

ORDINANCES OF THE STATES

ORDINANCES OF THE STATES MADE DURING THE
YEARS 1949—1953 AND UNREPEALED ON THE
1ST APRIL, 1953.

Compiled under the authority of the Royal Court
BY
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ORDINANCES

OF THE

STATES

(Made on the 15th February, 1949.)

1949

“ The Alderney Rateable Values Assessment Ordinance, 1949 ”.

(No. IV—
1949)

THE STATES, under and by virtue of section 4 of “ The Alderney (Application of Legislation) Law, 1948 ”, hereby order as follows:—

1. The Cadastre Committee of the States of Guernsey (hereinafter referred to as “ the Committee ”) is hereby empowered, if so requested by the States of Alderney and for so long as that request remains operative—

Powers of
Guernsey
Cadastre
Committee
in Alderney.

(a) to assess the rateable value of any real property situate in the Island of Alderney ;
and

(b) from time to time to rectify the assessment of the rateable value of any real property situate in the Island of Alderney.

2. Upon written notification by the proprietor, usufructuary or occupier of any real property situate in the Island of Alderney, in accordance with a form to be provided by the Committee, of any incorrectness or unfairness in the assessment of the rateable value thereof whereby he is prejudiced, the Committee shall consider whether or not there are grounds for the rectification of the alleged incorrectness or unfairness referred to in such notification and, upon being satisfied that such grounds exist, the Committee shall rectify the assessment accordingly.

Rectification
of assess-
ments.

1949
 Making of
 representa-
 tions.

3. Unless, without hearing the person by whom the notification was sent, the Committee is satisfied that grounds exist for the rectification of the rateable value of the property concerned and rectifies the same accordingly, an opportunity shall be given to such person to make representations in the matter and for this purpose a Board, consisting of not less than four members of the Committee appointed by the Committee, of whom one shall be appointed by the Committee as President of the Board, and of a person residing in Alderney, having experience of the value of real property situate in Alderney and appointed by the States of Alderney, shall sit in Alderney. The President and each member of the Board shall have a vote in the determination of the matter :

PROVIDED that the Board, unless it otherwise determine, shall not be required to assemble in Alderney more frequently than once in any calendar year nor within a period of twelve months from the date of its last assembly.

Application
 of Art. 14 of
 Guernsey
 Law.

4. The provisions of Article 14 of the Cadastre Law, 1947, in force in the Island of Guernsey (which provides for appeals to the Royal Court of the Island of Guernsey sitting as an Ordinary Court from decisions of the Committee under that Law) shall have effect as regards decisions of the Board under the last foregoing subsection, but so that the reference to a notification therein contained shall be deemed to include a notification under section 2 of this Ordinance, that references to the Committee shall be deemed to include references to the Board, and that references to the Royal Court sitting as an Ordinary Court shall be deemed to be references to the Court of Alderney.

Application
 of Art. 5, 6, 8,
 9, 10 and 15
 of Guernsey
 Law.

5. The following provisions of the Cadastre Law, 1947, in force in the Island of Guernsey, shall have effect in the Island of Alderney—

Article 5 (Power to enter upon property for survey and valuation):

1949

„ 6 (Declarations by Owners and Others):

„ 8 (Notification of Changes in and Additions to Property and of Changes in Use of Property):

„ 9 (Notification of Changes of Ownership):

„ 10 (Penalties):

„ 15 (Limitation of Rectification):

(1) as though the references therein to the Guernsey Cadastre, to the Island of Guernsey, and to real property situate in Guernsey were references to the record of the assessments made in pursuance of this Ordinance, to the Island of Alderney and to real property situate in Alderney respectively;

(2) as though in the said Article 5, the reference to the Committee included a reference to the Board; and

(3) as though in paragraph (4) of the said Article 9 the reference to Guernsey realty included a reference to Alderney realty.

6. The rateable values of real property situate in Alderney shall be determined by the Committee and the Board in accordance with the Rules for the Determination of the rateable values of real property from time to time in force in the Island of Guernsey:

Determina-
tion of rate-
able values.

SAVE that in Category D of paragraph 5 of the Ordinance (1948) enacting the Cadastre Law, 1947, Rules, the annual rental value for glass-houses fitted with a heating system shall, in relation to Alderney, be £2 per perch, and for glass-houses not so fitted, £1 10s. od. per perch:

AND SAVE that the rateable values of public utility undertakings in Alderney shall be determined in accordance with such rules as the States of Guernsey may hereafter by Ordinance appoint.*

* See Page 32.

1949
 Exhibition of
 assessment.

7. (1) On completion of the assessment made hereunder, and in every calendar year thereafter, the Committee shall cause the same to be exhibited in the States of Guernsey Office in Alderney on at least six consecutive working days between the hours of nine in the forenoon and half past twelve in the afternoon and, except on any Thursday, between the hours of two and five in the afternoon.

(2) The States Supervisor shall in respect of any such exhibition of the said assessment as aforesaid give previous notice on at least two occasions in *La Gazette Officielle* of the exhibition of the Cadastre and of the dates and hours during which, in that calendar year, such exhibition will take place.

Definitions.

8. In this Ordinance a reference to the assessment made hereunder shall, where the context so admits, include a reference to any periodic rectification made therein, and the expression "real property" shall have the same meaning as that expression has in the Cadastre Law, 1947.

Commence-
 ment of
 assessment.

9. The assessment prepared in accordance with the provisions of this Ordinance shall, for the purposes of section 2 of "The Alderney (Application of Legislation) Law, 1948", be deemed to have been effective on the 1st day of January, 1949.

(Made on the 9th March, 1949.)

(No. V—
 1949)

The Vehicular Traffic Driving Test Fee Ordinance, 1949.

THE STATES, in pursuance of their Resolution of the 4th day of February, 1949, hereby order:—

Paragraph (4) of Article VIII of the Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile of the 2nd day of March, 1929, is hereby amended by the substitution therein of the words "seven shillings and sixpence" for the words "two shillings and sixpence".

(Made on the 19th March, 1949.)

1949

*** The Fowl Pest Ordinance, 1949.****(No. VII—
1949)**

THE STATES Legislation Committee, under and by virtue of the powers conferred on them by paragraph (3) of Article 66 of the Reform (Guernsey) Law, 1948, and upon the representations of the States Committee for Agriculture and Fisheries, hereby order:—

1. (1) Every person having in his possession or under his charge any poultry which are affected or suspected of being affected with fowl pest shall immediately notify the States Veterinary Officer or a member of the Island Police and shall :
 - (a) prevent the access of poultry or of any person (other than the person attending the poultry) to the premises on which the affected or suspected poultry are ; and
 - (b) detain on the premises all poultry thereon and the carcasses of any poultry.
- (2) The restrictions imposed by this Section shall remain in operation until they are revoked by notice in writing given by the States Veterinary Officer.
2. The States Veterinary Officer is, in any case where he suspects that fowl pest exists on any premises, authorised to inspect such premises and any poultry on the premises and to keep under inspection any suspected premises for any period which he may think fit. Powers of Veterinary Officer.
3. The States Veterinary Officer shall, immediately after carrying out an inspection in accordance with the provisions of the last Board to be informed.

* See The Fowl Pest Amendment Ordinance, 1950, as to application to Herm and Jethou.

1949

Infected
Place.

4. On receipt of notification from the States Veterinary Officer that fowl pest exists or is suspected to exist, on any premises, the Board may declare the premises to be an "Infected Place" and any such premises shall, for as long as such declaration is in force, be subject to the following regulations:
- (a) No live poultry shall be moved into or out of the Infected Place.
 - (b) No carcass, foodstuffs, litter, droppings, utensil, food-bag, crate, hurdle, poultry appliance, vehicle or other thing shall be moved out of the Infected Place except with a licence granted by the Board and in accordance with such conditions as may be specified therein.
 - (c) No eggs intended for hatching shall be moved out of the Infected Place.
 - (d) All droppings, litter and waste food shall be thoroughly disinfected to the satisfaction of the States Veterinary Officer before being permitted to be removed from any building or other place in which the affected or suspected poultry are or have recently been kept.
 - (e) No person, other than the States Veterinary Officer or the person attending the poultry, shall enter or leave the Infected Place unless authorised by, and in accordance with, a written permit obtained from the Board.
 - (f) Any person entering any part of the Infected Place shall wear suitable overall clothing and boots which are capable of being disinfected and shall before leav-

ing such place, thoroughly disinfect such clothing and boots and his hands.

1949

- (g) Any person attending affected or suspected poultry shall not attend poultry not so affected or suspected unless authorised by, and in accordance with, a written permit obtained from the Board.
 - (h) The Board may order the occupier of the premises to disinfect with an approved disinfectant, and to the satisfaction of the States Veterinary Officer, the premises or any part thereof, and any vehicle, utensil, appliance or other thing thereon or used in connection therewith.
 - (i) The owner shall give to the Board or the States Veterinary Officer any information which it or he may require concerning the poultry.
5. Any premises declared to be an Infected Place shall not be declared by the Board to cease to be an infected Place except after an inspection by, and on the advice of, the States Veterinary Officer.
6. No person shall keep any poultry on any premises which have been declared to be an Infected Place for a period of at least twenty-eight days after the date of completion of disinfection of the premises in accordance with Section 4 of this Ordinance, except with the written authority of the Board.
7. The Board may, if it thinks fit, cause to be disposed of in such manner as it shall direct:
- (a) any poultry affected or suspected of being affected with fowl pest; and
 - (b) any poultry which are or have been in contact with poultry affected with fowl
- Disposal of
affected
poultry.

1949 <hr style="width: 100%;"/>	<p style="text-align: center;">pest, or which appear to the Board to have been in any way exposed to the infection of that disease.</p>
Movement of poultry.	8. The Board shall be empowered to prohibit, by order published in <i>La Gazette Officielle</i> , the movement of any poultry into or out of the area within a radius of half-a-mile of the Infected Place.
Penalty.	9. Any person who shall contravene any of the provisions of this Ordinance or who shall obstruct or attempt to obstruct the States Veterinary Officer in the execution of any of his duties hereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred pounds.
Definitions.	*10. (a) "Board" means Board of Administration. (b) "fowl pest" means fowl pest in any of its forms, including Newcastle disease, fowl plague and pneumo-encephalitis. (c) "poultry" means domestic fowls, turkeys, geese, ducks and guinea-fowls, and partridges, pheasants and pigeons kept in contact with domestic fowls, turkeys, geese, ducks or guinea-fowls, and shall include the carcass of any poultry, except where otherwise specified. (d) "premises" and "infected place" shall be in each case an area, the extent of which shall be defined by the Board. (e) "States Veterinary Officer" shall include any person nominated by him to carry out any special duties in relation to this Ordinance.
Commencement.	*11 This Ordinance shall come into force on the 21st day of March, 1949.

