



ST HELENA

REVISED EDITION OF THE LAWS, 2017

ENVIRONMENT AND NATURAL RESOURCES

**BEES ORDINANCE, 1995<sup>1</sup>**

*Ordinance 1 of 1995  
In force 25 April 1995*

*Amended by Ordinance 16 of 2011*

*Subsidiary legislation:  
**BEES REGULATIONS**, 2013  
*Legal Notice 34 of 2013**

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**BEES ORDINANCE, 1995**

ARRANGEMENT OF SECTIONS

1. Short title
  2. Interpretation
  3. Control of pests and diseases affecting bees
  4. Powers of authorised persons
  5. Power of entry
  6. Offences
- Schedule: Matters with respect to which provision may be made by regulations

AN ORDINANCE for the control of pests and diseases affecting bees.

**Short title**

1. This Ordinance may be cited as the Bees Ordinance., 1995

**Interpretation**

2. (1) In this Ordinance—  
“**Agricultural Authority**” means the person referred to in section 2A(1);  
“**bee product**” means a natural product of the activities of bees (such as, for example, honey or beeswax) in its natural state;  
“**bees**” includes bees in any stage of their life cycle.

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<sup>1</sup> Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

(2) *Omitted*

### **Agricultural Authority and delegation of powers**

**2A.** (1) For purposes of the administration of this Ordinance, the Agricultural Authority is the person appointed by the Governor under section 2A of the Animals (Diseases) Ordinance, 1944.

(2) The functions of the Agricultural Authority under this Ordinance may be performed by any other public officer authorised by the Agricultural Authority for the purpose and acting in accordance with any general or special directions the Agricultural Authority gives from time to time.

### **Control of pests and diseases affecting bees**

**3.** (1) The Governor in Council may make regulations to prevent pests and diseases affecting bees being introduced into or spreading within St Helena.

(2) Without limiting subsection (1), regulations made under that subsection may—

- (a) prohibit or regulate the importation into or movement within St Helena of bees and combs, bee products, hives, containers or other appliances used in connection with keeping or transporting bees, and of any other thing which has or may have been exposed to infection with any pest or disease to which the regulations apply; and
- (b) make provision with respect to any of the matters specified in the Schedule.

### **Powers of authorised persons**

**4.** (1) The Agricultural Authority may examine any bees or other things subject to control under regulations made under section 3, and may take samples of them to see if they are free from infection.

(2) If bees or other things subject to control under regulations made under section 3 are found to be infected, or to have been exposed to infection, with any pest or disease to which the regulations apply, the Agricultural Authority may destroy them, or cause them to be destroyed, by such means as he or she thinks fit.

(3) Without affecting subsection (2), if any bees or other things are imported into St Helena in contravention of regulations made under section 3 the Agricultural Authority may destroy them, or cause them to be destroyed, by such means as he or she thinks fit, and may do so with or without first allowing an opportunity for them to be re-exported.

(4) Compensation is not payable in respect of the exercise of the powers conferred by subsection (1) or (3).

### **Power of entry**

**5.** (1) For the purpose of exercising a power conferred upon the Agricultural Authority by this Ordinance, the Agricultural Authority may at any time enter—

- (a) any premises or other place; or
- (b) any vessel, boat, hovercraft, aircraft or vehicle of any other description, on or in which the Agricultural Authority has reasonable grounds for supposing there are or have been any bees or other things subject to control by regulations made under section 3.

(2) A person seeking to enter any premises or other place, or any vessel, boat, hovercraft, aircraft or other vehicle in exercise of the power of entry under subsection (1), must, if so required by or on behalf of the owner or occupier or person in charge, produce evidence of his or her authority before entering.

## Offences

**6.** (1) A person must not—

- (a) import any bees or other things into St Helena in contravention of regulations made under section 3;
- (b) move any bees or other things within St Helena in contravention of any such regulation;
- (c) otherwise contravene or fail to comply with any such regulations or with any conditions imposed by any licence issued under any such regulations; or
- (d) intentionally obstruct a person acting in exercise of the power of entry under section 5.

(2) A person who contravenes subsection (1) commits an offence.

Penalty: A fine of £5,000 or imprisonment for 12 months, or both.

