DESTRUCTIVE INSECTS AND PESTS

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Bee Pest Prevention

REGULATIONS, DATED 28TH FEBRUARY, 1945, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE BEE PEST PREVENTION ACT (NORTHERN IRELAND), 1945.

1945. No. 28.

The Ministry of Agriculture hereinafter referred to as the "Ministry" by virtue and in exercise of the powers vested in it under the Bee Pest Prevention Act (Northern Ireland), 1945, and of every other power enabling it in that behalf, hereby makes the following regulations :

General :

1. (1) In these Regulations—

"bee-keeper" means a person who owns, keeps, or has charge of bees and appliances which have been used in connection with bee-keeping ;

"destruction" means total destruction by burning ;

"hive" includes all appliances, fittings and wax inside the hive and all coverings thereon ;

"movable-comb hive" means a hive in which the frames of comb can be removed for examination ;

"fixed-comb hive" means any hive other than a movable-comb hive ;

"infected stock" means a stock, the bees, brood or comb of which in the opinion of the Ministry or an authorised officer is affected in any way by a pest or disease prescribed in Regulation 2 of these Regulations ;

"isolation notice" means a direction in writing given by an authorised officer in pursuance of the powers conferred on him in that behalf under paragraph (*e*) of sub-section (1) of section 5 of the Act ;

"prescribed" means prescribed in Regulation 2 of these Regulations ;

"reasonable times" means any time from the 1st April to 31st October inclusive, when bees are flying on the premises to be inspected or in apiaries, if any, on other premises in the district or when the weather conditions are favourable ;

"stock" means the living bee population of a hive with its brood.

(2) The Interpretation Act, 1889, as applied to Northern Ireland by the Interpretation Act, 1921, shall apply for the purpose of the interpretation of these regulations as it applies for the purpose of the interpretation of an Act of Parliament.

(3) These Regulations shall come into force on the thirty-first day of March, 1945, and may be cited as the Bee Pest Prevention (Northern Ireland) Regulations, 1945.

Prescribed Pests or Diseases

2. The following are hereby specified as the pests and diseases to which the Act and these regulations shall apply, viz. American Foul Brood, European Foul Brood, and Acarine (Isle of Wight) disease.

Notices and Information to be furnished by Bee-Keepers and Others

3.—(1) Every person keeping or having charge of bees infected or suspected by him to be infected with any prescribed pest or disease shall, with all practicable speed, give notice to the Ministry or an authorised officer of the fact of the bees being so infected or suspected and shall furnish to the Ministry or an authorised officer on demand full particulars as to the origin and location of all stocks of bees and appliances in his keeping or under his control, the number and situation of all hives on his premises or under his control, the date on which the pest or disease was first observed and any other information that the Ministry or authorised officer may require for the purpose of tracing the origin or checking the spread of the pest or disease.

(2) Every person keeping or having charge of bees shall, with all practicable speed, give notice to the Ministry or an authorised officer regarding the death of any substantial number of bees kept by him or under his control.

(3) Every person shall, with all practicable speed, give notice to the Ministry or an authorised officer as to the existence to his knowledge of any bees which have swarmed or settled on any lands or premises occupied by him other than bees which have directly swarmed from a hive kept by him or under his control, and which have been secured and hived by him.

Prohibition of acquisition or Sale of Infected Bees, Honey or Appliances

4. A person shall not acquire or dispose of (whether by way of purchase or sale or otherwise) any bees, honey, or appliances which are infected or are believed to have been exposed to infection with any prescribed pest or disease, unless the written licence of the Ministry or an authorised officer shall have been obtained beforehand.

Prohibition of Exposure of Infected Honey or Appliances.

5. A person shall not expose nor allow the exposure of, in such a way that bees can gain access thereto, any honey or appliances which are infected or have been exposed to infection with any prescribed pest or disease.

Treatment or Destruction of Infected Bees, Honey or Appliances.

NOTICES :

6.—(1) On entering any lands or premises in which bees, honey or appliances are kept or in which he has reason to suspect that bees are kept or have swarmed or settled, an authorised officer may take such steps as in his opinion may be necessary to determine whether a pest or disease exists or has recently existed on such lands or premises, or whether bees, honey or appliances are likely to become infected with a pest or disease or have been exposed to infection. If a prescribed pest or disease is found to exist on the lands or premises the authorised officer shall thereupon inform the bee-keeper or person in charge of the bees, honey or appliances to that effect and shall immediately report the fact to the Ministry which shall, subject, so far as registered bee-keepers are concerned, to the provisions of regulation 7, cause to be served upon the bee-keeper or person in charge of the bees, honey or appliances or on whose lands bees have swarmed or settled a notice requiring him to carry out within the period of time stated in such notice the measures for destruction, cleansing, disinfection or other treatment specified therein.

(2) Any person upon whom a notice is served shall notify in writing to the Ministry the date on which he complied with the requirements of such notice.