* New sections 10 and 11 inserted and sections 10 and 11 re-numbered 12 and 13 by the Fowl Pest Amendment Ordinance, 1949.

(Made on the 30th March, 1949.)

1949

**The Omnibuses and Excursion Cars Speed Limit
Amendment Ordinance, 1949.** (No. VIII—
1949)

THE STATES, in pursuance of their Resolution of the 4th day of February, 1949, hereby order:—

Article F 1 of the Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile of the 21st day of January, 1929, is hereby amended by the substitution therein of the figures “ 20 ” for the figures “ 16 ”.

(Made on the 30th March, 1949.)

**The Traffic Regulations (Public Notice) (Repeal)
Ordinance, 1949.** (No. IX—
1949)

THE STATES, on the representations of the Island Police Committee, hereby order as follows:—

1. Paragraph (2) of Article X of the Ordonnance relative au Trafic Véhiculaire en cette Ile of the 2nd day of March, 1929, is hereby repealed.

2. There shall be substituted for the said paragraph (2) the following paragraph—

*“(2) Regulations so made by the Committee shall not become operative until approved and embodied in an Ordinance by the States.”

(Made on the 13th April, 1949.)

**The Spirits etc. (Export to Alderney) Notification
Ordinance, 1949.** (No. X—
1949)

THE STATES, on the representations of the States Board of Administration, hereby order as follows:—

1. Article 1 of the Ordonnance relative à l'Exportation des Liqueurs Spiritueuses, Vins, Bière, Spirits, Tobacco, Tea, etc.

* See also the Traffic Temporary Regulations Ordinance, 1950.

1949

Tabac et Thé aux Iles de Sercq, d'Herm et de Jethou, made permanent on the 18th day of January, 1932, shall have effect—

- (1) as though immediately after the words “ hors de cette Ile, aux Iles ” there were inserted the words “ d'Auregny, ” ;
- (2) as though, in respect of export to Alderney, the words “ en double ” were omitted; and
- (3) as though every reference therein to Beer included a reference to Cider.

Lubricating
Oils, Petrol,
etc.

2. Article 2 of the Ordonnance relative à l'Exportation des Huiles Lubrifiantes, le Pétrole et Huiles Combustibles, l'Essence pour les Moteurs et l'Alcool Méthylique aux Iles de Sercq, d'Herm et de Jethou, of the 3rd day of December, 1932, shall have effect—

- (1) as though immediately after the words “ hors de cette Ile aux Iles ” there were inserted the words “ d'Auregny, ” ; and
- (2) as though, in respect of export to Alderney, the words “ en double ” were omitted.

Matches.

3. A person shall not export or cause to be exported matches from this Island to the Island of Alderney unless he shall previously have delivered to the States Supervisor a notice in writing under his hand between the hours of nine o'clock in the forenoon and four o'clock in the afternoon of the day preceding the day of export, stating in such notice the quantity of the matches in question, the proposed method of sending them, including therein the name of the ship in case of sending by sea, and the name and address of the consignee. Failure to comply with any of the provisions of this section shall be an offence, punishable on conviction by a fine not exceeding two pounds.

(Made on the 13th April, 1949.)

1949

**The Alderney Public Health (Vermin) Law
Application Ordinance, 1949.**(No. XI—
1949)

THE STATES, under and by virtue of the powers in that behalf conferred by the Alderney (Application of Legislation) Law, 1948, hereby order as follows:—

1. The Public Health (Vermin) (Guernsey) Law, 1948, shall have effect in the Island of Alderney, subject to the adaptations and modifications set out in the next succeeding section hereof. Application
of 1948 Law.
2. In the application of the said Law to the Island of Alderney— Modifica-
tions.
 - (a) the expressions “ Medical Officer of Health ” and “ School Medical Officer ” shall respectively include any person authorised to act in the Island of Alderney by the President of the States of Guernsey Board of Health or by the President of the States of Guernsey Education Council, as the case may be ; and
 - (b) the expression “ Police Court ” shall include the Court of Alderney.

*(Made on the 13th April, 1949.)***The Coast Protection Ordinance, 1949.**(No. XII—
1949)

The States Legislation Committee, under and by virtue of the powers conferred on them by paragraph (3) of Article 66 of the Reform (Guernsey) Law, 1948, and in pursuance of the Resolution of the States of the 13th day of April, 1949, hereby order:—

1. The Ordonnance provisoire relative aux Côtes de l'Île, of the 26th day of November, 1938, is hereby repealed. Repeal.
2. In this Ordinance the following expressions shall have the meanings hereby respectively assigned to them:— Definitions.

1949

“beach” means any place lying between the lines of high water and low water at equinoctial spring tides ;

“cartage” includes the loading into any vehicle ;

“Board” means the States Board of Administration ;

“dune” means any ridge, hillock or other accumulation composed wholly or partly of sand situate on any part of the shore other than a beach ;

“shore” means every part of a beach and so much of the surface and subjacent strata (however composed) of land as is situate within a distance, measured horizontally, of one hundred and fifty feet from the line of high water at equinoctial spring tides and is not at a level in excess of twenty feet above sea level at high water at equinoctial spring tides ;

“shore material” includes turf, peat, clay, earth, mud, sand (including black sand), gravel, shingle and every kind of stone.

Removal, etc.
of shore
material.

3. (1) A person shall not, without the written permission of the Board—
- (a) remove or attempt to remove any shore material from the shore ;
 - (b) cut or break, at any place below the line of high water mark at equinoctial spring tides, any stone or rock ;
 - (c) cart on any public road shore material removed from the shore except between sunrise and one and a half hours after sunset.
- (2) For the purposes of any legal proceedings in respect of a contravention of any of the provisions of this section it shall not be necessary to specify the kind of shore material alleged to have been removed or attempted to have been removed.

- (3) A permission given hereunder by the Board may be either conditional or unconditional, and a breach of any condition so imposed by the Board shall be deemed to be a breach of the provisions of this section. 1949
4. (1) It is forbidden, without a permit in writing so to do from the Board—
- (a) to cut, break or remove at or from any place which, not being part of a beach, forms part of the shore, any stone or rock naturally forming part of that place ; or
 - (b) to open or work any stone quarry at any place forming part of the shore ; or
 - (c) after the date of commencement of this Ordinance, to open or work any sandpit or gravel pit which is within a distance, measured horizontally, of two hundred feet from the line of high water at equinoctial spring tides and is not at a level in excess of twenty feet above sea-level at high water at equinoctial spring tides.
- (2) The Board may attach to the grant of a permit under this section such conditions (including a condition that the permit shall only be operative during such period as shall be therein specified) as it may deem necessary or expedient and any person failing to comply with or contravening any of the conditions attached to the grant of a permit under this section shall be deemed to have contravened this section.
- (3) A place to which a permit granted by the Board under this section applies shall not, while such permit remains operative, be
- Quarries,
sandpits, etc.

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deemed to form part of the shore nor shall material taken, removed or carted therefrom be deemed to be shore material.

Appeals.

5. (1) An appeal shall lie to the Royal Court sitting as a Full Court from any decision of the Board refusing to grant a permit under either of the two last preceding sections or attaching any condition to the grant of a permit thereunder.
- (2) An appeal to the Royal Court under this section shall be instituted by way of summons against the President or Acting President of the Board and such appeal shall be instituted within the ninety days next following the receipt by the appellant of notification of the decision of the Board which is appealed from.
- (3) The only grounds of appeal under this section shall be—
 - (a) that the Board have wrongly decided a question of law ; or
 - (b) that the Board have acted in a manner contrary to natural justice.

Penalty.

6. Any person contravening or assisting in or permitting the contravention of any of the provisions of this Ordinance shall be liable on conviction to a fine not exceeding one hundred pounds.

Saving of certain rights.

7. Nothing contained in this Ordinance shall
 - (a) restrict the right to prevent the removal of shore material from any place which any person may be entitled to exercise ; or
 - (b) restrict the right of any person as regards any place, other than a beach, which, for the purposes of this Ordinance, forms part of the shore, in relation to—

- (i) the cultivation of that place and any change of soil thereon which is incidental to such cultivation ; or
- (ii) the laying of the foundations of any building or the construction of any cesspit, septic tank, drain, cistern or other usual appurtenance to domestic or business premises.

8. This Ordinance shall come into force on the 14th day of April, 1949. Commencement.

(Made on the 6th May, 1949.)

“ The Liquor Licensing Amendment Ordinance, (No. XIV—1949)”.

THE STATES, in pursuance of their Resolution of the 30th day of March, 1949, hereby order:—

1. The first proviso to sub-section (1) of section 15 of the Liquor Licensing Ordinance, 1948, (No. VII of 1948) as amended by section 1 of the Liquor Licensing Amendment Ordinance, No. 2 of 1948 (No. XXV of 1948), and the second proviso to the said sub-section are hereby deleted and the following provisos substituted therefore:— Special licences.

“PROVIDED that the Royal Court sitting as an Ordinary Court may, after hearing the report of the Chief Officer, grant in its absolute discretion, either conditionally or unconditionally, to the holder of a licence for the sale or supply of intoxicating liquor to be consumed on the premises a special licence for the sale or supply of intoxicating liquor during non-permitted hours or in a place other than that authorised by his licence during any hours.

PROVIDED further that, where there is no opportunity for an applicant for such a special licence to apply to the Royal Court so sitting, a

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-
- Law Officer of the Crown may in his absolute discretion, either conditionally or unconditionally, grant to the holder of a licence for the sale or supply of intoxicating liquor to be consumed on the premises any such special licence as may be granted by the Royal Court so sitting."
- Summer and winter periods.
2. In section 2 of the Liquor Licensing Ordinance, 1948, (No. VII of 1948), the definition of "summer period" and "winter period" shall be deleted and the following words substituted therefor:—
- "summer period" shall correspond in any year to the period of Summer Time prescribed by His Majesty in Council for that year under and by virtue of sub-section 2 of section 1 of the Summer Time Act, 1947, (Registered on the Records of the Island of Guernsey on the 4th day of March, 1947) for the purposes of the Summer Time Acts of 1922 and 1925 (Registered respectively on the Records of the Island of Guernsey on the 28th day of October, 1922, and on the 31st day of October, 1929).
- "winter period" shall mean the portion of any year other than a summer period as hereinbefore defined.
- Citation.
3. The Liquor Licensing Ordinances, 1948, and this Ordinance may be cited together as the Liquor Licensing Ordinances, 1948 and 1949.
- Commencement.
4. This Ordinance shall come into force on the seventh day of May, 1949.