## SCHEDULE (Section 3(2)(b))

### MATTERS WITH RESPECT TO WHICH PROVISION MAY BE MADE BY REGULATIONS

1. The conditions to be observed before, during and after importation.
2. Exemption from prohibitions on importation in the regulations by means of licences (whether general or specific and whether conditional or unconditional) issued in accordance with the regulations (whether on or before importation).
3. The revocation of any licence issued in accordance with the regulations and the variation of any condition attached to a licence so issued.
4. Securing information with respect to—
  - (a) the persons who keep bees;
  - (b) the occurrence of any pest or disease to which the regulations apply;
  - (c) the country or place of origin or consignment, contracts in transit and destination of any bees or other things subject to control under the regulations (whether the information is required on, before or following their importation into or transportation within St Helena);
  - (d) any other matter relevant to determining whether any bees or other things subject to control under the regulations have been exposed to infection with any pest or

disease to which the regulations apply.

5. The circumstances in which and the time when any bees or other things brought into St Helena are to be regarded for the purposes of the Ordinance as being imported into St Helena.

6. Treatment of any bees found to be infected or to have been exposed to infection with any pest or disease to which the regulations apply.

7. Cleansing and disinfection.

8. Marking of hives or other containers for identification.

9. Imposition of fees and recovery of costs.

10. Payment of compensation for bees or other things subject to control destroyed in accordance with section 4(2).

11. Any matter incidental or supplementary to any matter mentioned above.

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## **BEES ORDINANCE, 1995**

## **BEES REGULATIONS, 2013** (Section 3)

### TABLE OF CONTENTS

1. Citation
  2. Interpretation
  3. Prohibited importation
  4. Restriction on importation of bee products and equipment
  5. Diseases affecting bees
  6. *Omitted*
- Schedule 1: Fees  
Schedule 2: Notifiable bee diseases

#### **Citation**

1. These Regulations may be cited as the Bees Regulations, 2013.

#### **Interpretation**

2. In these Regulations, unless the context indicates otherwise—  
**“bee products”** include bee semen, wax foundation, honey, royal jelly, propolis and any other bee related product;  
**“bees”** include all queens, workers and drones;  
**“competent authority”** means any authority or person in the country from which any bee product or bee equipment was exported which is recognised by the Agricultural Authority as competent to give such a certificate;

“**Health Standards**” means the Health Standards prescribed from time to time by a Council Committee in respect of the importation of bee products and bee equipment.

### **Prohibited importation**

- 3. (1)** The importation of the following is prohibited:
- (a) bees, honey, combs and wax foundation;
  - (b) any unrefined beeswax or item containing or manufactured from unrefined beeswax; and
  - (c) anything which has or may have been exposed to infection with any disease referred to in Schedule 2.

**(2)** Sub-regulation (1) does not apply in respect of any item containing honey as an ingredient or component which is listed in the Health Standards as being exempt from this prohibition.

### **Restriction on importation of bee products and equipment**

**4. (1)** Subject to any prohibition under regulation 3, no person may import any bee products or any item containing a bee product as an ingredient or component, or any hives, containers or other appliances and equipment used in connection with the keeping or transportation of bees or bee products, except—

- (a) under a licence previously granted by the Agricultural Authority, having regard to the conditions and requirements contained in the ~~prescribed~~ Health Standards; and
- (b) in the case of any bee product, upon production of a certificate given by a competent authority in the country from which the product was exported certifying that it has been examined and is free from disease.

**(2)** The Health Standards may exempt any bee product or item containing a bee product as an ingredient or component from the requirement to obtain a licence and certificate under sub-regulation (1).

**(3)** An application for a licence under sub-regulation (1) must be made in a form approved by the Agricultural Authority and is subject to the payment of the fees prescribed in Schedule 1.

### **Diseases affecting bees**

**5.** A person who has in the person’s possession or under the person’s charge any bees infected or believed to be infected with any disease listed in Schedule 2 must -

- (a) keep such bees separate from bees not so infected; and
- (b) as soon as reasonably practicable inform the Agricultural Authority, or a person authorised to perform the functions of the Agricultural Authority under section 2A(2) of the Ordinance, of the infection or suspected infection.

### **Repeal of legislation**

- 6.** *Omitted*

**SCHEDULE 1**

(Regulation 4)

**FEES**

Granting of import licence

£5.00 per licence

**SCHEDULE 2**

(Regulation 5)

**NOTIFIABLE BEE DISEASES**

American Foulbrood (*Paenobacillus larvae*)

European Foulbrood (*Melissococcus pluton*)

Other brood diseases

*Varroa* diseases (*Varroa jacobsoni*) and (*Varroa destructor*)

Nosema disease (*Nosema apis* and *Nosema ceranae*)

Acarine disease (*Acarapis woodi*)

Amoeba disease (*Malpighamoeba Mellificae*)

Small hive beetle infestation (*Aethina tumida*)

*Tropilaelaps* mite infestation

Israeli Acute Paralysis Virus

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