

Island of  Guernsey

Ordinance of the States **XLVII**
1973

Made 31st October, 1973.

Came into Operation ... 31st October, 1973.

**The Bees (Importation and Prevention
of Disease) Ordinance, 1973**

ARRANGEMENT OF SECTIONS

Section

PART I

Importation of bees and bee hives

1. Restrictions on the landing of bees.
2. Provisions as to certificates.
3. Procedure when bees are landed in contravention of this Ordinance.
4. Procedure where diseased bees are landed or about to be landed.
5. Prohibition on the landing of used bee hives.
6. Procedure when used bee hives are landed in contravention of this Ordinance.

Section

PART II

Prevention of diseases of bees

7. Examination of bees.
8. Action when the presence of foul brood disease is suspected.
9. Action when foul brood disease is present.

PART III

General and supplemental provisions

10. Service of notices.
11. Offences.
12. Offences by bodies corporate.
13. Destruction and treatment of bees etc. by the Inspector.
14. Powers of the Committee on failure to comply with notice, permit or licence.
15. Exemptions.
16. Interpretation.
17. Repeal.
18. Citation.

SCHEDULE

Form A: Certificate for use in connection with the Importation of Colonies of Bees.

Form B: Certificate for use in connection with the Importation of Queen Bees.

The Bees (Importation and Prevention of Disease) Ordinance, 1973

THE STATES, in pursuance of their Resolution of the twenty-ninth day of November, nineteen hundred and seventy-two, hereby order:—

PART I

Importation of bees and bee hives

1. (1) A person shall not land in this Island any bees in a skep or in any other fixed-comb hive. Restrictions on the landing of bees.

(2) A person shall not land in this Island any bees unless the consignment thereof is accompanied by a certificate issued in accordance with the provisions of the next succeeding section.

2. (1) The certificate required to accompany a consignment of bees in accordance with the provisions of subsection (2) of the last preceding section— Provisions as to certificates.

(a) shall have been duly completed and signed by or on behalf of an authorised officer of the government of the country of origin of the bees;

(b) shall, where the certificate relates to a consignment of colonies of bees, be in accordance with Form A set out in the Schedule to this Ordinance and the examination referred to in the certificate shall have been carried out not more than fourteen days prior to the date of despatch of the consignment;

(c) shall, where the certificate relates to a consignment of queen bees, be in accordance with Form B set out in the said Schedule;

(d) shall, where the certificate is issued in a country of which the language is other than English, incorporate or be accompanied by a translation into the language of that country which translation, if it is in a document separate from the certificate, shall have been duly completed and signed by or on behalf of the officer by whom or on whose behalf the certificate was signed.

(2) Except in the case of a consignment of bees imported by post, the certificate shall be delivered to the Chief Revenue Officer before the importer takes possession of the consignment to which the certificate relates.

(3) In the case of a consignment of bees imported by post, a copy of the certificate shall be affixed to the package comprising the consignment or, if the consignment consists of more than one package, a copy of the certificate shall be affixed to each of the packages comprising the consignment.

(4) No certificate issued by or on behalf of a state, provincial or other regional or local government authority of part of a country, or by or on behalf of any department, service or other organ of such authority shall be deemed to be a valid certificate for the purposes of this Ordinance unless such authority is the only one empowered to issue, in relation to such part of the country, certificates to accord with the requirements of this Ordinance.

Procedure
when
bees are
landed in
contraven-
tion of this
Ordinance.

3. (1) If any consignment of bees is landed in this Island in contravention of any of the provisions of section one of this Ordinance the consignment shall be detained by the Chief Revenue Officer who shall forthwith inform the Committee of the fact of such detention and the reason therefor:

Provided that where a consignment has been detained by reason that the consignment was not accompanied by the required certificate the Chief Revenue Officer may delay informing the Committee of the fact until the expiration of such time as shall be specified by the Chief Revenue Officer to the importer for the submission to him of the certificate as was required to accompany the consignment and if such certificate is so submitted within the period so specified he may release the consignment and where a consignment is so released the requirements imposed on him to inform the Committee of the detention of the consignment shall cease to have effect.