(Made on the 27th May, 1949.)

(No. XV—
1949)

**"The Guernsey Statutory Instruments
(Registration) Ordinance, 1949".**

THE STATES, on the representations of the States Advisory Council, hereby order—

1. (1) As from the date of the coming into force of this Ordinance every statutory instrument shall forthwith upon the making thereof, whether such statutory instrument—

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 Statutory instruments to be delivered to Greffier.

- (a) comes into force immediately ; or
- (b) comes into force immediately, but is subject to a right of annulment by the States; or
- (c) before coming into force is subject to the approval of the States ;

be delivered together with six copies thereof to His Majesty's Greffier by the person making the same.

(2) Upon the receipt of such statutory instrument and copies His Majesty's Greffier shall, in writing under his hand, certify such receipt.

2. A statutory instrument shall not be invalidated solely by reason of the fact that all or any of the provisions of this Ordinance have not been complied with.

Non-compliance with Ordinance.

3. In this Ordinance, the expression " statutory instrument " includes any regulation, order, rule, byelaw or other instrument of a similar nature, applying to persons in general or to any substantial class or classes of persons, made in this Island under any Act of Parliament, Order in Council, Ordinance of the Royal Court, Ordinance of the States or Order of the Royal Court.

Definition.

4. This Ordinance shall come into force on the first day of June, 1949.

Commencement.

(Made on the 22nd June, 1949.)

The Ports Statistics Ordinance, 1949.

(No. XVII—1949)

THE STATES, on the representations of the States Legislation Committee, hereby order:—

1. The following Ordinances are hereby repealed— Repeals.

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- (1) Ordonnance provisoire relative aux Statistiques Officielles des Ports, of the 19th day of March, 1932;
- (2) Ordonnance provisoire portant amendement à l'Ordonnance provisoire relative aux Statistiques Officielles des Ports, of the 22nd day of July, 1933.

Statement
of number of
passengers.

2. The agent of every ship arriving in this Island with passengers shall furnish the States Supervisor with a statement in writing showing the number of passengers who have disembarked from such ship on arrival. The agent of every ship leaving this Island with passengers shall furnish the States Supervisor with a statement in writing containing the number of passengers who have embarked on such ship on her departure. The statement shall be delivered to the States Supervisor within 24 hours of such arrival or departure as the case may be.

Declaration
of cargo im-
ported, etc.

3. The agent of every ship arriving in this Island with goods to be landed in this Island shall, within 24 hours of the ship's arrival and before commencing to discharge the cargo, furnish the States Supervisor with a declaration in writing signed by or on behalf of the vendor, consignor or exporter specifying in respect of each consignment the nature or description, the quantity (in terms of weight for solids and in terms of volume for liquids, of the goods therein, and also such information respecting the origin of such goods as may be required under an Order which the States Board of Administration shall have power to make from time to time in that behalf.

Declaration
of cargo ex-
ported, etc.

4. The agent of every ship to whom goods are delivered for export from this Island shall prior to the departure of the ship carrying such goods, furnish the States Supervisor with a declaration in writing signed by or on behalf of the exporter specifying in respect of each consignment the nature or description, and the quantity (in terms of weight for solids

and in terms of volume for liquids) of the goods therein :

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PROVIDED that such declaration shall not be required in the case of the export of Guernsey grown agricultural or horticultural products.

5. The agent of a ship to whom delivery of goods is offered for transport to or from this Island, shall not accept delivery thereof unless the declaration required under this Ordinance in respect of such goods is at the same time or has been previously delivered to him.

Goods not to be accepted without declaration

6. Every person who proposes to export goods from this Island being goods in respect of which a declaration is required under this Ordinance shall on or before delivery of such goods to the agent of the ship in which they are to be carried, make and deliver to such agent a declaration appropriate to such goods as required by this Ordinance.

Exporter to make declaration.

7. The States Supervisor may detain any goods landed in this Island until the declaration relating thereto as required by this Ordinance has been delivered to him but where such declaration is not forthcoming he may accept instead thereof a declaration from the consignee but such acceptance shall not be deemed to condone any offence which may have been committed by reason of the non-production of the vendor's, consignor's or exporter's declaration. The States Supervisor may likewise detain any goods subject to declaration about to be exported from this Island until the declaration relating thereto as required by this Ordinance has been delivered to him and for the purpose of such detention he may order to be replaced on shore any such goods as may have been placed aboard a ship.

Detention of goods.

8. In this Ordinance :—

Definitions.

“ States Supervisor ” includes any States Officer acting under the authority of the States Board of Administration or of the States Supervisor;

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“Ship” includes aircraft, and

“Agent” includes the owner or charterer of a ship and every person who on behalf of such owner or charterer:—

(a) enters into contracts for the conveyance of passengers or goods;

(b) accepts goods for shipment;

(c) delivers goods landed from a ship to the consignee thereof, or

(d) otherwise acts as the representative of such owner or charterer.

Penalties. 9. Every person who shall act in contravention of any of the provisions of this Ordinance or shall concur in such contravention or shall knowingly make a false statement in any declaration made under this Ordinance, or concur therein shall be guilty of an offence and shall be liable on conviction to a fine at the discretion of the Court but not exceeding, in the case of a first offence, Five Pounds, or in the case of a second or subsequent offence, Ten Pounds.

(Made on the 22nd June, 1949.)

(No. XVIII--
1949)

“Ordinance amending the Ordinance entitled ‘Ordonnance relative à la Vérification des Poids et Mesures’, made permanent on the 18th day of January, 1932”.

THE STATES, in pursuance of their Resolution of the 13th day of April, 1949, hereby order:—

Substitution
of new
Schedules.

1. There shall be substituted for the Schedules entitled respectively “Schedule A” and “Schedule B” to the Ordinance entitled “Ordonnance relative à la Vérification des Poids et Mesures”, made permanent on the 18th day of January, 1932, (hereinafter referred to as the “principal Ordinance”) the Schedules to this Ordinance.

Fees.

2. There shall be substituted for Article 9 of the principal Ordinance the following Article:—

“ Article 9.—(1) Les honoraires payables pour la vérification et la rectification ou ajustement des poids et mesures seront ceux portés dans les cêdules annexées à la présente Ordonnance.

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(2) Nonobstant les dispositions de l'alinéa (1) de cet Article le Conseil Administratif des Etats pourra de temps en temps modifier, par voie de règlement, les dits honoraires.

(3) Les dits honoraires seront perçus par l'Inspecteur pour le compte des Etats et seront payés avant que les poids et mesures ne soient rendus au propriétaire.”

3. This Ordinance may be cited as “ The Weights and Measures (Fees) Amendment Ordinance, 1949 ”, and may be cited together with the principal Ordinance as “ The Weights and Measures (Fees) Ordinances, 1932 and 1949 ”. Citation.

4. This Ordinance shall come into force on the first day of August, 1949. Commencement.

SCHEDULE A.

SCALE OF CHARGES FOR VERIFICATION.

Imperial Weights and Measures.

Measure of Length :—	£	s.	d.
Each measure above 10 feet, when not sub-divided...	0	0	6
Each measure above 3 feet or a yard and not exceeding 10 feet, when not sub-divided	0	0	4
Each measure not exceeding 3 feet or a yard, when not sub-divided	0	0	2
Each sub-divided measure, including the whole length—			
Above 10 feet	0	2	0
Above a yard and not exceeding 10 feet	0	0	8
Not exceeding a yard	0	0	4

	£	s.	d.
Measures of Capacity (Liquid, Dry and Apothecaries'):			
Each measure above 32 gallons, when not sub-divided	0	1	6
Each measure above 7 gallons, and not exceeding 32 gallons, when not sub-divided	0	1	0
Each measure above 2 gallons, and not exceeding 7 gallons, when not sub-divided	0	0	8
Each measure above $\frac{1}{2}$ gallon, and not exceeding 2 gallons, when not sub-divided	0	0	4
Each measure above a pint, and not exceeding $\frac{1}{2}$ gallon, when not sub-divided	0	0	2
Each measure not exceeding a pint, when not sub-divided	0	0	1
Provided that where quantities of one gross or more unsub-divided measures of a capacity not exceeding one pint are submitted together for verification, the fee payable shall be 10d. per dozen measures.			
Each sub-divided Liquid or Apothecaries' measure, including the whole capacity—			
Above 8 gallons—			
When the number of sub-divisions does not exceed 6	0	3	0
When the number of sub-divisions exceeds 6, then for each additional 6 sub-divisions or any number less than 6	0	1	0
Above $\frac{1}{2}$ gallon and not exceeding 8 gallons—			
When the number of sub-divisions does not exceed 6	0	2	0
When the number of sub-divisions exceeds 6, then for each additional 6 sub-divisions or any number less than 6	0	0	8
Above a pint and not exceeding $\frac{1}{2}$ gallon—			
When the number of sub-divisions does not exceed 6	0	0	6
When the number of sub-divisions exceeds 6, then for each additional 6 sub-divisions or any number less than 6	0	0	2

£ s. d.

Not exceeding a pint—

When the number of sub-divisions does not exceed 6	0	0	4
When the number of sub-divisions exceeds 6, then for each additional 6 sub-divisions or any number less than 6	0	0	1

Avoirdupois and Grain weights:—

Each weight above 56 lb.	0	1	0
Each weight above 20 lb. and not exceeding 56 lb. ...	0	0	6
Each weight above 5 lb. and not exceeding 20 lb. ...	0	0	4
Each weight above 8 oz. and not exceeding 5 lb. ...	0	0	2
Each weight of $\frac{1}{2}$ dr. and not exceeding 8 oz.	0	0	1
Grain weights, each	0	0	2

Troy and Apothecaries' weights:—

Each weight above 50 oz.	0	0	8
Each weight above 5 oz. and not exceeding 50 oz. ...	0	0	4
Each weight not exceeding 5 oz.	0	0	2

Weighing instruments:—

Capacity—

Above 25 tons and not exceeding 50 tons	2	0	0
When the capacity exceeds 50 tons, then for each additional 25 tons, or part of 25 tons	0	5	0
Above 10 tons and not exceeding 25 tons	1	10	0
Above 5 tons and not exceeding 10 tons	1	0	0
Above 1 ton and not exceeding 5 tons	0	10	0
Above 5 cwt. and not exceeding 1 ton	0	5	0
Above 1 cwt. and not exceeding 5 cwt.	0	3	0
Above 56 lb. and not exceeding 1 cwt.	0	2	0

In addition to the repayment of the actual cost of cartage, carriage and lifting of standards, and travelling expenses paid by the Inspector in each of the foregoing cases.