(3) The authorised officer shall also, where such course is deemed by him to be necessary, serve an isolation notice upon any person who keeps or has charge of any bees, honey, or appliances which are infected or are believed to have been infected with any prescribed pest or disease and upon any other person in the immediate vicinity who keeps or has charge of any bees, honey, or appliances.

Laboratory Examination of Specimens

7.—(1) Where a registered bee-keeper informs an authorised officer or the Ministry within three days of the date of an inspection carried out in pursuance of paragraph (1) of regulation 6 that he does not concur in the opinion of the authorised officer that a prescribed pest or disease exists on his lands or premises he shall be entitled to submit at his own expense for examination to a laboratory approved by the Ministry one or more suitable samples (to be selected by the authorised officer and sealed and marked by him for identification) of the bees or comb in dispute and the result of any such laboratory examination shall

be regarded as final; provided (*a*) that the sample or samples are submitted by the registered bee-keeper within three days of their selection, sealing and marking by the authorised officer and (*b*) that, pending the result of the laboratory examination, nothing in this paragraph shall affect the right of the authorised officer to serve an isolation notice pursuant to paragraph (3) of regulation 6, but if such laboratory examination does not confirm the existence of a prescribed pest or disease such notice shall be deemed to be withdrawn.

(2) Where a registered bee-keeper informs an authorised officer or the Ministry within three days of the date of an inspection carried out in pursuance of paragraph (1) of regulation 6 that he does not concur in the opinion of the authorised officer that a prescribed pest or disease exists on his lands or premises and a laboratory examination of bees or comb, carried out in pursuance of paragraph (1) of this regulation, does not confirm the existence of a prescribed pest or disease, a notice in pursuance of paragraph (1) of regulation 6 shall not be served, and if such notice has been served it shall be deemed to be withdrawn.

Manipulation of Stocks

8.—(1) If any bee-keeper so desires the authorised officer when inspecting an apiary shall permit the bee-keeper to manipulate the stocks to be dealt with provided that the bee-keeper acts in all respects to the satisfaction of the authorised officer.

(2) Every person manipulating stocks shall take all reasonable precautions to prevent a pest or disease being carried from one stock to another and from one apiary to another, and shall comply with any directions given by or on behalf of the Ministry as to carrying out suitable measures of disinfection or cleansing.

Destruction of Bees which have swarmed or settled on lands and are suspected of Infection

9. Where the Ministry or an authorised officer is of the opinion that there is a risk of a prescribed pest or disease being spread by bees which have swarmed or settled on the lands or premises occupied by any person (other than bees which have directly swarmed from a hive kept by such person or are under his control, and have been secured and hived by him), the Ministry shall cause a notice to be served upon that person requiring him to carry out within the period of time stated in such notice the measures for destruction specified therein.

Registration of Bee-Keepers

10.—(1) An application to the Ministry for registration as a bee-keeper shall be in the form "A" set out in the schedule to these regulations or as near thereto as practicable, and shall be accompanied

by a fee of one shilling in respect of each stock of bees kept by or under the control of the applicant at the time of the application.

(2) The acquisition by a bee-keeper of any new stocks of bees from a source other than his own apiary, subsequent to the date of the original application for registration, shall be notified forthwith to the Ministry in the form " B " set out in the schedule to these regulations or as near thereto as practicable, and a fee of one shilling in respect of each such new stock shall accompany the notification.

(3) The bee-keeper may notify the Ministry in the form " C " set out in the schedule to these regulations or as near thereto as practicable regarding any additions to the number of stocks kept by him which have originated from stocks in respect of which the appropriate fees have already been paid by him, but it shall be at his discretion to pay a fee of one shilling in respect of each such additional stock, provided that if he decides to pay such fee it shall accompany the notification.

Basis of Compensation

11.—(1) If in any calendar year a notification regarding the existence or suspected existence of a prescribed pest or disease affecting bees kept by or under the control of a registered bee-keeper is received by the Ministry during the period from the first day of April to the thirtieth day of June, both dates inclusive, and if as a result of the subsequent examination of the bees and appliances by an authorised officer a notice in accordance with regulation 6 of these regulations is served upon the registered bee-keeper to destroy bees or appliances, the amount of the compensation payable to him on compliance with said notice (except in the case of a notice requiring the destruction of bees acquired involuntarily or found on his premises) shall, subject to the provisions of this regulation be three-fourths of the value of such bees and/or appliances as ascertained in accordance with paragraph 4 of this regulation.

(2) If in any calendar year the notification referred to in the preceding paragraph is received by the Ministry before the first day of April or after the thirtieth day of June, the amount of compensation payable shall, subject to the provisions of this regulation be one half of the said value ascertained as aforesaid.

(3) Where, under the provisions of this regulation, compensation in respect of the destruction of bees or appliances becomes payable to a registered bee-keeper and the number of stocks kept by or under his control at the date of such destruction is greater than the number of stocks in respect of which fees have been duly paid by him in accordance with the provisions of regulation 10, the amount of any compensation payable shall be reduced in the proportion which the total number of stocks kept by or under the control of the registered bee-keeper at the

date of the destruction bears to the number of stocks in respect of which fees have been duly paid.

