

(Enregistré sur les Records le 23 avril 1932.)

AT THE COURT AT BUCKINGHAM PALACE,
The 17th day of March, 1932.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY,

LORD PRESIDENT	SECRETARY SIR P. CUNLIFFE-LISTER
EARL OF ATHLONE	SIR KENNELL RODD.

Loi
autorisant
l'Imposition
de Droits
d'Entrée sur

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 23rd day of February, 1932, in the words following, viz. :—

“ YOUR MAJESTY, having been pleased, by Your General Order of Reference, of the 10th day of May, 1910, to refer unto this Committee a humble Petition of Robert Walter Mellish, Judge and President of the States of the Island of Alderney, setting forth :—‘ That the inhabitants of this Island have for a long period enjoyed the right to import into the United Kingdom free of all Customs Duties the products and manufactures of this Island. That the Act of Parliament intituled “ The Horticultural Products (Emergency Duties) Act, 1931 ” imposes Customs Duties on the importation into the United Kingdom of certain articles enumerated in the Schedule to the said Act. That it is in the interest of the United Kingdom and of this Island (in common with the other Islands of the Bailiwick) that measures be taken to prevent the fraudulent introduction into the United Kingdom as products of this Island of products of foreign origin. That the imposition of a duty on the said articles imported into this Island of the same amount as the Customs Duties charged in the United Kingdom on the like products appears to be the most effective method of attaining the said object. That in order to give effect thereto, the States at a meeting holden before the Petitioner on the 8th day of February took into consideration the Projet de Loi intituled “ Loi autorisant l’imposition de droits d’Entrée sur certains produits Horticoles (Auregny) 1932.” That the States were of opinion to adopt the said Projet de Loi and to authorise the Petitioner to present in their name a most humble Petition to Your Majesty in Council praying Your Majesty to be graciously pleased to grant thereto Your Royal Sanction, and most humbly praying that Your Majesty would be graciously pleased to grant to the said Projet de Loi (a copy whereof is hereunto annexed) Your Royal Sanction, and to order the

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certain
produits
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same to have force of Law in Your Majesty's said Island of Alderney, and to order that the States of the said Island shall have power to impose the said duties on the Articles specified in the Schedule to the said Projet de Loi imported into this Island from the date of the registration of Your Majesty's Order in Council sanctioning the same on the Records of this Island until the eleventh day of December, One Thousand nine hundred and thirty-two.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition, and the Projet de Loi annexed thereto, 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 Alderney.

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

M. P. A. HANKEY.

“ PROJET DE LOI ” referred to in the foregoing 1932
Order in Council.

LOI AUTORISANT L'IMPOSITION DE DROITS
D'ENTRÉE SUR CERTAINS PRODUITS HORTI-
COLES (AUREGNY), 1932.

Attendu que les habitants des Iles du Bailliage de la dite Ile de Guernesey jouissent depuis bien des siècles du droit de faire importer dans le Royaume Uni francs de tous droits de douane (Customs Duties) les produits du cru et de la manufacture des dites Iles.

Attendu que l'Acte de Parlement “ The Horticultural Product (Emergency Customs Duties) Act, 1931,” 22 Geo. V. ch. 3 autorise l'imposition de droits de douane lors de l'importation dans le Royaume Uni d'articles (n'étant pas des produits du cru de l'Empire Britannique) des descriptions énoncées dans la Cédule au dit Acte de Parlement.

Attendu que les intérêts mutuels du Royaume Uni et de cette Ile exigent que des mesures soient prises en cette Ile (en commun avec les autres Iles du Bailliage) pour empêcher l'introduction frauduleuse dans le Royaume Uni comme produits du cru de cette Ile de produits des dites descriptions n'étant pas de tel cru :

Attendu que l'imposition sur les articles des dites descriptions importés en cette Ile de droits d'entrée équivalents aux droits de douane payables lors de l'importation dans le Royaume Uni de pareils articles paraît être un des moyens les plus efficaces pour atteindre tel résultat et aurait aussi l'effet de diminuer l'importation en cette Ile de l'étranger d'articles de plusieurs des dites descriptions qui peuvent être produits dans les Iles de la Manche en quantités suffisantes pour les besoins des habitants des dites Iles :

Les dispositions suivantes rédigées en anglais

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auront force de loi en cette Ile, moyennant la sanction de Sa Très Excellente Majesté en Conseil.

1.—In this law “ States Treasurer ” shall mean ‘ the Treasurer of the States of the Island of Alderney.’”

2.—(1) Where any articles of any of the descriptions set out in the Schedule to this Law are chargeable with duties of Customs in the United Kingdom, the Board shall by Order apply this law to such articles for the period or periods after the commencement of this law during which such duties of Customs are chargeable in the United Kingdom.

(2) An order so made may be varied or revoked by a subsequent order made in the like manner and subject to the like provisions.

3.—(1) Subject to the provisions of this Law there shall, on the importation into the Island of Alderney of articles to which, by virtue of an order made under the last preceding section, this Law for the time being applies, be charged thereon such duties (subject to the limitation provided in sub-section (2) of this section) as may be specified in the order.