Above 14 lb. and not exceeding 56 lb.	0	1	0
Above 1 lb. and not exceeding 14 lb.	0	0	6
Not exceeding 1 lb.	0	0	6

Where a weighing instrument has two sets of graduations, one imperial and the other metric, two separate fees are payable.

£ s. d.

Where two weigh-tables or platforms are connected to one steelyard or office mechanism, two separate fees, in accordance with the capacities of the respective weigh-tables or platforms, are payable.

In the case of an instrument constructed also to calculate and indicate the price in money, an additional fee is payable for the examination of the attached price indicating mechanism equal in amount to that charged on the weighing instrument.

Metric Weights and Measures.

Measures of Length:—

Each measure above a double metre or two metres, when not sub-divided	0	0	6
Each measure above a metre and not exceeding a double metre or two metres, when not sub-divided	0	0	4
Each measure not exceeding a metre, when not sub-divided	0	0	2
Each sub-divided measure, including the whole length—			
Above a double metre or two metres	0	2	0
Above a metre and not exceeding a double metre or two metres	0	0	8
Not exceeding a metre	0	0	4

Measures of Capacity and Cubic Measure:—

Each measure above 10 litres (dekalitre), when not sub-divided	0	0	8
Each measure above 2 litres and not exceeding 10 litres (dekalitre), when not sub-divided	0	0	4
Each measure above 0.5 litre or 500 cubic centimetres and not exceeding 2 litres, when not sub-divided...	0	0	2
Each measure not exceeding 0.5 litre or 500 cubic centimetres, when not sub-divided	0	0	1
Each sub-divided measure, including the whole capacity—			

£ s. d.

Above 2 litres—

When the number of sub-divisions does not exceed 10 0 2 0

When the number of sub-divisions exceeds 10, then for each additional 10 sub-divisions or any number less than 10 0 0 8

Above 0.5 litre or 500 cubic centimetres and not exceeding 2 litres—

When the number of sub-divisions does not exceed 10 0 0 6

When the number of sub-divisions exceeds 10, then for each additional 10 sub-divisions or any number less than 10 0 0 3

Not exceeding 0.5 litre or 500 cubic centimetres—

When the number of sub-divisions does not exceed 10 0 0 4

When the number of sub-divisions exceeds 10, then for each additional 10 sub-divisions or any number less than 10 0 0 2

Weights:—

Each weight above 5 kilograms 0 0 6

Each weight above 2 kilograms and not exceeding 5 kilograms 0 0 4

Each weight not exceeding 2 kilograms 0 0 2

Weighing instruments:—

Capacity—

Above 25 tonnes (25,000 kilograms) and not exceeding 50 tonnes (50,000 kilograms) 2 0 0

When the capacity exceeds 50 tonnes (50,000 kilograms), then for each additional 25 tonnes (25,000 kilograms), or part of 25 tonnes 0 5 0

Above 10 tonnes (10,000 kilograms) and not exceeding 25 tonnes 1 10 0

Above 5 tonnes (5,000 kilograms) and not exceeding 10 tonnes 1 0 0

Above 1 tonne (1,000 kilograms) and not exceeding 5 tonnes 0 10 0

Above 250 kilograms and not exceeding 1 tonne ... 0 5 0

	£	s.	d.
Above 50 kilograms and not exceeding 250 kilograms	0	3	0
Above 25 kilograms and not exceeding 50 kilograms	0	2	0
In addition to the repayment of the actual cost of cartage, carriage and lifting of standards and travelling expenses paid by the Inspector in each of the above cases.			
Above 5 kilograms and not exceeding 25 kilograms	0	1	0
Above 0.5 kilogram and not exceeding 5 kilograms	0	0	6
Not exceeding 0.5 kilogram	0	0	6
Where a weighing instrument has two sets of graduations, one metric and the other imperial, two separate fees are payable.			
Where two weigh-tables or platforms are connected to one steelyard or office mechanism, two separate fees, in accordance with the capacities of the respective weigh-tables or platforms, are payable.			
In the case of an instrument constructed also to calculate and indicate the price in money, an additional fee is payable for the examination of the attached price indicating mechanism equal in amount to that charged on the weighing instrument.			

Measuring Instruments used in Trade for Measurement of liquid fuel or lubricating oil.

	s.	d.
1. Instruments embodying unsub-divided containers—		
(a) which are not used in the presence of the purchaser:—		
In respect of any number of instruments verified and stamped on the same occasion—		
For the first four or lesser number of containers of the same form and capacity	12	6
For every subsequent four or lesser number of containers of the same form and capacity ...	12	6

s. d.

(b) which are used in the presence of the purchaser:—

For each instrument verified and stamped—

When verified and stamped at the Inspector's Office	5	0
When verified and stamped in the situation in which the instrument is to be used	12	6
If the number of containers exceeds 2, then for each additional container	1	0

2. Instruments embodying sub-divided containers:—

For each instrument verified and stamped—

If the number of sub-divisions does not exceed 2.

When verified and stamped at the Inspector's Office	5	0
When verified and stamped in the situation in which the instrument is to be used	12	6

If the number of sub-divisions exceeds 2, but does not exceed 5.

When verified and stamped at the Inspector's Office	7	6
When verified and stamped in the situation in which the instrument is to be used	15	0

If the number of sub-divisions exceeds 5, then for each additional sub-division

	1	0
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3. Instruments embodying pistons:—

For each instrument verified and stamped—

If the number of sub-divisions does not exceed 2.

When verified and stamped at the Inspector's Office	5	0
When verified and stamped in the situation in which the instrument is to be used	12	6

If the number of sub-divisions exceeds 2 but does not exceed 5.

When verified and stamped at the Inspector's Office	7	6
When verified and stamped in the situation in which the instrument is to be used	15	0

If the number of sub-divisions exceeds 5, then for each additional sub-division

	1	0
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	s.	d.
4. Instruments embodying flow meters :—		
For each instrument—		
When verified and stamped at the Inspector's Office	7	6
When verified and stamped in the situation in which the instrument is to be used	15	0

SCHEDULE B.

ADJUSTING CHARGES.

Imperial Weights and Measures.

	£	s.	d.
Measures of Length :—			
Each measure from 100 feet to 4 feet, inclusive	0	0	8
Each measure of a yard and under	0	0	2
Measures of Capacity :—			
Each measure from 4 bushels (32 gallons) to 5 gallons, inclusive	0	0	6
Each measure from 4 gallons to 2 gallons, inclusive	0	0	4
Each measure of 1 gallon and $\frac{1}{2}$ gallon	0	0	3
Each measure from 1 quart to $\frac{1}{4}$ gill, inclusive	0	0	2
Avoirdupois Weights :—			
Each weight from 100 lb. to 20 lb., inclusive	0	0	6
Each weight from 14 lb. to 1 lb., inclusive	0	0	3
Each weight from 8 oz. to 1 oz., inclusive	0	0	2
Each weight from 8 drams to $\frac{1}{2}$ dram, inclusive	0	0	1
Each weight from 4,000 grains to 0.01 grain, inclusive	0	0	2
Each weight from 240 grains to 24 grains, inclusive (pennyweights)	0	0	2
Troy Weights :—			
Each weight from 500 oz. to 100 oz., inclusive	0	0	6
Each weight from 5 oz. to 10 oz., inclusive	0	0	3
Each weight from 5 oz. to 0.001 oz., inclusive	0	0	2
Apothecaries' Weights :—			
Each weight from 10 oz. to $\frac{1}{2}$ grain, inclusive	0	0	2

Metric Weights and Measures.

Measures of Length :—	£	s.	d.
Each measure from 20 metres to 2 metres, inclusive	0	0	8
Each measure of a metre and under	0	0	2
Measures of Capacity :—			
Each measure of 20 litres	0	0	6
Each measure of 10 litres	0	0	4
Each measure of 5 litres and 2 litres	0	0	3
Each measure of 1 litre to 0.001 litre, inclusive	0	0	2
Weights :—			
Each weight of 20 kilograms and 10 kilograms	0	0	6
Each weight from 5 kilograms to 500 grammes, inclusive	0	0	3
Each weight from 200 grammes to 1 milligram, inclusive	0	0	2
Lead to be charged extra when more than 8 oz. is required for adjusting such weight.			
Rings and loops to be charged as follows—			
Rings	4d.	to	1s. each
Loops	2d.	to	3d. each

(Made on the 20th July, 1949.)

The Control of Borrowing (Bailiwick of Guernsey) (Amendment of Exemption Provisions) Ordinance, 1949. (No. XX—1949)

THE STATES, on the representations of the States Board of Administration, under and by virtue of the provisions of section 1 of the Borrowing (Control) (Bailiwick of Guernsey) Law, 1946, hereby order:—

1. Section 8 of the Control of Borrowing (Bailiwick of Guernsey) Ordinance, 1948, shall be varied by deleting sub-section (3) therefrom.

2. The Control of Borrowing (Bailiwick of Guernsey) Ordinance, 1948, and this Ordinance may be cited together as the Control of Borrowing (Bailiwick of Guernsey) Ordinances, 1948 and 1949.

(Made on the 20th July, 1949.)

1949

(No. **XXI**—
1949)**The Registry of Deaths Ordinance, 1949.**

THE STATES, on the representations of the States Legislation Committee, hereby order:—

Repeals.

1. The Ordinances set out in the first column of the Schedule hereto are hereby repealed to the extent indicated in the second column thereof.

Opening of
Registry of
Deaths.

2. The Registry of Deaths shall be open from nine o'clock in the forenoon to four o'clock in the afternoon on every week-day other than Good Friday and, in any year when Christmas Day falls on a week-day, Christmas Day, save that—

- (1) on Thursdays the Registry shall close at half-past twelve in the afternoon;
- (2) on New Year's Day, or, when that day falls on a Sunday, the day observed as the New Year holiday, Easter Monday, the day appointed by the States for the celebration of the Liberation of this Island by the British Forces from German occupation, Whit-Monday, the first Monday in August and on Boxing Day, the Registry shall close at ten o'clock in the forenoon;
- (3) on Christmas Day, the Registry may be opened from nine o'clock to ten o'clock in the forenoon, at the discretion of the Registrar.

