

ORDER IN COUNCIL

Ratifying a Projet de Loi entitled

"The Milk Distribution (Guernsey) Law, 1950."

(Registered on the Records of the Island of Guernsey
on the 22nd day of April, 1950.)



1950.

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1950

ORDER IN COUNCIL.



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 22nd day of April, 1950, before Quertier Le Pelley Esquire, Lieutenant Bailiff; present: Osmond Priaulx Gallienne, Esquire, Ernest de Garis, Esquire, O.B.E., Sir John Leale, James Frederick Carey, Arthur Falla, Walter John Sarre, Esquires, Richard Henry Johns, Esquire, O.B.E., William Robert Freake Clark, Walter John Gavey and Ernest Francis Lainé, Esquires, Jurats.

The Lieutenant Bailiff having this day placed before the Court an Order of His Majesty in Council dated the 31st day of March, 1950, ratifying a *Projet de Loi* of the States of Guernsey entitled "The Milk Distribution (Guernsey) Law, 1950,—the Court, after the reading of the said Order in Council and after having heard His Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island. of which Order in Council the tenor followeth:—

At the Court at Windsor Castle

The 31st day of March, 1950.

Present,

The King's most Excellent Majesty

LORD PRESIDENT
CHANCELLOR OF THE DUCHY OF LANCASTER
SIR ALAN LASCELLES

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 24th day of December, 1949, in the words following, viz. :—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 18th day of December, 1936, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘1.—That, in pursuance of their Resolution of the 27th day of July, 1949, the States of Deliberation at a meeting held on the 19th day of October, 1949, approved a Bill or “Projet de Loi” entitled “The Milk Distribution (Guernsey) Law, 1950” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto: 2.—That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or “Projet de Loi” of the States of Guernsey entitled “The Milk Distribution (Guernsey) Law, 1950”, and to order and direct that the same shall have force of Law in the Island of Guernsey’.

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi”.

HIS MAJESTY having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

E. C. E. Leadbitter.

Projet de Loi referred to in the foregoing
Order in Council.

PROJET DE LOI

ENTITLED

"The Milk Distribution (Guernsey) Law, 1950."

THE STATES, in pursuance of their Resolution of the 27th day of July, 1949, have approved the following provisions which, subject to the Sanction of His Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey :—

Constitution
and
procedure
of the
States
Dairy
Committee.

1.—(1) The States shall as soon as may be after the coming into force of this Law and from time to time thereafter provide for the constitution of a Committee of the States to be known as "the States Dairy Committee" (hereinafter referred to as "the Committee").

(2) The Committee shall be responsible for carrying out the provisions of this Law and of any Ordinance made thereunder except for the carrying out of such of the said provisions (if any) as the States may from time to time by Ordinance assign to some other authority.

Sale and
disposal
of milk
and milk
products.

2. Notwithstanding the provisions of any enactment for the time being in force in the Island of Guernsey—

- (a) no owner of cattle in this Island shall sell; attempt to sell, or cause to be sold any milk or milk products produced from any such cattle in his ownership otherwise than to the Committee or in such circumstances as the States may from time to time prescribe ;
- (b) no person shall import or attempt to import or cause to be imported into this Island, other than such person in such circumstances as the States may from time to time prescribe, any milk other than milk imported in sealed tins ; and

- (c) no person shall carry on the business of a retailer of milk or of a product of milk which product has been produced in Guernsey otherwise than under and subject to the conditions of a licence granted by such authority as the States shall from time to time prescribe.

3. The States shall prescribe the penalties which shall be incurred by any person who contravenes or attempts to contravene or who fails to comply with the provisions of this Law or of any Ordinance made thereunder. Penalties.

4. Unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them— Interpre-
tation.

“ authority ” means any person entrusted with powers, or upon whom duties are imposed, by the States ;

“ milk ” means liquid cow’s milk but does not include condensed milk or evaporated milk ;

“ owner ” means any person having the right or holding himself out as having the right to extract milk from a cow or cows, and the expression “ ownership ” shall be construed accordingly ;

“ prescribe ” means prescribe by Ordinance made under and by virtue of this Law ;

“ retailer ” means a person who sells milk to another buying otherwise than for the purpose of re-sale, and includes the supply of milk by such person to a beneficiary under any scheme approved by the States of Guernsey for the supply of milk free of charge or at a reduced charge ;

“ sealed tin ” includes any container to which an instrument must be applied in order to effect the opening thereof ; and

“sell ” includes disposal otherwise than by way of free gift and any offer or agreement to sell or to dispose of otherwise than by way of free gift.

Power
to make
Ordinances.

5. The States may by Ordinance from time to time make such provision as is necessary for the carrying out of this Law.

Commence-
ment.

6. This Law shall come into force on such day as the States may prescribe.

JAMES E. LE PAGE,
H. M. Greffier.