the Tribe, and for designating any person, or for enabling any person to be designated, as the person entitled to summon the Tribe in Kgotla for any purpose and to preside or to exercise any of the functions of the president at any Kgotla, and for the general administration of the Reserve;

(*c*) ensuring tribal unity.

Powers reserved to Her Majesty

4.—(1) Her Majesty reserves to Herself, Her Heirs and Successors power, with the advice of Her or Their Privy Council, to amend, add to or revoke this Order as to Her or Them shall seem fit.

(2) Nothing in this Order shall affect the power of Her Majesty in Council to make laws from time to time for the peace, order and good government of the Bechuanaland Protectorate.

Short title and commencement

5. This Order may be cited as the Bechuanaland Protectorate (Bamangwato Succession) Order in Council, 1952, and shall come into operation on a day to be appointed by the High Commissioner and notified in the Official Gazette of the High Commissioner, which day shall not be earlier than the day after the day on which this Order shall be laid before both Houses of Parliament.*

F. J. Fernau.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order in Council, made under the Foreign Jurisdiction Act, 1890, is designed to carry out three purposes. The first purpose is the extinguishment of any present or future right of Seretse Khama or Tshekedi Khama or their children to be Chief of the Bamangwato Tribe of the Bechuanaland Protectorate or to perform certain other specified functions in relation to the Tribe. The second purpose is to provide for the designation by the Tribe, subject to recognition and confirmation as required by law, of a Chief other than Seretse Khama or Tshekedi Khama. The third purpose is to provide for the administration of tribal affairs pending such designation, recognition and confirmation.

BEE DISEASES

1952 No. 138

The Foul Brood Disease of Bees Order, 1952

Made - - - -	28*th January*, 1952
Coming into Operation	1*st February*, 1952

The Minister of Agriculture and Fisheries by virtue and in exercise of the powers vested in him by Section 11 of the Agriculture (Miscellaneous Provisions) Act, 1941(**a**), and of all other powers enabling him in that behalf,

(**a**) 4 & 5 Geo. 6. c. 50.

* The date thus appointed was 10th June, 1952.

and after consultation with the Advisory Committee appointed for the purposes of the said Section 11 of that Act, hereby makes the following Order:—

Citation, Extent and Commencement

1. This Order, which may be cited as the Foul Brood Disease of Bees Order, 1952, shall apply to England and Wales and shall come into operation on the first day of February, 1952.

Revocation of Order

2. The Foul Brood Disease of Bees Order, 1942(**a**), is hereby revoked.

Interpretation

3.—(1) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"Advisory Committee" means the Advisory Committee appointed by the Minister for the purposes of Section 11 of the Agriculture (Miscellaneous Provisions) Act, 1941

"Bees" means honey bees, and includes such bees in any stage of their life cycle

"County Committee" means a County Agricultural Executive Committee established by the Minister under the provisions of sub-section (1) of Section 71 of the Agriculture Act, 1947(**b**)

"Foul Brood Disease" means one of those diseases of the brood of bees commonly known as American Foul Brood and European Foul Brood

"Hive" includes any receptacle used or formerly used to house a colony of bees

"Minister" means the Minister of Agriculture and Fisheries.

(2) The Interpretation Act, 1889(**c**), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Examination of Bees, Combs and Equipment

4. For the purpose of preventing the spread of Foul Brood Disease a County Committee may cause an officer (hereinafter called "the appointed Officer") to examine any hives, combs, bees, bee-keeping appliances and apparatus on any premises within such an area as may be specified by the County Committee within the County in relation to which the County Committee are established Provided that, except in the case of hives and combs not inhabited by bees, all such examinations shall be made during such period of the year as may be specified from time to time by the Minister after consultation with the Advisory Committee.