(2) On receipt of information under the provisions of the last preceding subsection that a consignment of bees has been detained the Committee may either—

- (a) serve upon the importer a notice requiring him within such time as shall be specified in the notice to destroy by fire the bees together with any material whatsoever comprising the consignment if, within such time as shall be specified in the notice, the consignment is not re-exported; or
- (b) require that the consignment be examined by the Inspector, in which case, the Committee shall forthwith inform the importer of the fact of such detention and the reason therefor.

(3) As soon as may be after the carrying out of an examination required under the provisions of paragraph (b) of the last preceding subsection, the Inspector shall report thereon to the Committee who, without prejudice to the exercise of the powers conferred under the provisions of section four of this Ordinance, may either—

- (a) order that the bees and any material whatsoever comprising the consignment be released forthwith to the importer; or
- (b) serve upon the importer a notice requiring him within such time as shall be specified in the notice to destroy by fire the bees and any material whatsoever comprising the consignment if, within such time as shall be specified in the notice, the consignment is not re-exported.

Procedure where diseased bees are landed or about to be landed.

4. (1) If it appears to the Inspector that any bees in a consignment likely to be landed in this Island are diseased, he may serve upon the importer or upon any person in control of the landing or unloading of the consignment a notice specifying the manner in which the landing or unloading is to be carried out and the precautions which are to be taken in the course thereof in order to prevent the spread of disease.

(2) If it appears to the Inspector at any time that any bees in a consignment landed in this Island are diseased the Committee may serve upon the importer a notice requiring him within such time as shall be specified in the notice to destroy by fire the bees and any material whatsoever comprising the consignment.

(3) The diseases to which subsections (1) and (2) of this section apply are acarine disease, amoeba disease, apimyiasis, brood diseases and nosema disease.

Prohibition on the landing of used bee hives.

5. A person shall not land in this Island any bee hive which is or has at any time been used to house a colony of bees.

6. (1) If any bee hive is landed in this Island in contravention of the provisions of the last preceding section the bee hive shall be detained by the Chief Revenue Officer who shall forthwith inform the Committee of the fact of such detention and the reason therefor.

Procedure when used bee hives are landed in contravention of this Ordinance.

(2) On receipt of information under the provisions of the last preceding subsection that a bee hive has been detained the Committee shall serve upon the importer a notice requiring him within such time as shall be specified in the notice to destroy by fire the bee hive if, within such time as shall be specified in the notice, the bee hive is not re-exported.

PART II

Prevention of diseases of bees

7. The Inspector, upon the production if so required of a certificate of his authority signed by the President of the Committee, may enter any premises upon which he has reason to believe that there are any bees, hives, combs, bee-keeping appliances or apparatus and examine any such bees, hives, combs, bee-keeping appliances and apparatus:

Examination of bees.

Provided that admission to any premises which are occupied shall not be demanded as of right unless twenty-four hours' notice in writing of the intended entry has been given by the Committee to the occupier of such premises.

8. Where, as a result of an examination carried out under the provisions of the last preceding section, the Committee has reason to suspect that any foul brood disease is present on any premises the Committee may serve upon the owner or the person having the charge of the hives on the premises a

Action when the presence of foul brood disease is suspected.

notice prohibiting, except in accordance with the terms and conditions of a permit granted by the Committee under the provisions of this section, the removal from the premises of any bees, hives, combs, honey, bee-keeping appliances and apparatus.

Action
where
foul brood
disease is
present.

