute personne de tuer bœuf, vache ou génisse ailleurs que dans tels lieux qui pourront être autorisés par la Cour. Tout individu désirant obtenir la dite autorisation donnera connaissance publique par le moyen d'une affiche au porche de l'Eglise de St. Anne, du jour et 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 l'Officier Médical de Santé Publique, lequel en fera son</p>

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande. (Passed the 20th April, 1918).	rapport à la Cour le tout sur la peine d'une amende qui ne sera pas moindre de deux livres sterling, et n'excédera pas dix livres sterling." (5) In Article 14, references to the States Veterinary Surgeon shall be deemed to include the person for the time being performing in Alderney the duties of that office, and to include the Medical Officer of Health. (6) In Article 16 references to "l'abattoir public" shall be omitted and the following words substituted therefor: "cette Ile". (7) In Article 17 the words "dans les boutiques du Marché public et" and the words "en dehors du Marché" shall be omitted. (8) In Article 25 the words "dans le marché ou dans des boutiques" shall be omitted and the words "en cette Ile" substituted therefor.
Ordonnance supplémentaire à l'Ordonnance relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande du 20 avril 1918. (Passed the 2nd July, 1932).	Article 1 shall be omitted
Ordonnance de 1941 supplémentaire à l'Ordonnance (du 20 avril 1918) relative aux Marchés Publics, aux Abattoirs et à la Vente de la Viande. (Passed the 6th December, 1941).	The whole.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Ordonnance relative aux Chimistes et Pharmaciens et au débit de Poisons." (Made permanent the 18th January, 1932).	The amount of the fees payable under Article 4 shall in the Island of Alderney be paid to the Clerk of the Court.
Ordonnance supplémentaire à l'Ordonnance relative aux Chimistes et Pharmaciens et au débit de Poisons. (Passed the 23rd April, 1932).	The reference to "l'Inspecteur des Drogues" shall be deemed to include a reference to the person for the time being performing the duties of Medical Officer of Health in Alderney.
Ordonnance supplémentaire à l'Ordonnance relative aux Chimistes et Pharmaciens et au débit de Poisons. (Passed the 12th October, 1935).	References to "l'Officier Médical de Santé des Etats" shall be deemed to include references to the person for the time being performing the duties of Medical Officer of Health in Alderney.
Public Health Ordinance, 1936. (Passed the 14th March, 1936).	(1) References to "the Board" shall be deemed to include references to the appropriate Authority in Alderney charged with the duty of safeguarding the public health; references to the "Medical Officer of Health" shall be deemed to include references to the person for the time being exercising in Alderney the functions of Medical Officer of Health; references to the "Sanitary Authority" shall be deemed to include references to the said appropriate Authority, and references to the "Sanitary Inspector" shall be deemed to include references to every person appointed by or by the authority of the Board to perform duties of inspection under this Ordinance.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Public Health Ordinance, 1936. (Passed the 14th March, 1936).	<p>(2) References to Constables and parishes shall be omitted, and the duties imposed in this Ordinance upon any Constable shall, in the Island of Alderney, be discharged by the Medical Officer of Health.</p> <p>(3) In paragraph 4 of Article V. the words "by the States to the Inhabitants of this Island" shall be omitted.</p>
Ordonnance provisoire de 1940 supplémentaire à l'Ordon- nance provisoire relative à la Santé Publique, 1936. (Passed the 22nd January, 1940).	
Ordonnance provisoire (No. 2) de 1940 supplémentaire à l'Ordonnance provisoire rela- tive à la Santé Publique, 1936. (Passed the 4th May, 1940).	
Ordonnance provisoire (Amen- dement No. 4) supplémentaire à l'Ordonnance provisoire re- lative à la Santé Publique, 1936. (Passed the 31st Janu- ary, 1942).	
Ordonnance ayant rapport aux sages-femmes. (Passed the 28th March, 1936).	(1) Save as respects the provisions of Articles V, VI, VII and XIV references to "the Board" and the "Medical Officer of Health" shall be deemed respectively to include references to the appropriate Authority in Alderney charged with the duty of safeguarding the public health, and to the person for the time being performing the duties of Medical Officer of Health.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
<p>Ordonnance ayant rapport aux sages-femmes. (Passed the 28th March, 1936).</p>	<p>(2) In paragraph 2 of Article III the words "in this Island" and "next preceding the date of the passing of this Ordinance" shall be omitted.</p> <p>(3) Paragraph 9 of Article V shall be omitted.</p> <p>(4) References to "Medical Practitioners" shall be deemed to be references to every Medical Practitioner authorised to practice in the Islands of Guernsey or Alderney.</p> <p>(5) In Article XI references to a contract with any Authority shall be omitted and the words in the Proviso to paragraph 2 of that Article beginning with "has been removed" down to and including the word "or" shall be omitted.</p>
<p>Midwives (Administration of Anæsthetics) Ordinance, 1947.</p>	<p>(1) In Article 1 the words "in this Island or in the Islands of Herm or Jethou" shall be omitted and the words "in the Island of Alderney" shall be substituted therefor.</p> <p>(2) A reference to "The States Board of Health" shall be deemed to be a reference to the Board of Health of the States of Guernsey and reference to the Medical Officer of Health shall be deemed to include the person for the time being exercising the functions of Medical Officer of Health in Alderney.</p> <p>(3) In Article 3 the words "before the Police Magistrate" shall be omitted.</p>