SCHEDULE.*Enactment.**Extent of Repeal.*

Ordonnance provisoire portant Règlement pour le Bureau du Registraire des Morts, of the 20th October, 1917.

The Whole Ordinance.

Ordonnance provisoire supplémentaire à l'Ordonnance provisoire portant Règlement pour le Bureau du Registraire des Morts, of the 16th January, 1933.

The Whole Ordinance.

*Enactment.**Extent of Repeal.*

Ordonnance de 1947 supplémentaire à l'Ordonnance contenant les Règlements pour le Greffe et à l'Ordonnance portant Règlement pour le Bureau du Registraire des Morts (No. XVII of 1947).

Article 2.

Ordonnance de 1948 supplémentaire à l'Ordonnance contenant les Règlements pour le Greffe et à l'Ordonnance portant Règlement pour le Bureau du Registraire des Morts (No. III of 1948).

Article 2.

Ordonnance provisoire de 1948 supplémentaire à l'Ordonnance provisoire portant Règlement pour le Bureau du Registraire des Morts (No. IX of 1948).

The Whole Ordinance.

(Made on the 20th July, 1949.)

**The Stamp Duty Laws (Application to Alderney) (No. XXII—
Ordinance, 1949.)** (No. XXII—
1949)

THE STATES, in pursuance of their Resolution of the 27th day of May, 1949, under and by virtue of the provisions of section 2 of the Alderney (Application of Legislation) Law, 1948, hereby order:—

The amount of Stamp Duty which, in Guernsey and Alderney, is attracted by a document evidencing a transaction having relation to real property, shall, as respects a like transaction in relation to real property situate in Alderney as regards which—

(a) no such document exists; or

(b) a document appropriately stamped is not produced to the Alderney Land Registrar, be payable in respect of that transaction before compliance with an application to the Alderney Land Registrar to effect an entry in the Alderney Land Register of the transaction or to make therein a note thereof.

(Made on the 20th July, 1949.)

1949

**(No.
XXIII—
1949)****The Alderney Rateable Values (Public Utilities)
Assessment Ordinance, 1949.**

THE STATES, pursuant to section six of The Alderney Rateable Values Assesment Ordinance, 1949, hereby order :—

Assessment
of certain
Public Utility
properties.

1. The following rules shall apply for assessing the rateable value of the real property owned or occupied in Alderney by the Alderney Electric Light and Power Company Limited, the States of Guernsey Telephone Council and the States of Guernsey Water Board—

(a) in the case of real property so owned or occupied by the Alderney Electric Light and Power Company Limited for the purposes of the production of, distribution of and obtaining payment for, electric energy, the rateable value thereof shall be collectively at the rate of £1,160 per million kilowatt-hours of electric energy estimated by the States of Guernsey Cadastre Committee (hereinafter referred to as "the Committee") to have been sold by the said Company during the period of one year ending on the date of the latest determination of the rateable value ;

(b) in the case of real property so owned or occupied by the States of Guernsey Telephone Council for the purposes of the provision of, and obtaining payment for, telephonic communication, the rateable value shall be collectively at the rate of eleven shilings and three pence for each subscriber to the telephone service in Alderney during the period of one year ending on the date of the latest determination of the rateable value ;

- (c) in the case of real property so owned or occupied by the States of Guernsey Water Board for the purposes of the collection of, storage of, purification of, distribution of, and obtaining payment for, water, the rateable value shall be collectively at the rate of £10 per million gallons of water estimated by the Committee to have been distributed to consumers by the said Board during the period of one year ending on the date of the latest determination of the rateable value.

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2. The Committee, or any person so authorised by the Committee, is hereby empowered, for the purpose of making the estimates referred to in the foregoing section, to enter the offices of the Alderney Electric Light and Power Company Limited and the States of Guernsey Water Board, during the normal business hours of the said Company and Board, as the case may be, and there to inspect the books of the said Company and the said Board and to make and to take away such extracts from the said books as it may consider necessary for the purposes hereinbefore referred to.

Powers of
Committee.

3. The rateable value of any property owned or occupied in Alderney by the Alderney Electric Light and Power Company Limited, the States of Guernsey Telephone Council or the States of Guernsey Water Board, for purposes other than those specified in section one of this Ordinance in respect of the said Company, Council or Board respectively, shall be determined in the manner laid down in section six, excluding the second proviso thereto, of the Alderney Rateable Values Assessment Ordinance, 1949.

Property not
used for pur-
poses speci-
fied in s.1.

4. This Ordinance shall come into force on the 20th day of July, 1949.

Commence-
ment.

1949

*(Made on the 20th July, 1949.)***(No.
XXIV—
1949)****The Alderney (Application of Legislation)
(Non-Contributory Pensions), Ordinance, 1949.**

THE STATES, under and by virtue of the powers in that behalf conferred upon them by the Alderney (Application of Legislation) Law, 1948, and on the representations of the States Insurance Authority, hereby order:—

Amendment
of 1948
Ordinance.

1. The words “The Non-Contributory Old Age and Blind Persons Pensions Law, 1931, Supplementary Law, 1948”, and the words “The Contributory Pensions Supplementary Law, 1948”, which occur at the end of the first column of Part I of the First Schedule to the Alderney (Application of Legislation) Ordinance, 1948, (hereinafter referred to as “the principal Ordinance”), the words “The proviso to Section 3 shall be deleted” and the words beginning with “In Article I” and ending with “substituted therefor”, which occur at the end of the second column of the said Part I, shall be deleted.

Application
of Non-Con-
tributory
Pensions
Law of 1949.

2. (1) The Non-Contributory Old Age and Blind Persons Pensions Law, 1931, Supplementary Law, 1949, shall have effect in the Island of Alderney, subject to the modification set out in subsection (2) of this Section.

(2) In the application of the said Law to the Island of Alderney the proviso to Section three of the said Law shall be deleted.

Citation.

3. This Ordinance and the principal Ordinance may be cited together as “The Alderney (Application of Legislation) Ordinances, 1948 and 1949”.

Commence-
ment.

4. This Ordinance shall be deemed to have come into force on the 17th day of May, 1949.

(Made on the 20th July, 1949.)

1949

**The Alderney (Application of Legislation)
Amendment Ordinance, 1949.**

(No. **XXV**—
1949)

THE STATES, on the representations of the States
Legislation Committee, hereby order:—

1. The Alderney (Application of Legislation) Ordinance, 1948, (hereinafter called "the Principal Ordinance") shall have effect and shall be deemed always to have had effect as though, in the part of the Schedule thereto now headed "Part VIII" and sub-headed "Taxation" those words and figures were deleted, and that part were a separate Schedule, entitled "The Second Schedule
Taxation"

Amendment
of 1948
Ordinance.

2. The Principal Ordinance and this Ordinance may be cited together as the Alderney (Application of Legislation) Ordinances, 1948 and 1949.

Citation.

(Made on the 20th July, 1949.)

The Public Health Amendment Ordinance, 1949.

(No.
XXVI—
1949)

THE STATES, on the representations of the States
Board of Health, hereby order:—

1. The Ordinances set out in the Schedule hereto are hereby repealed.

Repeals.

2. Article VI of the Public Health Ordinance, 1936, shall have effect as though—

Amendment
of Art. 6 of
1936
Ordinance.

(1) there were added to the list of diseases therein contained the following diseases—

 Anthrax in human beings.

 Epidemic Encephalitis.

 Yellow Fever. and

(2) the asterisk appearing therein beside the word "Scabies" were deleted.

1949
Amendment
of Schedule
II.

3. Schedule II of the Public Health Ordinance, 1936, shall have effect as though the word and figures "8 avril 1850" appeared therein in lieu of the word and figures "9 février 1850" repealed by the Ordinance provisoire supplémentaire à l'Ordonnance provisoire relative à la Santé Publique, 1936, of the 4th day of April, 1936.

Citation.

4. The Public Health Ordinance, 1936, and this Ordinance may be cited together as the Public Health Ordinances, 1936 and 1949.

SCHEDULE.

Ordonnance provisoire supplémentaire à l'Ordonnance provisoire relative à la Santé Publique, 1936, of the 4th day of April, 1936.

Public Health Ordinance, 1936, Amendment Ordinance, 1940.

Public Health Ordinance, 1936, Amendment Ordinance, No. 2, 1940.

Ordonnance provisoire (Amendement No. 4) supplémentaire à l'Ordonnance provisoire relative à la Santé Publique, 1936, of the 31st day of January, 1942.

(Made on the 20th July, 1949.)

The Fowl Pest Amendment Ordinance, 1949.

(No.
XXVII—
1949)

THE STATES, in pursuance of their Resolution of the 13th day of April, 1949, hereby order—

1. The Fowl Pest Ordinance, 1949, shall be amended as follows—

(1) After section 9 thereof, there shall be inserted the following new sections—

"10. (1) Where the Board directs the slaughter and disposal of any poultry or the disposal of any poultry carcase, such

Cost of
Slaughter,
etc. and
compensa-
tion.

slaughter or disposal shall be carried out at the expense of the States.

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(2) The cost of any disinfection carried out under and in accordance with the provisions of this Ordinance shall be borne by the States, save that where such cost has been increased by any wilful act or neglect on the part of the owner of the poultry concerned, or of his servants or agents, the Board may recover, as a civil debt, from such owner the amount of such increase.

11. (1) Subject to his having complied with the provisions of this Ordinance, compensation shall be paid by the States to the owner of any poultry slaughtered under and in accordance with such provisions.

(2) The compensation payable shall represent the market value of the poultry so slaughtered, and no deduction shall be made from such value on the grounds that the poultry slaughtered were, or were suspected of being, affected with fowl pest:

PROVIDED ALWAYS that in no case shall a greater sum than one pound and five shillings be payable as compensation for any one bird.

(3) (a) If, where poultry are ordered by the Board to be slaughtered, the Board and the owner of the poultry do not agree as to the value of such poultry, such value shall be assessed, before slaughter, by two valuers, of whom one shall be appointed by the Board, and the other by the owner of the poultry.