(2) The duties to be charged as aforesaid—

(a) may be charged by reference to value, weight, measurement or quantity, as may be provided in the order ;

(b) shall be charged for such periods and may be charged at such different rates for such different parts of any period, as may be so provided ;

(c) shall not be less than nor exceed the duties of customs for the time being payable in the United Kingdom upon the like articles.

(3) No articles which are shown to the satisfaction of the States Treasurer :

(a) to have been consigned from any part of the British Empire and to have been grown in the British Empire ; or

(b) to have borne duties of Customs in the United Kingdom ; or

- (c) to be articles imported by or for the use of or consigned to any Department of His Majesty's Government ;

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shall be chargeable with Duty under this Law.

(4) Duty charged under this Law upon articles subsequently supplied to any Department of His Majesty's Government shall be refunded upon the production by the Department concerned of documents showing that such articles have been received by such Department.

For the purposes of this Law the expression " British Empire " means the United Kingdom and all other parts of His Majesty's Dominions, including India, and all other territories included within the definition of the British Empire for the purposes of Section 8 of the Finance Act, 1919 (of the United Kingdom).

4.—For the purposes of this Law, the value of any imported articles chargeable to Duty under this Law, which are to be charged to Duty by reference to value :—

(1) shall, in the case of articles imported from or after transit through or after transhipment in the United Kingdom, be taken to be the price which an importer would give for the articles if they were delivered to him free on board at the port in the United Kingdom from which such articles are exported to the Island of Alderney ;

(2) shall, in the case of articles imported otherwise than from or after transit through or after transhipment in the United Kingdom, be taken to be the price which an importer would give for the articles if they were delivered to him, freight and insurance paid, in bond at the port of importation in the Island of Alderney ;

and duty shall be paid on that value as fixed by the States Treasurer.

5.—(1) If in ascertaining the proper rate of Duty

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chargeable under this Law on any articles which are to be charged by reference to value, any dispute arises as to the value of the articles, the dispute shall be referred to the Court of Alderney sitting as an Ordinary Court, and the decision of that Court with respect to the matter in dispute shall be final and conclusive.

(2) Upon such dispute arising, the importer or consignee, or his agent, shall deposit in the hands of the States' Treasurer the duty demanded by the States Treasurer which shall be deemed and taken to be the proper duty payable, unless an action shall be commenced before the Court of Alderney by the importer against the States' Treasurer within three months after such deposit to ascertain what duty is payable on such articles ; and on payment of such deposit the States Treasurer shall cause delivery to be made of such articles.

(3) All such deposits shall be paid by the States' Treasurer into the General Revenue of the States of the Island of Alderney and in case no such action shall be brought such deposit may be applied in the same manner as if it had been originally paid and received as the duty due on such articles ; and in case of such action, if it shall be determined that the duty so deposited was not the proper duty, but that a less duty was payable, the difference between the deposit and the duty found to be due shall be returned to such importer, with interest thereon at the rate of five pounds per centum per annum for the period during which the sum so returned shall have been deposited ; and shall be accepted by such importer in satisfaction of all claims in respect of the importation of such goods and the duty payable thereon and of all or any damages and expenses incident thereto.

6.—Notwithstanding anything herein contained upon proof to the satisfaction of the States Treasurer that any articles of any of the said descriptions imported into the Island of Alderney and subject to

duty under this Law have already borne duty in the Island of Guernsey under the Law in force in that Island intituled " Horticultural Products (Emergency Duties) Law, Guernsey, 1932," such articles shall be admitted into this Island without payment of duty under this Law, and the States Treasurer shall be entitled to claim from the States' Supervisor of the Island of Guernsey the amount of duty so paid in the Island of Guernsey upon such duties.

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7.—The Court of the Island of Alderney is empowered to pass Ordinances for the purposes of carrying this Law into effect.

8.—(1) This Law may be cited as the Horticultural Products (Emergency Duties) Law, (Alderney), 1932.

(2) This Law shall come into force on the day on which the Order of His Majesty in Council sanctioning the same shall be registered on the Records of the Island of Alderney, and shall continue in force until the eleventh day of December One thousand nine hundred and thirty-two inclusively, and no longer.

Provided that the expiry of this Law shall not affect the previous operation thereof or of any order made thereunder, or any obligation or liability previously incurred under this Law or any such order in respect of any duty, penalty, forfeiture or punishment, or the taking of any steps, or the institution or carrying on of any proceedings, to determine the amount of any such duty or enforce any such obligation or liability.

SCHEDULE.

FRESH FRUITS.

Cherries.

Currants.

Gooseberries.

Grapes (Hothouse).

Plums.

Strawberries.

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FRESH VEGETABLES.

Asparagus.
Green Beans.
Broccoli and Cauliflowers.
Carrots.
Chicory (Salad).
Cucumbers.
Endive.
Lettuce.
Mushrooms.
Peas (Green).
Potatoes (New).
Tomatoes.
Turnips.

FLOWERS, ETC.

Cut Flowers.
Plants in Flower.
Flowers attached to bulbs.
Foliage.
Bulbs.
Rose Trees.