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Ordonnance par rapport à l'Inoculation des Enfants contre la Diphtérie (1939). (Passed the 1st April, 1939).	References to the States Board of Health and references to the States Medical Officer of Health shall be deemed to include respectively references to the appropriate Authority in Alderney charged with the duty of safeguarding the public health and references to the person for the time being exercising the functions and performing the duties of Medical Officer of Health in Alderney.
Ordonnance supplémentaire à l'Ordonnance par rapport à l'Inoculation des Enfants contre la Diphtérie (1939). (Passed the 21st July, 1945).	

PART VIII.*

Taxation.

- Loi relative aux droits de Timbre, registered on the 16th January, 1922. In Article 15 for the figures and word "29 octobre 1903" there shall be substituted "30 août 1922."
- Loi relative aux Automobiles, registered on the 11th December, 1926 (as amended by the Loi supplémentaire relative aux Automobiles, 1932, by the Loi supplémentaire relative aux Automobiles (Autorisations de Conduire), 1937, by the Loi supplémentaire relative aux Automobiles (Autorisations à Conduire), 1939, by the Loi supplémentaire à la Loi relative aux Automobiles et concernant les Tracteurs Agricoles, 1946, and by the Loi de 1948 amendant la Loi relative aux Automobiles). For the expression "par Ordonnance de la Cour Royale" there shall be substituted the expression "par le Conseil."

* "The Second Schedule" substituted by the Alderney (Application of Legislation) Amendment Ordinance. 1949.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Loi relative à l'Entretien des Voies Publiques, registered on the 26th November, 1904 (as amended by the Loi supplémentaire à la Loi relative à l'Entretien des Voies Publiques, registered on the 16th July, 1921).	The following provisions only shall apply— Paragraphs 1 and 4 of Article II. Articles XII, XIV, XV and XVI. The exemption accorded by Article XI shall apply only to the Court House, premises exclusively used for religious purposes, including cemeteries, schools supported or assisted from public funds, hospitals, the public prison and property occupied by or on behalf of His Majesty's Government.
Loi relative aux Colporteurs et aux Marchands Non-Residents, 1932.	The provisions of this Law shall not apply.
Loi relative aux Huiles ou Essences Minérales ou autres Substances de la même Nature, registered on the 4th April, 1925 (as amended by the Loi supplémentaire registered on the 16th July, 1927).	The provisions of this Law shall not apply.
Loi relative aux Ventes Publiques à l'Encan, registered on the 20th April, 1914.	The provisions of this Law shall not apply.
Loi relative aux Droits perçus sur les Pierres Exportées, registered on the 19th July, 1924.	The provisions of this Law shall not apply.
Loi relative aux Explosifs, registered on the 4th February, 1905.	The provisions of this Law shall not apply.
Loi ayant rapport aux Armes à Feu, registered on the 10th December, 1921.	The provisions of this Law shall not apply.