(b) If such owner shall fail to inform the Board in writing within such

1949

period as the Board shall specify to him of the name and address of the valuer appointed by him, a valuer shall be appointed by the States Committee for Agriculture and Fisheries, who shall then for the purposes of this Ordinance be deemed to be the valuer appointed by the owner.

(c) If the valuers so appointed disagree, they shall nominate an umpire, who shall assess the value of the poultry. The decision of the valuers or of the umpire, as the case may be, shall be final.

(d) If the valuers disagree as to the nomination of an umpire, such umpire may be nominated by the Royal Court, sitting as an Ordinary Court, on the application of either of the valuers.

(4) Payment of compensation as aforesaid shall be full satisfaction of the value of the poultry so slaughtered and of all expenses incurred by the owner of the poultry in carrying out his duties under this Ordinance, including the costs, if any, of and incidental to a valuation."

(5)*

Re-
numbering
ss. 10 and 11.

(2) The sections of the Fowl Pest Ordinance, 1949, now numbered 10 and 11 shall respectively be re-numbered 12 and 13.

Commence-
ment.

2. The sections hereby inserted in the Fowl Pest Ordinance, 1949, shall be deemed to have come into force on the 14th day of April, 1949.

Citation.

3. This Ordinance and the Fowl Pest Ordinance, 1949, may be cited together as the Fowl Pest Ordinances, 1949.

* Sub-section (5) added by the Fowl Pest Amendment Ordinance, 1950.

(Made on the 20th July, 1949.)

1949

**The Ordonnance relative à l'Exécution de
Permissions de Vendre et de Louer, 1940,
(Lapse and Validation) Ordinance, 1949.**

(No. XXX—
1949)

WHEREAS it has hitherto been thought that the Ordonnance relative à l'Exécution de Permissions de Vendre et de Louer, of the 31st day of July, 1940, (hereinafter called "the 1940 Ordinance") was passed by the Royal Court on the said date as a Permanent Ordinance:

WHEREAS it now appears that the 1940 Ordinance was passed as a Provisional Ordinance, and that it lapsed accordingly on the 1st day of August, 1941:

WHEREAS applications have accordingly been made to the Royal Court and to the Magistrate, inquiries have been made by His Majesty's Sheriff and other acts done in purported compliance with the provisions of the 1940 Ordinance after the said 1st day of August, 1941:

THE STATES, on the representations of the States Legislation Committee, hereby order:—

1. That it be, and it hereby is, declared that the 1940 Ordinance lapsed by effluxion of time on the said 1st day of August, 1941.

2. That notwithstanding such lapse, every application, inquiry or other act purported to be made or done between the said 1st day of August, 1941, and the date of the commencement of this Ordinance be, and be deemed always to have been, as valid and effectual as though the 1940 Ordinance had continued in force until the commencement of this Ordinance.

(Made on the 20th July, 1949.)

The Bar Ordinance, 1949.

(No.
XXXI—
1949)

THE STATES, on the representations of the States Legislation Committee, hereby order:—

1. The following Ordinances are hereby repealed— Repeals.

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- (1) Ordonnance provisoire relative au Barreau of the 29th day of October, 1938;
- (2) Ordonnance provisoire modifiant l'Ordonnance provisoire relative au Barreau (1946);
- (3) Ordonnance provisoire modifiant l'Ordonnance provisoire relative au Barreau (1948).

Number of
 Advocates
 not limited.

2. There shall be no limit on the number of Advocates entitled to practise before the Royal Court.

Qualifica-
 tions for ad-
 mission as
 Advocate.

3. Every subject of His Majesty who, being a native of the Bailiwick of the Island of Guernsey, or having resided in that Bailiwick during at least five years after having attained the age of ten years may be admitted as an Advocate of the Royal Court if he—

(1) produces

(a) either

(i) a certificate stating that he has been admitted "Utter Barrister" of one of the Inns of Court in England, and a diploma stating that he is "Bachelier" of one of the Faculties of Law of France; or

(ii) the above certificate of one of the Inns of Court of England and a "Certificat d'Etudes Juridiques Françaises et Normandes" from Cæn University; or

(b) either

(i) a certificate of the Law Society of England stating that he has passed the final examination of that Society and a diploma stating that he is "Bachelier" of one of the Faculties of Law of France; or

(ii) such certificate of the Law Society of England and a "Certificat d'Etudes Juridiques Françaises et Normandes" from Cæn University; and

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- (2) passes an examination conducted according to a syllabus approved by the Royal Court by a Committee consisting of the Bailiff, or, if the Bailiff is prevented from acting, an examiner specially appointed by the Royal Court, one of the Law Officers of the Crown, and an Advocate nominated for this purpose by the Royal Court, (which Committee is hereafter called "the Committee") on

- (a) the Laws of Guernsey;
- (b) the practice and procedure of the Royal Court; and
- (c) the drawing up of contracts and other documents.

4. The Committee may in the case of a candidate who has not successfully passed the examination conducted by the Committee require either that such candidate shall take again either the whole examination or such part or parts thereof as the Committee shall direct and in either case may fix a period before the expiration of which the candidate shall not be re-examined.

Candidate not successfully passing examination.

5. A candidate shall pay in advance to the Committee in respect of an examination a fee of five pounds and five shillings save that where the Committee require a candidate to be re-examined, the fee payable for such re-examination shall be one pound and fifteen shillings for each part of such re-examination.

Examination fee.

6. Every application for admission to the Bar must be made by the candidate to the Law Officers of the Crown and submitted by them to the Royal Court, and at the admission of a candidate he shall take the oath of office of Advocate of the Royal Court.

Application for admission and oath of office.

7. Notwithstanding the provisions of the preceding sections hereof, every person nominated by His Majesty to be His Majesty's Procureur or His

Crown Officers.

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Majesty's Comptroller if he has not already been admitted as an Advocate of the Royal Court shall have the right on presenting the Royal Mandate nominating him to his office to take the oath of an Advocate of the Royal Court, and subject to the rules existing in respect of his office, to practise as such so long as he shall be a Law Officer of the Crown.

(Made on the 19th September, 1949.)

(No.
XXXII—
1949)

**The " Jours Fériés " (Emergency) Ordinance,
1949.**

THE STATES Legislation Committee, under and by virtue of the powers conferred on them by paragraph (3) of Article 66 of the Reform (Guernsey) Law, 1948, hereby order as follows:—

The Ordinance entitled " Ordonnance relative aux Jours Fériés " made permanent on the 18th day of January, 1909, as subsequently amended, shall have effect, save as respects the Guernsey Trustee Savings Bank and the Post Office Savings Bank, as if the words and figures—

" Lundi 19 septembre, 1949,"

were inserted immediately before the words—

" Le premier jour ouvrier après le jour de Noël " in the first paragraph of the operative part of that Ordinance.

(Made on the 21st September, 1949.)

(No.
XXXIV—
1949)

**The Royal Court Seating Accommodation
(His Majesty's Sheriff and Receiver General)
Repeal Ordinance, 1949.**

THE STATES, on the representations of the States Advisory Council, hereby order:—

The Ordinance, the marginal note to which is " Places du Prévôt et du Receveur Général dans la Salle d'Audience ", which was made permanent on the 20th day of July, 1822, is hereby repealed.

(Made on the 21st September, 1949.)

1949

The Dangerous Drugs Ordinance, 1949.

 (No.
 XXXV—
 1949)

THE STATES, on the representations of the States Board of Health, under and by virtue of the provisions of Article XI of the Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et d'autres Drogues Dangereuses dans les Iles du Bailliage, registered on the Records of this Island on the 7th day of March, 1931, as amended by the Supplementary Law of the same title registered on the Records of this Island on the 27th day of February, 1932, (both of which Laws are hereinafter jointly referred to as "the Law"), hereby order:—

1. There are hereby repealed—

Repeals.

- (1) Ordonnance provisoire (1932) étendant l'Application de la Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et d'autres Drogues Dangereuses dans les Iles du Bailliage.
- (2) Ordonnance provisoire (1932) substituant une nouvelle Cédule à la Cédule II (Schedule II) à la Cédule D annexée à la Loi ayant rapport à l'Importation, l'Exportation, la Manufacture, la Vente et l'Emploi d'Opium et d'autres Drogues Dangereuses dans les Iles du Bailliage.

2. There is hereby substituted for Schedule A of the Law the following Schedule:—

New Schedule A of Law.

“ Cédule A.

- (1) Medicinal opium.
- (2) Morphine, diacetylmorphine (commonly known as diamorphine or heroin), any other ester of morphine, and their respective salts.
- (3) Di-hydro-morphinone and its salts.
- (4) Cocaine (including synthetic cocaine), ecgonine and their respective salts.

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- (5) Dihydro-oxycodine, dihydrocodeine, and their respective salts.
- (6) Pethedine and its salts.
- (7) Amidone and its salts.
- (8) Dihydrodesoxymorphine (commonly known as desomorphine) and its salts.
- (9) Methyldihydromorphinone (commonly known as metapon) and its salts.
- (10) Acetyldihydrocodeinone and its salts.
- (11) Any extract or tincture of Indian Hemp and any preparation made from such extract or tincture, not being a preparation capable of external use only.
- (12) Any preparation, admixture, extract or other substance containing any proportion of diacetylmorphine or of any other ester of morphine, di-hydro-morphinone, dihydro-oxycodine, dihydrocodeinone, pethedine, amidone, dihydro-methyl dihydromorphinone or acetyldihydrocodeinone desoxymorphine, or their respective salts, or containing not less than one-fifth per centum of morphine or one-tenth per centum of cocaine or ecgonine.

For the purposes of this Schedule the percentage in the case of morphine shall be calculated as in respect of anhydrous morphine."

Amendment
of Schedule I
of Schedule
D.

3. In Schedule I of Schedule D of the Law, the words " Pethedine etc., Amidone etc., Methyldihydromorphinone etc., Dihydrodesoxymorphine etc., Acetyldihydrocodeinone etc., any preparation, not being a preparation capable of external use only, made from extract or tincture of Indian Hemp " shall be inserted therein after the words " Dihydrocodeinone etc." wherever the latter words appear.

4. The following Schedule shall be inserted in Schedule D of the Law, as the Second Schedule of the said Schedule D:—

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 New Schedule II of
 Schedule D.