Samples and Reports

5.—(i) If, after an examination under Article 4 hereof, the appointed Officer has reason to suspect that Foul Brood Disease is present on any premises he shall—

(*a*) serve a notice in writing on the owner or person in charge of the hives on those premises prohibiting the removal from the premises of any

(a) S.R. & O. 1942/530; Rev. III, p. 83; 1942 I, p. 23.
(b) 10 & 11 Geo. 6. c. 48. (c) 52 & 53 Vict. c. 63.

hives, combs, bees, honey, bee-keeping appliances and apparatus except under and in accordance with the conditions of a licence issued by the appointed Officer, and

(*b*) take without payment one or more suitable sample combs from amongst those on the premises and cause the sample to be sealed and marked for identification and delivered or sent by post for examination to a laboratory approved by the Minister after consultation with the Advisory Committee.

(ii) A notice served under paragraph (i) of this Article shall remain in force either until the prohibition imposed by such notice is withdrawn by a notice served under paragraph (iii) of this Article or until a notice under paragraph (i) of Article 6 of this Order has been fully complied with either within the time prescribed therein or within such extended time as may be allowed by the County Committee Except that in a case where the presence of European Foul Brood shall have been confirmed in the sample a notice served under paragraph (i) of this Article shall remain in force until the first day of October in the year next following the calendar year in which a notice served under paragraph (i) of Article 6 of this Order has been fully complied with.

(iii) A report of the examination of the sample shall be sent by the laboratory to the County Committee who shall send a copy of such report to the person on whom the notice under paragraph (i) of this Article was served ; and if the report does not confirm the presence of Foul Brood Disease the County Committee shall serve on such person a notice in writing withdrawing the prohibition imposed by the notice served upon him under paragraph (i) of this Article.

Prevention of Spread of Disease

6.—(i) If the report of the examination of the sample confirms the presence of Foul Brood Disease the County Committee may serve upon the owner or person in charge of the hive from which the sample was taken a notice in writing requiring him within such time as may be prescribed in the notice to destroy by fire in the presence of the appointed Officer all the bees in the said hive together with their combs and quilts and, at the option of the person on whom the notice is served, either to destroy by fire in the presence of the appointed Officer the said hive and such other bee-keeping appliances and apparatus as may be specified in the notice or to treat them in a manner also specified in the notice, being a manner approved generally by the Minister after consultation with the Advisory Committee.

(ii) When a notice has been served under paragraph (i) of this Article the appointed Officer shall if so directed by the County Committee ascertain whether the notice has been complied with.

Obligations of Bee-keepers

7.—(i) The occupier of any premises upon which there are any hives, combs, bees, bee-keeping appliances or apparatus shall at all reasonable times allow the appointed Officer to enter upon such premises upon production if so required of his instructions from the County Committee and shall give him all reasonable facilities to enable him to carry out the duties imposed on him by or in pursuance of this Order.

(ii) The owner or person in charge of any hives, combs, bees, bee-keeping appliances or apparatus shall comply with the prohibitions and requirements of any notice served upon him and with the conditions of any licence issued to him in pursuance of this Order.

Default Procedure

8. Upon the conviction of any person for a failure to comply with the requirements of a notice served in pursuance of paragraph (i) of Article 6 of this Order the County Committee may cause the appointed Officer or any other person authorised by them for the purpose to take such steps as may be necessary to secure compliance with the requirements of the said notice.

Service of Notices

9. A notice shall be deemed to be served on any person if it is delivered to him personally or left at his last known place of abode or business or sent through the post in a prepaid letter addressed to him there.

Research

10. The owner or person in charge of any bees which are kept for the purpose of research and the premises upon which such bees are kept may be exempted from the provisions of this Order by and in accordance with the provisions of a licence issued by the Minister after consultation with the Advisory Committee.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this Twenty-eighth day of January, nineteen hundred and fifty-two.

Tom Dugdale,
Minister.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order supersedes the Foul Brood Disease of Bees Order, 1942, which it revokes. It provides for the examination of bees, combs, and bee-keeping equipment by an officer of a County Agricultural Executive Committee and for the taking and testing of sample combs. A notice prohibiting the removal of bees, combs, honey and equipment may be served where Foul Brood Disease is suspected and if the presence of disease is confirmed destruction of the infected bees and combs may be required, with destruction or treatment of the infected equipment.