<i>Enactment.</i>	<i>Exceptions, Adaptations and Modifications.</i>
Loi relative aux Licences pour les Salles Publiques, registered on the 4th July, 1914.	The provisions of this Law shall not apply.
Ordonnance par rapport à la Taxation de Vélocipèdes. of 12th February, 1938.	The provisions of this Ordinance shall not apply. In lieu thereof the tax, at the prescribed rate, shall be paid at such times and in such manner as the States Board of Administration shall specify.
The Liquor Licensing Ordinance. 1943.	The provisions of this Ordinance shall not apply. Liquor licence fees shall continue to be payable under the existing Alderney legislation.
Ordonnance par rapport aux Chaudières (1936).	The provisions of this Law shall not apply.
Ordonnance portant règlement pour la Perception de l'Impôt sur les Huiles Lubrifiantes, sur le Pétrôle et sur autres Huiles et Essences, made permanent on the 18th January, 1932.	In Article 13, the words "les Connétables et Assistants de Connétables de cette île ainsi que" shall be omitted.
Ordonnance relative à l'Entretien des Voies Publiques, made permanent on the 18th January. 1932.	For the purposes of this Ordinance, Alderney shall be deemed to be part of the Parish of Saint Peter Port.
Ordonnance supplémentaire à l'Ordonnance ayant rapport aux Trafic Véhiculaire en cette Ile, made permanent on the 18th January. 1932.	In Article 18, after the words "registration number" there shall be inserted the words "prefixed by the letters AY."

***Protection of Wild Birds Ordinance, 1949.**
(13th January, 1949)

THE COURT, on the representations of the States Committee for Agriculture and Fisheries and having heard His Majesty's Comptroller thereon, hereby orders:

Cruelty to
wild birds
generally

1. (1) Where any person—

- (a) affixes, places or sets any spring, spring-trap, gun, gin, snare, net or other similar instrument calculated to cause bodily injury to any wild bird coming into contact therewith; or
- (b) knowingly permits or suffers or causes any such instrument to be affixed, placed or set; or
- (c) takes or attempts to take any wild bird by means of a hook or other similar instrument; or
- (d) uses bird lime or any substance of a like nature for the purpose of taking or attempting to take any wild bird; or
- (e) uses any bird, whether wild or domestic, as a decoy for the purpose of taking or attempting to take any wild bird;

he shall be guilty of an offence under this Ordinance.

(2) Where any person keeps or confines any wild bird in any cage or other receptacle which—

- (a) measures less than eighteen inches in length, twelve inches in height and eight inches in width respectively; or
- (b) does not measure sufficient in height, length and breadth, respectively, to permit the bird freely to stretch its wings;

he shall be guilty of an offence under this Ordinance.

This sub-section shall not apply to any wild bird kept or confined in a cage or other receptacle which does not comply with the requirements specified herein whilst being conveyed by land, water or air, or whilst being

* See also the Protection of Wild Birds (Amendment) Ordinance, 1951.

exhibited during not more than seventy-two consecutive hours at a show.

2. It shall not be lawful at any time hereafter for any person to kill, injure or take, or attempt to kill, injure or take, any wild bird, or to take or destroy or to attempt to take or destroy, or (except in the ordinary course of farming or forestry operations) knowingly and wilfully to disturb eggs or nests of any wild birds, with the following exceptions:—

General protection of birds, nests and eggs

- (a) birds and the eggs and nests of birds specified in the First Schedule to this Ordinance;
- (b) birds captured or killed or eggs or nests taken or destroyed in terms of an authority contained in a certificate granted in terms of section 4 of this Ordinance.

3. Notwithstanding anything in this Ordinance contained it shall be lawful for any person, thereunto specifically authorised in writing by the States Supervisor, to kill or attempt to kill by shooting at any time any sea gull which alights on any place within the boundaries of the States Airport or is in flight over any such place.

Special provisions regarding gulls in the vicinity of the States Airport

4. (1) Notwithstanding any of the provisions of this Ordinance the President of the States Committee for Agriculture and Fisheries (hereinafter referred to as "The President") may grant a certificate available for such period as may be specified therein, (save that such period shall not exceed one year in respect of any one grant), authorising any person to kill or take respectively within an area specified in the said certificate, wild birds, their eggs or nests which would otherwise be protected under this Ordinance but only for any of the following purposes:

Certificates authorising the taking of wild birds for certain purposes

- (a) for supplying an order received from any zoological garden to which the public is admitted or from any public museum; or
 - (b) for any scientific purpose approved by the President.
- (2) Any such certificate shall be renewable from time

to time by the President on its expiry and revocable at any time by him in his absolute discretion.

