



Jersey

CERTIFICATES OF ORIGIN (PRODUCE OF THE SOIL) (JERSEY) LAW 1961

Official Consolidated Version

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CERTIFICATES OF ORIGIN (PRODUCE OF THE SOIL) (JERSEY) LAW 1961

A LAW to revise the Law regarding the certification of the origin of produce of the soil grown in Jersey and intended for export to the United Kingdom

Commencement [[see endnotes](#)]

1 Interpretation

In this Law, unless the context otherwise requires –

- “Committee” means the Finance and Economics Committee;
- “foreign produce” means produce of the soil grown outside Jersey;
- “master of a ship” includes a pilot in charge of an aircraft;
- “produce of the soil” means produce of the soil in its raw state;
- “scheduled produce” means produce of the soil grown in Jersey and of a nature specified in Schedule 1;
- “ship” includes aircraft.

2 Issue of certificates of origin

- (1) Where an officer of the Impôts is satisfied that the requirements of paragraph (2) have been complied with in relation to any scheduled produce which has been loaded on board a ship for export to the United Kingdom, the officer of the Impôts may issue to the master or agent of the ship a certificate of origin, in the form set out in Schedule 2 to this Law, certifying, for and on behalf of the States, that the produce was grown in Jersey.
- (2) The requirements referred to in paragraph (1) are –
 - (a) that, before any scheduled produce is loaded on board the ship in which it is to be exported, the master or agent of the ship has notified

the Principal Agent of the Impôts of the intention to load and of the time and place of loading;

- (b) that, before any consignment of any scheduled produce is loaded on board the ship, the exporter has delivered to an officer of the Impôts a declaration, in the form set out in Schedule 3, containing the several particulars indicated therein or required thereby;
- (c) that the master or agent of the ship has made an application in writing for the issue of a certificate under paragraph (1) and has delivered the application to an officer of the Impôts, together with an accurate record of all the scheduled produce which has been loaded on board the ship, showing the number and description of the packages in which it is contained:

Provided that the Committee may suspend the requirement of subparagraph (b) in relation to any scheduled produce, where it is satisfied that foreign produce of the same nature as the scheduled produce imported into Jersey is unlikely to be re-exported to the United Kingdom.

- (3) Forms of declaration for the purposes of paragraph (2)(b) shall be obtainable from the Principal Agent of the Impôts on the payment of fees in accordance with such scale as the Committee may from time to time determine, and no other forms shall be used for the said purpose.

3 Power of search, etc.

With a view to ensuring the proper administration and preventing the evasion of the provisions of this Law, any officer of the Impôts may at any time stop, go on board and search any ship and require any produce to be unloaded from a ship.

4 Power to vary Schedules

The Committee may by Order vary Schedule 1 by adding thereto or deleting therefrom produce of the soil of any nature, or Schedule 2 or 3 by substituting for the forms set out therein forms substantially to the like effect and, where any Schedule is so varied, this Law shall have effect as if the Schedule as so varied were substituted for the Schedule contained in this Law:

Provided that the Committee shall not include or maintain in the said Schedule 1 produce of the soil of any nature unless it is satisfied that produce of that nature is grown in Jersey in sufficient quantities to justify that the provisions of this Law should apply thereto.

5 Orders

The Subordinate Legislation (Jersey) Law 1961 shall apply to Orders made under this Law.

6 Offences

- (1) If the master or agent of any ship gives any such notification as is referred to in Article 2(2)(a) at a time when there is any scheduled produce on board

the ship, or, except where the requirement of Article 2(2)(b) has been suspended, causes or permits any scheduled produce to be loaded on board the ship before the declaration relative thereto has been delivered in compliance with that requirement, the person shall be liable to a fine of level 3 on the standard scale.¹

- (2) If any person makes or causes to be made any such declaration or record as is mentioned in Article 2(2), the same being false in any material particular, or counterfeits or alters, or uses knowing the same to be false, counterfeited or altered, any such declaration or record as aforesaid or any such certificate as is mentioned in Article 2(1), the person shall be liable to imprisonment for a term of 2 years and to a fine.²
- (3) If any person obstructs, hinders, molests or assaults any officer of the Impôts duly engaged in the performance of the officer's duties or the exercise of the officer's powers under this Law or does anything which impedes or is calculated to impede the carrying out of any search authorized by this Law, the person shall be liable to imprisonment for a term of 2 years and to a fine.³

7 Offences by corporations

Where an offence under this Law committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any negligence on the part of, any director, manager, secretary or other officer of the body corporate, the director, manager, secretary or other officer, 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.

8 Financial provisions⁴

9 Citation

This Law may be cited as the Certificates of Origin (Produce of the Soil) (Jersey) Law 1961.

SCHEDULE 1⁵

(Article 1)

SCHEDULED PRODUCE

Apples;
Beans;
Beet;
Broccoli;
Brussels Sprouts;
Cabbages;
Carrots;
Celeriac;
Celery;
Chicory, forced;
Cauliflowers;
Cucumbers;
Cut Flowers;
Egg-plant;
Endive;
Fruit trees;
Grapes;
Green maize in the ear;
Lettuce;
Marrows, mature or immature (including courgettes);
Melons;
Mushrooms;
Parsley;
Parsnips;
Pears;
Peas;
Plants;
Potatoes;
Radishes;

Rhubarb;
Shrubs;
Tomatoes;
Turnips.

SCHEDULE 2

(Article 2(1))

FORM OF CERTIFICATE OF ORIGIN

It is certified, for and on behalf of the States of Jersey, that the following produce, namely –

Nature of Produce	Number and Description of Packages

Shipped by.....to.....
from.....Jersey, on theday of
..... 20, was grown in Jersey.

Signature

Official Status

Date

SCHEDULE 3

(Article 2 (2)(b))

FORM OF DECLARATION OF ORIGIN

Export Licence No. (if any)

I/We declare

(Name of Exporter)

that the packages of

(Number and Description)

..... to be shipped on the

(Produce)

(Designation of Ship or
Aircraft)

as per Consignment Note No.

contain only produce of the soil grown in Jersey.

Signature

Date

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Certificates of Origin (Produce of the Soil) (Jersey) Law 1961	L.9/1961	6 May 1961
Certificates of Origin (Certified Products) (No. 1) (Jersey) Order 1964	R&O.4550	29 April 1964
Certificates of Origin (Certified Products) (No. 2) (Jersey) Order 1969	R&O.5196	19 February 1969
Certificates of Origin (Certified Products) (No. 3) (Jersey) Order 1976	R&O.6362	22 December 1976
Public Finances (Consequential Amendments) (Jersey) Regulations 2005	R&O.126/2005	9 December 2005
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (R&O.98/2016)

Table of Renumbered Provisions

Original	Current
9	spent, omitted from this revised edition
10	9
FIRST SCHEDULE	SCHEDULE 1
SECOND SCHEDULE	SCHEDULE 2
THIRD SCHEDULE	SCHEDULE 3

Table of Endnote References

¹ Article 6(1)	<i>amended by L.1/2016</i>
² Article 6(2)	<i>amended by L.1/2016</i>
³ Article 6(3)	<i>amended by L.1/2016</i>
⁴ Article 8	<i>repealed by R&O.126/2005</i>
⁵ Schedule 1	<i>amended by R&O.4550, R&O.5196, R&O.6362</i>