9. (1) Where, as a result of an examination carried out under the provisions of section seven of this Ordinance, foul brood disease is found to be present on any premises the Committee shall serve on the owner or the person having charge of the infected hive a notice requiring him within such time as may be specified in the notice—

(a) to destroy by fire the bees in the infected hive together with their combs and the honey contained therein and their quilts; and

(b) either—

(i) to destroy by fire the hive and such other bee-keeping appliances and apparatus as may be specified in the notice as appear to be infected or to have been exposed to the infection; or

(ii) to treat the hive and such other bee-keeping appliances and apparatus in such manner as may be specified in the notice.

(2) Notwithstanding the provisions of the last preceding subsection the Committee may, in the case where the disease is European Foul Brood Disease, if so requested by the person upon whom the notice is served, by notice served on such person require him to treat all the bees on the premises with an antibiotic as may be specified in the notice, as an alternative to the destruction of the bees.

(3) Where any bees have been treated with an antibiotic in accordance with a notice served under the provisions of the last preceding subsection, such bees together with their associated combs and hives shall, for a period of eight weeks following the termination of the treatment, be retained in the custody or under the control of the person upon whom the notice was served and during the said period of eight weeks a person shall not remove any combs from any of such hives or take any honey from any such combs.

PART III

General and supplemental provisions

10. Any notice which may be served for the purposes of this Ordinance shall be validly served— Service of notices.

(a) on any person, if delivered to him, left, or sent by registered post or by recorded delivery service to him, at his usual or last known place of abode;

(b) on any firm, if delivered to any partner of the firm or left at, or sent by registered post or by recorded delivery service to, the principal or last known principal place of business of the firm;

(c) on any body corporate, if left at, or sent by registered post or by recorded delivery service to, its registered office if situate in this Island or, if its registered office is not so situate, its principal or last known principal place of business in this Island.

11. If any person—

Offences.

(a) knowingly lands or attempts to land any bees or bee hives in contravention of the provisions of this Ordinance;

- (b) wilfully obstructs or impedes the Chief Revenue Officer or the Inspector in the exercise of their powers under this Ordinance;
- (c) does any act in contravention of the provisions of this Ordinance or of the terms or conditions of any notice served or permit or licence granted thereunder, or of the requirements of, or of a prohibition imposed by, the Chief Revenue Officer or the Inspector; or
- (d) fails to do any act which he is required to do by the Committee or the Chief Revenue Officer or the Inspector or under the provisions of this Ordinance or under any notice served or permit or licence granted thereunder;

he shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds, and the Court may, in addition thereto, order the destruction by fire of the bees, hives, combs, quilts, honey, bee-keeping appliances and apparatus to which the conviction relates at the expense of the convicted person.

Offences
by bodies
corporate.

12. Where a person convicted of an offence under this Ordinance is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.

13. Any destruction or treatment, as the case may be, of bees, hives, combs, quilts, honey, bee-keeping appliances or apparatus required by a notice served under any of the provisions of this Ordinance shall be carried out by or in the presence of the Inspector at such place and in such manner as shall be specified by him and to his satisfaction and, except with his written authority, none of the bees, hives, combs, quilts, honey, bee-keeping appliances or apparatus shall be removed otherwise than to such place; and the cost of taking such action shall be recoverable by the States from the person upon whom the notice was served as a civil debt.

Destruction and treatment of bees, etc., by the Inspector.

14. Where a notice has been served upon or a permit or licence has been granted to a person under any of the provisions of this Ordinance and such person has failed to destroy or to treat any of the bees, hives, combs, quilts, honey, bee-keeping appliances or apparatus as is required in the notice or shall have failed fully to comply with the terms and conditions of the permit or licence then, without prejudice to any proceedings for an offence under this Ordinance consequent upon such failure, the Committee may apply ex parte to the Court for an Order authorising the Inspector to enter any premises in which the bees, hives, combs, quilts, honey, bee-keeping appliances or apparatus may be and to remove and destroy them by fire, and the cost of taking such action shall be recoverable by the States from the person upon whom the notice was served or the permit or licence granted, as the case may be, as a civil debt.