(3) Such certificate shall be carried by the holder when acting under the powers therein contained and shall be exhibited by the holder on demand to any member of the Island Police Force requesting the exhibition thereof.

Prosecutions

5. (1) Where any person has in his possession or control, or purchases, sells, or knowingly transports, or attempts to purchase, sell or transport any wild bird or the plumage or skin or part of any wild bird, or the egg or nest of any wild bird, at a time when such bird, egg or nest is protected under this Ordinance, it shall be deemed in any proceedings taken in connection therewith to have been killed, taken or knowingly transported, as the case may be, by such person in contravention of this Ordinance and the said killing, taking, or transporting shall be deemed to be an offence under this Ordinance unless he satisfies the Court that it was not or that he had reasonable grounds for believing that it was not, illegally killed or taken.

(2) Where any person shall be found apparently offending against this Ordinance, he shall, upon being requested so to do, by any member of the Island Police Force, give his Christian name, surname, and place of abode, and in case the person so apparently offending shall, after being so requested fail or refuse to give his real name or place of abode or give an untrue name or place of abode, it shall be an offence under this Ordinance.

Penalties

6. (1) A person guilty of any offence against this Ordinance shall be liable on first conviction to a fine not exceeding five pounds and in case of a second or subsequent conviction to a fine not exceeding ten pounds or to imprisonment for a period not exceeding one month.

(2) In addition to any other penalty which the Court has power to inflict for offences against this Ordinance, the Court may order that any bird, skin, egg or nest, in respect of which the offence was committed, shall be forfeited and disposed of in its discretion, and may order any gun, trap, net, snare, decoy or other instrument in

respect of or by means of which the offence was committed to be forfeited or otherwise dealt with as the Court may direct, and shall also order that any certificate or licence given under this Ordinance and held by the person convicted shall be cancelled.

7. In this Ordinance, unless the context otherwise requires, the expression "Island" includes the Islands of Guernsey, Herm and Jethou. <sup>Interpreta-
tion</sup>

8. (1) This Ordinance shall apply to the Islands of Guernsey, Herm and Jethou and to the territorial waters thereof. <sup>Extent,
commence-
ment, and
repeals</sup>

(2) The Ordinances set out in the Second Schedule to this Ordinance are hereby repealed.

FIRST SCHEDULE. Section 2 (a).

Carrion Crow.
Hoody Crow.
Magpie.
Sparrow Hawk.

SECOND SCHEDULE. Section 3 (2).

Wild Birds Protection Ordinance, 1933.

(No. X of 1933, passed on the 25th day of March, 1933).

Wild Birds Protection Ordinance, 1934.

(No. XII of 1934, passed on the 12th day of May, 1934).

Seagulls eggs Ordinance, 1941. (No. VIII of 1941 passed on the 3rd day of May, 1941).

Ordonnance provisoire permettant la Destruction des Mouettes sur L'Aérodrome des Etates (1939). (No. LIV of 1939 passed on the 11th day of November, 1939).

**Ordinance relating to the Cutting of Hedges (1947).
(22nd February, 1947.)**

THE COURT, on representations of the States Island Police Committee and of the Constables of the various parishes, and having heard the Law Officers of the Crown thereon, hereby orders:—

1. Every proprietor of land bordering a public road shall, between the 15th and the 30th day of June and between the 15th and the 30th day of September of each year, cut away such parts of all hedges as overhang such public road—

(a) up to a height of 12 feet from the road surface where that road is ordinarily used by vehicular traffic; and

(b) up to a height of 8 feet from the road surface where that road is not ordinarily used by vehicular traffic

and shall immediately thereafter remove from such public road all material cut from such hedges.

For the purposes of this paragraph hedges shall be deemed to include trees and branches of trees and all kinds of growth overhanging a public road at a height less than that specified in this paragraph.

Any person infringing the provisions of this Ordinance shall, on conviction, be liable to a penalty not exceeding £10 sterling.

2. The following Ordinances are hereby repealed:—

(a) “L’Ordonnance supplémentaire relative aux Routes, Rues et Chemins” passed at the Chief Pleas after Michaelmas held on the 5th October, 1896.

(b) “L’Ordonnance provisoire de 1942 relative à la coupure de broussailles” passed on the 29th August, 1942.

See also The Cutting of Hedges Ordinance, 1950.