(4) For the purpose of this regulation the value of bees and appliances shall be calculated as follows :—

(*a*) *Movable-comb hive* :

BEES : For each frame of comb fully covered with live bees, seven shillings and sixpence, subject to a maximum of sixty shillings.

For each frame of comb not fully covered with live bees such lesser sum as is reasonably proportionate to the area of the frame which in the opinion of an authorised officer is covered with live bees.

APPLIANCES : Frames, sevenpence each.
Sections, threepence each.

(*b*) *Fixed-comb hive* :

BEES AND APPLIANCES : Each hive and live bees, ten shillings.

(5) Compensation shall not be payable in respect of any wax or honey or in respect of any appliances other than those specified in the preceding paragraph, and nothing in this regulation shall authorise or require the payment of any compensation to any person other than to a person who is duly registered as a bee-keeper under the Act.

Measures for Preventing spread of Acarine (Isle of Wight) Disease

12. Every bee-keeper shall during the months from May to September inclusive of each year keep present in the brood chamber of each stock of bees a quantity of methyl salicylate sufficient to effect the control of Acarine (Isle of Wight) disease.

Production of Licence : Names and Addresses

13.—(1) Where a licence is issued by the Ministry to any person in charge of bees, honey, or appliances, that person shall on demand of a Justice or a Constable or of an authorised officer, produce and show to him the licence and shall allow it to be read and a copy of or extract from it to be taken by the person to whom it is produced.

(2) Any person so in charge shall on demand as aforesaid give his name and address to the Justice or Constable or authorised officer.

Powers of Ministry

14.—(1) These regulations shall be subject to any licence or authorisation which may be granted by the Ministry.

(2) Every person holding a licence or authorisation granted under these regulations shall comply with every condition imposed by such licence or authorisation.

Offences

15. Any person who contravenes or fails to comply with any of the provisions of these regulations shall be liable on summary conviction to the penalties provided by the Act in that behalf.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this twenty-eighth day of February, Nineteen hundred and forty-five, in the presence of

(L.S.) *J. Pimlott*,
Assistant Secretary.

SCHEDULE.

FORM A.

BEE PEST PREVENTION ACT (NORTHERN IRELAND), 1945
AND
BEE PEST PREVENTION (NORTHERN IRELAND) REGULATIONS, 1945.

FORM OF APPLICATION FOR REGISTRATION AS BEE-KEEPER.

I.....hereby apply to be registered as a bee-keeper during the year ending 31st March, 194 under the above-mentioned Act, and I append particulars of the stocks of bees kept by me or which are under my charge.

I enclose.....for £.....s.....being the fee prescribed by the above Regulations at the rate of.....per stock.

Signature of Applicant.....

Full postal Address .....

.....

Date.....

PARTICULARS OF STOCKS.

Name and Address of Occupier of Lands where Bees are located.	Townland.	Number of Movable-Comb Hives containing live stocks of bees.	Number of Fixed-Comb Hives containing live stocks of bees.

SCHEDULE.

FORM B.

BEE PEST PREVENTION ACT (NORTHERN IRELAND), 1945
AND
BEE PEST PREVENTION (NORTHERN IRELAND) REGULATIONS, 1945.

NOTIFICATION OF ACQUISITION OF NEW STOCKS.

I.....hereby notify the Ministry that since the date of my application for registration as a bee-keeper..... new stocks of bees from a source other than my own apiary have been acquired by me.

Particulars are appended and I enclose.....for £.....s..... being the fee prescribed under the above Regulations at the rate of..... per stock.

Signature of Bee-keeper .....

Full Postal Address .....

.....

Date.....

PARTICULARS OF NEW STOCKS.

Name and Address of Occupier of Lands where Bees are located.	Townland.	Number of Movable-comb Hives containing live stocks of bees.	Number of Fixed-Comb Hives containing live stocks of bees.	Name and Address of person from whom new stocks were obtained.

SCHEDULE.

FORM. C.

BEE PEST PREVENTION ACT (NORTHERN IRELAND), 1945
AND
BEE PEST PREVENTION (NORTHERN IRELAND) REGULATIONS, 1945.

NOTIFICATION OF ADDITIONAL STOCKS FROM BEE-KEEPER'S OWN APIARY.

I.....hereby notify the Ministry that since the date of my application for registration as a bee-keeper.....new stocks of bees which have originated from stocks in my own apiary (in respect of which fees have already been paid by me) have been added to my apiary.

A. I enclose.....for £.....s.....being the fees prescribed by the above Regulations at the rate of.....per stock. Strike out words at either A. or B.

B. I do not wish to be registered in respect of these additional stocks for the purpose of compensation.

Signature of Bee-keeper .....

Full Postal Address .....

.....

Date.....

PARTICULARS OF NEW STOCKS.

Name and Address of Occupier of Lands where Bees are located.	Townland.	Number of Movable-Comb Hives containing live stocks of bees.	Number of Fixed-Comb Hives containing live stocks of bees.