“ *Schedule II.*

- Cereoli Iodoformi et Morphinæ, B.P.C.
 Emp. Opii, B.P. 1898.
 Lin. Opii, B.P. 1914.
 Lin. Opii Ammon, B.P.C.
 Pasta Arsenicalis, B.P.C.
 Pil. Hydrarg. c. Opio, B.P.C.
 Pil. Ipecac c. Scilla, B.P. 1914.
 Pil. Plumbi c. Opio, B.P. 1914.
 Pil. Digitalis et Opii Co., B.P.C.
 Pil. Hydrarg. c. Cret. et Opii, B.P.C.
 Pulv. Cretæ Aromat. c. Opio, B.P. 1932.
 Pulv. Ipecac Co. B.P. 1914.
 Pulv. Ipecac et Opii, B.P. 1932.
 Pulv. Kino Co., B.P. 1914.
 Suppos. Plumbi Co., B.P. 1914.
 Suppos. Plumbi c. Opio B.P. 1932.
 Tablettæ Plumbi c. Opio B.P.C.
 Ung. Gallæ c. Opio B.P. 1914.
 Ung. Gallæ Co. B.P.C.
 Elixir Diamorphinæ et Terpini c. Apomorphina, B.P.C.
 Linctus Diamorphinæ Camphoratus B.P.C.
 Linctus Diamorphinæ c. Ipecacuanha B.P.C.
 Linctus Diamorphinæ et Scillæ B.P.C.
 Linctus Diamorphinæ et Thymi B.P.C.
 Mixtures of Emp. Opii B.P. 1898 with other plasters of the British Pharmacopœia 1914 and 1932, and of the British Pharmaceutical Codex.
 Mixtures of Lin, Opii B.P. 1914 with other liniments of the British Pharmacopœia 1914 and 1932, and of the British Pharmaceutical Codex.
 Mixtures of Lin, Opii Ammon. B.P.C. with other liniments of the British Pharmacopœia

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1914 and 1932, and of the British Pharmaceutical Codex.

Mixtures of Pulv. Ipecac Co. B.P. 1914 and of Pulv. Ipecac et Opii B.P. 1932, with any of the following:—

Hydrarg. c. Cret B.P. 1914 and 1932.

Acetylsalicylic Acid.

Phenacetin.

Quinine and its Salts.

Sodium Bi-carbonate.

Mixtures of Ung. Gallæ c. Opii B.P. 1914 and of Ung. Gallæ Co., B.P.C. with other ointments and plasters of the British Pharmacopœia 1914 and 1932, and of the British Pharmaceutical Codex.”

Commence-
ment.

5. This Ordinance shall come into force on the first day of October, 1949.

(Made on the 21st September 1949.)

(No.
XXXVI—
1949)

“The Alderney (Application of Legislation) (Contributory Pensions) Ordinance, 1949”.

THE STATES, under and by virtue of the powers in that behalf conferred upon them by the Alderney (Application of Legislation) Law, 1948, and on the representations of the States Insurance Authority hereby order:—

1. The Contributory Pensions Supplementary Law, 1949, shall have effect in the Island of Alderney.
2. This Ordinance shall be deemed to have come into force on the 23rd day of July, 1949.

(Made on the 3rd October, 1949.)

(No.
XXXVIII—
1949)

The Produce (other than Tomatoes) Inspection Ordinance, 1934-46, Amendment Ordinance, 1949.

The States Legislation Committee, under and by virtue of the powers conferred upon them by para-

graph (3) of Article 66 of the Reform (Guernsey) Law, 1948, and upon the representations of the States Committee for Horticulture, hereby order:—

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1. The Produce (other than Tomatoes) Inspection Ordinance, 1934-46 shall be amended by striking out in section 1.A. of Article III thereof the words “ save in containers containing eight pounds weight, neither more nor less, of grapes ” and substituting therefor the words “ save in containers containing eight pounds weight, neither more nor less, or in containers containing nine pounds weight, neither more nor less, of grapes, each such container being clearly marked on the outside thereof with the words and figures ‘ 8 lbs.’ or ‘ 9 lbs.’ as the case may be ”.

Grapes

2. The Produce (other than Tomatoes) Inspection Ordinance, 1934-46 as amended by this Ordinance may be cited as “ The Produce (other than Tomatoes) Inspection Ordinance, 1934-49 ”.

Citation.

3. This Ordinance shall come into force on the fourth day of October, 1949.

Commence-
ment.

(Made on the 2nd December, 1949.)

The “ Jours Fériés ” (No. 2) Ordinance, 1949.

(No.
XLVIII—
1949)

THE STATES, on the representations of the States Advisory Council, hereby order:—

1. The Ordinance entitled “ Ordonnance relative aux Jours Fériés ” made permanent on the 18th day of January, 1909, as subsequently amended, shall have effect as if, as respects 1950, the words and figures:—

Boxing Day,
1949, and
New Year's
Day, 1950.

“ Lundi le 2 janvier, 1950,”

were substituted for the words “ Le jour de l’an ” and as if, as respects 1949, the words and figures:—

“ Mardi le 27 décembre, 1949,”

were inserted immediately after the words:—

- 1949 "Le premier jour ouvrier après le jour de Noel," in the first paragraph of the operative part of that Ordinance.
- Greffé 2. For the purposes of the "Ordonnance contenant les Règlements pour le Greffe" of the 25th day of October, 1930, as subsequently amended, Tuesday the 27th day of December, 1949, shall be a "jour de relâche".
- Registry of Deaths 3. The Registry of Deaths Ordinance, 1949, shall have effect as respects 1949 as though, in paragraph (2) of section 2 thereof there were inserted, after the words "Boxing Day", the words and figures "and on Tuesday, the 27th day of December, 1949,".

(Made on the 16th December, 1949.)

(No.
XLIX—
1949)

The Passenger Transport Ordinance, 1949.

THE STATES, under and by virtue of the powers conferred on them by the Passenger Transport Licensing Authority (Guernsey) Law, 1949, hereby order as follows:—

- Repeals. 1. The enactments set out in the first column of the Schedule to this Ordinance are hereby repealed to the extent indicated in the second column of that Schedule.
- Definitions. 2.—(1) In this Ordinance:
- (a) the expression "public vehicle" shall have the same meaning as that expression has in the Passenger Transport Licensing Authority (Guernsey) Law, 1949;
 - (b) the expression "the Authority" means the Passenger Transport Licensing Authority set up under the provisions of the Passenger Transport Licensing Authority (Guernsey) Law, 1949; and
 - (c) references to "owner" shall be deemed to be references to the person in whose

name a public vehicle is registered and the expression "ownership" shall be construed accordingly.

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(2) Subject to the provisions of section 5 of the said Law of 1949, no vehicle shall be used or caused to be used as a public vehicle save in accordance with the conditions of a licence issued by the Authority.

Use of public vehicles.

(3) Subject to the provisions of the said section 5, a public omnibus service or excursion car service shall not be operated save in accordance with the conditions of a road service licence issued by the Authority.

Operation of omnibus service, etc.

(4) The Authority is authorised to issue licences for public vehicles and road service licences and to regulate at its discretion and, whenever it shall deem necessary, to insert in such licences, the conditions respectively governing the same. Such conditions shall, *inter alia*, prescribe:—

Licences.

(a) in the case of a licence for a public vehicle, the number of inside passengers and of outside passengers authorised to be carried in or on such vehicle; and

(b) in the case of a road service licence,

(i) the itinerary of the service;

(ii) the time table of the hours of departure from any terminal or intermediate points;

(iii) the minimum service which shall be performed as a condition of the grant or continuation of the licence; and

(iv) the maximum tariff of fares.

(5) The Authority may refuse to grant a licence for a public vehicle if in their opinion the requirements of the public are sufficiently met by the number of vehicles already licenced; and may:

Refusal to grant public vehicle licence, etc.

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- (a) from time to time vary the conditions of such a licence; and
- (b) revoke or suspend a licence in respect of a vehicle which in their opinion is badly equipped or unsuitable for the carriage of passengers, or has been used otherwise than in accordance with any of the conditions of the licence, or if, having regard to the conduct of the licensee, it appears to the Authority that he is not a fit person to hold such a licence.

Refusal to grant road service licence, etc.

(6) The Authority may refuse to grant a road service licence and shall refuse an application therefor if, in their opinion, the route applied for is already adequately served or is unsuitable for a public service; and the Authority may:

- (a) from time to time vary the conditions of such a licence, and
- (b) revoke, or, from time to time, suspend the licence on the ground that any of the conditions of the licence has not been complied with.

Application for licence.

(7) An application for a licence under sub-section (2) or sub-section (3) of this section shall be made in writing to the Authority and shall contain such particulars as the Authority shall require. An applicant for a licence who knowingly or negligently makes any false statement in relation to an application made under this sub-section shall be guilty of an offence.

Information to be displayed in vehicles.

(8) There shall be carried in such manner and position as the Authority shall direct, for the information of passengers:—

- (a) in the case of an omnibus, a notice stating the maximum number of standing and of seated passengers permitted

to be carried at any one time, copies of the time-table and the fare table;

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- (b) in the case of an excursion car, a notice stating the maximum number of passengers permitted to be carried;
- (c) in the case of any other vehicle plying for public hire, a notice stating the maximum number of passengers permitted to be carried at any one time and the fare table.

(9) If any person uses a vehicle or causes or permits it to be used in contravention of any of the provisions of this section, or wilfully or negligently fails to comply with any of the conditions attached to a licence granted to him under this section, he shall be guilty of an offence. Offences.

(10) (a) The person to whom a licence for a public vehicle is granted shall pay to the States on the grant thereof and on every renewal thereof an amount representing two shillings per head in respect of the number of passengers which under such licence the vehicle is authorised to carry: Licence fee.

PROVIDED that in any case such amount shall not be less than ten shillings.

(b) Whenever a change shall occur in the ownership of a public vehicle, other than an omnibus, excursion car or a private hire vehicle, the licence previously granted in respect thereof shall cease to be valid, and it shall be at the discretion of the Authority to transfer or to refuse to transfer the licence to the new owner of that vehicle. The fee payable in respect of such transfer under this paragraph of this subsection shall be two shillings and sixpence.

(11) (a) Any member of the Island Police Force or any examiner authorised by the Authority shall at any time be entitled to enter and inspect any public vehicle, and for that purpose may require any public Examination of vehicles.

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 vehicle to be stopped, and if any person obstructs any such member or examiner in the performance of his duty, or when so required fails to stop the vehicle, he shall be guilty of an offence.

Plates.