Powers of the Committee on failure to comply with notice, permit or licence.

15. The Committee may by licence granted under the provisions of this section exempt from the provisions of Parts II and III of this Ordinance the owner or the person having charge of any bees

Exemptions.

which are kept for the purpose of research and the premises upon which such bees are kept subject to compliance by such person with the terms and conditions of such licence.

Interpretation.

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

“acarine disease” means the disease of the bee caused by the mite *Acarapis woodi* Rennie;

“amoeba disease” means the disease of the bee caused by the organism *Malpighamoeba millificae* Prell;

“apimyiasis” means the diseases of the bee caused by the larvae of dipterous flies which attack the internal organs of the bee;

“bees” means honey bees, and includes such bees in any stage of their life cycle;

“brood diseases” means any of the diseases of the brood of bees known as American Foul Brood, European Foul Brood, Chalk Brood, Sac Brood and Stone Brood;

“certificate” means a certificate required under the provisions of subsection (2) of section one of this Ordinance to accompany a consignment of bees;

“the Chief Revenue Officer” means the Chief Revenue Officer for the time being appointed by the States Civil Service Board and includes any States Revenue Officer acting by or under the authority of the Chief Revenue Officer;

“combs” means combs used for the rearing of bees and the storage of honey and pollen;

“the Committee” means the States Committee for Agriculture;

- “consignment” includes part of a consignment;
- “the Court” means the Magistrate’s Court constituted under the Magistrate’s Court (Guernsey) Law, 1954(a);
- “foul brood disease” means any of the diseases of the brood of bees commonly known as American Foul Brood and European Foul Brood;
- “hive” means a bee hive and includes any receptacle which is or has at any time been used to house a colony of bees;
- “importer” in relation to any consignment of bees or bee hives includes any person who, whether as owner, consignor or consignee, agent or broker, is for the time being in possession of, or in any way entitled to, the custody of the bees or bee hives;
- “the Inspector” means the States Inspector of Bees for the time being appointed by the Committee and includes a person authorised by the Committee to exercise and perform the powers and duties of the Inspector under the provisions of this Ordinance;
- “this Island” includes the Islands of Herm and Jethou;
- “landed” includes unloaded from an aircraft and imported by post and transhipped, and the expressions “to land”, “lands” and “landing” shall be construed accordingly;
- “nosema disease” means the disease of the bee caused by the organism *Nosema apis* Zander;
- “premises” includes any vehicle, vessel, aircraft or freight container;

(a) Ordres en Conseil Vol. XVI, p. 103.

“States Revenue Officer” means a person authorised to act as such by the States Board of Administration;

(2) Any reference in this Ordinance to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Ordinance.

Repeal.

17. The Ordinance entitled “Ordonnance prohibant l’Importation en cette Ile de Ruches qui ont été déjà usitées” made permanent on the fifth day of October, nineteen hundred and thirty-one(b), is hereby repealed.

Citation.

18. This Ordinance may be cited as the Bees (Importation and Prevention of Disease) Ordinance, 1973.

(b) Recueil d’Ordonnances Tome V, p. 337.

SCHEDULE

Section two

FORM A

Certificate for use in connection with the Importation of Colonies of Bees

This is to certify that (number) colonies of bees packed in forwarded by to were examined on (date) by a duly authorised official of the and were found to be free from any brood disease of bees, and also that a microscopical examination of samples of 100 bees of each colony by of has revealed no evidence that the bees are infected with Acarine, Nosema or Amoeba Diseases or Apimyiasis.

Signed

Official Status

Date

(Stamp of the Service)

FORM B

*Certificate for use in connection with the Importation of
Queen Bees*

It is certified that the apiaries in which the accompanying queen bees and their attendant workers were reared were inspected during the calendar year of importation and found to be free from disease.

..... Signed

..... Official Status

..... Date

(Stamp of the Service)

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R. H. VIDELO,

Her Majesty's Greffier.

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