

ORDINANCE OF THE CHIEF PLEAS OF SARK

ENTITLED

The Noxious Weeds and Invasive Plants (Sark) Ordinance, 2001 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from the Greffier, La Chasse Murette, Sark, GY10 1SF.

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* Sark Ordinance No. 126; as amended by the: Noxious Weeds and Invasive Plants (Sark) (Amendment) Ordinance, 2023 (Sark Ordinance No. VIII of 2023).

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ARRANGEMENT OF SECTIONS

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FIRST SCHEDULE Functions of the Sark General Purposes and Finance Committee transferred to the Sark General Purposes and Advisory Committee.

SECOND SCHEDULE Functions of the Sark General Purposes And Finance Committee transferred to the Sark Finance and Commerce Committee.

(Approved by Chief Pleas on 18th April, 2001.)

The Noxious Weeds and Invasive Plants (Sark) Ordinance, 2001

THE CHIEF PLEAS OF SARK in pursuance of the Resolution of the 18th day of April, 2001 hereby orders: –

Existence of weeds not permitted.

1. An occupier of accessible land shall not permit the existence thereon of a noxious weed which is in flower or in seed or any invasive plant.

Powers of Committee, etc.

2. (1) A person authorised in that behalf by the Committee may enter upon any land on which there is in flower or in seed any noxious weed or invasive plant and may take such action thereon as he may deem necessary to prevent the spread of seed or invasive plant therefrom.

(2) Any expense incurred by or on behalf of the Committee under the last preceding subsection may be recovered by the Committee as a civil debt from the occupier of the land in relation to which the expense was incurred.

(3) Any person authorised in that behalf by the Committee may enter upon and inspect any land (other than a building) for the purpose of ascertaining whether there are noxious weeds in flower or in seed or growth of invasive plant thereon.

(4) Any person entering on land under the provisions of this section shall, if so required, produce to the occupier thereof or to any person authorised by the occupier to require such production, a written authorisation under this section, signed by the President of the Committee.

(5) The Committee shall give not less than twenty-four hours notice of any intended entry on land under this section. Such notice shall be in writing and delivered to the occupier of the land or, if after reasonable inquiry he cannot be found, shall be left on the land.

Growing or importing.

3. Any person who grows in Sark or imports into the Island any noxious weed or its seed or any invasive plant shall be guilty of an offence.

Offences and penalties.

4. Any person contravening a provision of this Ordinance or who obstructs or attempts to obstruct any person duly authorised under section 2 of this Ordinance in the execution of his duties shall be guilty of an offence and liable on conviction for a first offence to a fine not exceeding level 3 on the Sark Uniform Scale and for a second or subsequent offence to a fine not exceeding level 4 on the Sark Uniform Scale.

Interpretation.

5. In this Ordinance:-

"the Committee" means the Sark Agricultural Committee,

"invasive plant" means any of the plants set out in the Second Schedule to this Ordinance;

"noxious weed" means any of the weeds set out in the First Schedule to this Ordinance.

Repeals.

6. L'Ordonnance relative aux Mauvaises Herbes of 6th October 1920, as

amended, is repealed.

Citation.

7. This Ordinance may be cited as The Noxious Weeds and Invasive Plants (Sark) Ordinance, 2001.

NOTE

The Ordinance was made and came into operation on 18th April, 2001.

FIRST SCHEDULE

Section 5

Common Ragwort (patois - mèque).

Cow parsnip (patois - quesse).

Docks of all kinds.

[Hemlock water dropwort (patios - pain-faie)]

Thistles:

 Spear Thistle (patois - chardon béni).

 Creeping or Field Thistle (Patois - mauvais létron).

 Marsh Thistle (patois - mauvais chardon).

Charlock

NOTE

In the First Schedule, the words in square brackets were inserted by Noxious Weeds and Invasive Plants (Sark) (Amendment) Ordinance, 2023, section 1, with effect from 1st August, 2023.

SECOND SCHEDULE

Section 5

Japanese Knotweed