(b) The owner of a public vehicle shall cause to be affixed to that vehicle the plate supplied by the Authority and shall cause the same to remain, throughout the currency of the licence, affixed to that vehicle in such manner and at such place as the Authority shall direct. Upon delivery of such plate the owner shall deposit with the Authority the sum of ten shillings and that deposit shall not be refunded except upon the return in good condition of the plate.

Damage, etc.
 to be
 reported.

(c) It shall be the duty of the holder of a public vehicle licence on the happening to the vehicle in respect of which the licence was granted of any failure or damage of a nature calculated to affect the safety of the passengers or of persons using the road, as soon as may be to report the matter to the Authority:

PROVIDED that this paragraph shall not apply in the case of a happening rectifiable by minor repairs or adjustments.

(d) It shall be the duty of the holder of a public vehicle licence on any alteration otherwise than by way of replacement of parts being made in the structure or fixed equipment of the vehicle forthwith to give notice of the alteration to the Authority.

Expiry of
 licences.

(12) Every licence shall expire on the 31st day of December of each year.

Emergency
 door.

3.—(1) Every covered public omnibus or excursion car, the entrance of which is not at the rear, shall be provided to the satisfaction of the Authority with an emergency door opening outwards. This door may be used merely as an additional exit, but shall

be easily accessible to the passengers, not obstructed, and so fastened as to be readily opened in case of need both from the inside and the outside. The manner of opening this door shall be legibly indicated in a prominent place nearby on both the inside and the outside.

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(2) A grab handle shall be fitted near each door (other than the emergency door) of a public omnibus or excursion car to assist passengers in mounting or alighting from the vehicle.

Grab handle.

(3) No doorway of a public omnibus or excursion car shall be less than 18 inches in width and if the door does not open to the full extent of the doorway it must open to the extent of at least 18 inches. The door must remain closed when the vehicle is in motion.

Doors.

4.—(1) An effective fire extinguisher of a pattern approved by the Authority shall be carried in a prominent place on every public vehicle.

Fire extinguisher.

(2) Every public vehicle shall be equipped with a separate lamp of a pattern approved by the Authority, fitted with a red transparency and fixed at the rear of the vehicle in a position approved by the Authority and so controlled mechanically as automatically to show a red light providing at all times by day and night, when the vehicle is reducing speed by reason of the application of a brake, a clear indication to the driver or rider of a following vehicle of such reduction of speed. This lamp shall be additional to and distinct from any other red rear lamp required to be carried by any other enactment.

Red rear lamp.

(3) No person shall use or occupy a seat on the right of a driver of a public vehicle fitted with a right hand drive, or on the left of the driver of a public vehicle fitted with a left hand drive when such vehicle is in motion.

Seats near driver.

(4) A public vehicle licence shall not be granted in respect of a public vehicle fitted with a

Left hand drive.

- 1949 left hand drive except by way of renewal of a public vehicle licence previously granted.
- Smoking.** (5) The driver in charge of a public vehicle shall not smoke in or on such vehicle during a journey when it has passengers on board.
- Animals.** (6) A person shall not bring any animal in or on any public vehicle without the consent of the driver or retain any animal in or on the vehicle after being requested by the driver to remove it, or place any animal elsewhere in or on the vehicle than as directed by the driver.
- Use for private service.** (7) During such time as an omnibus or excursion car is being used for private service a board or attachment with the word "Private" painted or printed clearly and legibly thereon and easily seen from a reasonable distance in front of the vehicle shall be attached to some conspicuous part of the front of the vehicle. For the purpose of computing the number of passengers carried in such vehicle when used for private service, it shall be lawful to count every three children under the age of 14 years carried in such vehicle as the equivalent of two passengers.
- Number of passengers.** 5. The authorised number of persons, sitting or standing, which each public vehicle is licenced to carry shall not be exceeded, and passengers for whom no seats are provided shall stand at the rear of the driver's seat, and proceedings for a breach of this section may be instituted against the owner, driver, conductor or any of them, or against passengers who refuse to leave after being requested by the driver or conductor.
- Petrol.** 6. Petrol shall not be poured into or removed from the petrol tank of a public vehicle while there is a passenger inside such vehicle.
- Stopping places.** 7. An omnibus shall not stop to set down or take up a passenger except at such places as may from

time to time be authorised by the Authority. Seven days' notice shall be given by the Authority in the Official Gazette of any change in such places.

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8.—(1) It shall be an offence for any person when in or on a public vehicle to spit in or on that vehicle and any person guilty of such offence shall be liable upon conviction to a fine not exceeding two pounds. **Spitting.**

(2) It shall be the duty of the owner of every omnibus or excursion car at all times to display prominently in letters and figures of not less than one and a half inches in height in that part of the vehicle set apart for the conveyance of passengers the following notice:—

SPITTING PROHIBITED

Penalty £2

(3) If at any time when an omnibus or excursion car is in use the notice aforesaid is not so displayed, the owner of the vehicle shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ten shillings.

9.—(1) The decisions of the Authority shall be by a majority of the members, and shall not be subject to review otherwise than under the provisions of this section. **Decisions of Authority.**

(2) (a) In any case in which the Authority has ordered the revocation or the suspension for a period exceeding thirty days of a licence, the holder thereof may within thirty days next following the date of such revocation or suspension, or within such longer period as the Royal Court may in any case specify, appeal to the Royal Court against the decision of the Authority. **Appeals.**

(b) In any other case, appeal shall lie to the Royal Court from the decision of the Authority

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on one or more of the following grounds only, that is to say—

- (i) that the Authority has been mistaken on a point of law or of mixed law and fact;
- (ii) that the Authority has acted in a manner contrary to natural justice or has taken into consideration a matter not relevant, or has failed to consider a matter which is relevant, to the subject matter of their decision.

(c) In the case of an appeal to the Royal Court under this subsection, the Royal Court may in its discretion confirm, vary or quash an order or decision of the Authority, or give such directions to the Authority in regard thereto, as the Royal Court thinks proper.

(3) Out of term an appeal shall lie to the Royal Court, sitting as an Ordinary Court, which Court shall, in such case, have the same jurisdiction as the Royal Court has in respect of appeals made during term.

Penalty. 10. A person contravening or causing or knowingly permitting to be contravened any of the provisions of this Ordinance, or any condition imposed hereunder by the Authority, shall be guilty of an offence and, save in a case for which a special penalty is in this Ordinance provided, shall be liable on conviction to a fine not exceeding fifty pounds.

Commencement. 11. This Ordinance shall come into force on the 19th day of December, 1949.

SCHEDULE.

Section 1.

*Enactment.**Extent of Repeal.*

Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile, of the 21st day of January, 1929, (as amended by Ordinance No. XXIV of 1945). XXIV of 1945).	Articles B, C, E, H, M, N and O.
Ordonnance relative au Trafic Véhiculaire en cette Ile, of the 2nd day of March, 1929, (as amended by Ordinances No. XXXII of 1931, No. XV of 1934, No. XLVII of 1946 and No. VII of 1947).	Paragraphs 1 to 13 inclusive and paragraph 15 of Article IX. Paragraphs (v) and (vi) of sub-section (c) of section 1 of Article X.
Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Ile, of the 21st day of November, 1931.	The whole Ordinance.
Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Ile, of the 30th day of October, 1937.	The whole Ordinance.

(Made on the 19th December, 1949.)

The Dutiable Goods (Returns) Ordinance, 1949. (No.L-1949)

The States Legislation Committee, under and by virtue of the powers conferred on them by paragraph (3) of Article 66 of the Reform (Guernsey) Law, 1948, and, in pursuance of the States Resolution of the 14th day of December, 1949, hereby order:—

1. Every trader in this Island or in the Island of Alderney or in the Island of Herm who on the 1st day of January, 1950, holds a stock of any of the following commodities:—

- (1) Spirits and Cordials;
- (2) Still Wines;
- (3) Tobacco, other than in the form of cigarettes, and whether leaf unstripped, leaf stripped or manufactured tobacco;

Return of
stocks of
dutiable
goods.

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- (4) Cigarettes and cigars;
- (5) Imported beer;
- (6) Locally brewed beer.

shall furnish to the States Supervisor before the 5th day of January, 1950, a statement in writing, in such form as the States Supervisor shall prescribe, showing in detail the quantities and kinds of those commodities so held by him.

Entry on premises.

2. The States Supervisor and any person thereunto authorised by him in writing may, at any time between the hours of eight o'clock in the forenoon and six o'clock in the afternoon of any day from the 1st day of January, 1950, to the 14th day of January, 1950, both dates inclusive, enter any part of the premises of any trader known or believed to hold, or to have held on the said 1st day of January, a stock of any of the commodities specified in the last preceding section, for the purpose of ascertaining the quantity and kind of each such commodity so held in stock.

Offences.

3. (1) A person who fails or neglects to furnish to the States Supervisor any statement required by section 1 of this Ordinance to be made by him shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds, and, in addition to such fine, to a penalty not exceeding ten pounds for each day or part of a day during which such failure or neglect continues.

(2) A person who, in any statement furnished by him under this Ordinance knowingly or recklessly makes a false statement shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds.

(3) A person who knowingly impedes the States Supervisor or a person authorised by him under section 2 of this Ordinance in the execution of his duty under this Ordinance shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds.

(4) Where an offence under this Ordinance committed by a body corporate is committed with the consent or approval of, or the commission thereof is facilitated by any negligence on the part of a director, manager, secretary or other official of that body, he, as well as the body corporate, shall be deemed to be guilty of the offence, and shall be liable to be proceeded against and punished accordingly.

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4. For the purposes of this Ordinance, the expression "trader" means any person trading in any of the commodities set out in section 1 of the Ordinance and includes any brewer or manufacturer of such commodities.

Definition of
"trader".

(Made on the 11th January, 1950.)

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**The Traffic Temporary Regulations Ordinance,
1950.**

(No. I—
1950)

THE STATES, on the representations of the Island Police Committee, hereby order as follows:—

1. Notwithstanding the provisions of paragraph (2) of Article ten of the Ordinance entitled "Ordonnance relative au Trafic Véhiculaire en cette Ile" (No. X of 1929) (hereinafter referred to as "the principal Ordinance"), any regulation made by the Island Police Committee (hereinafter referred to as "the Committee")—

Making of
temporary
regulations.

- (i) as to the proper regulation of traffic in a particular locality;
- (ii) as to the maximum speed of or route to be followed by any or every class of vehicle in a particular locality;
- (iii) as to the class of vehicles permitted to use a parking place;
- (iv) as to the maximum period during which a vehicle is permitted to remain in a parking place;