



ANNO VICESIMO SECUNDO

GEORGI V REGIS.

A.D. 1931.

No. 2021.

An Act to Regulate and Control the Keeping of Bees
and the Production and Sale of Honey.

[Assented to, November 12th, 1931.]

BE it Enacted by the Governor of the State of South Australia,
with the advice and consent of the Parliament thereof, as
follows :

1. (1) This Act may be cited as the " Apiaries Act, 1931 ".

Short title and
commencement.

(2) This Act shall come into force on a day to be fixed by
proclamation.

2. The Ligurian Bee Act and the Foul Brood Among Bees Act
are hereby repealed.

Repeal of 342 of
1885 and 410 of
1887.

3. In this Act, unless the context otherwise requires—

Interpretation.

" Apiary " means any place where bees are kept by any person :

" Beekeeper " means any person who keeps bees :

" Disease " means any disease or pest of or affecting bees,
enumerated in the Schedule to this Act or prescribed as
hereinafter provided :

" Frame-hive " means a hive built as may be prescribed, and
fitted with movable frames in the prescribed manner :

" Inspector " means any chief inspector and any other inspector
appointed under this Act, and also means any person
authorised by the Minister to perform the duties of an
inspector in any case :

" Nucleus hive " means a hive consisting of not more than five
frames when used for the purpose of queen and brood
raising only.

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Appointments.

4. The Governor, from time to time, may appoint a chief inspector and such and so many inspectors and other officers as he may think fit for the purposes of this Act.

Hives to be registered.

5. (1) No person shall keep bees except in a frame-hive registered under this Act in manner prescribed.

(2) Within fourteen days after the commencement of this Act, or within fourteen days after commencing to keep bees, every beekeeper shall register each and every hive in which bees are kept by him, and thereafter shall register the same annually on the fifteenth day of January in every year.

(3) Registration of hives may be effected as prescribed.

(4) The annual fee for such registration shall be Three Pence for each hive. The fee shall be computed—

(a) when a beekeeper first registers under this Act, upon the number of hives kept by the beekeeper at the time when he first registers as aforesaid ; and

(b) in the case of every subsequent registration, upon the number of hives kept by the beekeeper on the fifteenth day of January in every year ;

but no person shall be required to pay more than Five Pounds for registering any number of hives in respect of any one year. No fee shall be payable in respect of any nucleus hive.

(5) The Governor may by regulation declare that the fees payable in respect of any hives kept by any children in connection with any course of instruction in any school shall be such as are fixed by the regulation, or that no fee shall be payable in respect of any such hives.

Beekeepers to notify presence of disease.

6. Every beekeeper in whose apiary any disease occurs shall notify the fact, in writing, to an inspector within seven days after it comes to his knowledge.

Duties of beekeepers.

7. Every beekeeper shall—

(a) immediately upon learning that any disease has occurred in his apiary, take the prescribed steps to eradicate such disease and to remove all infection from such apiary :

(b) upon receiving notice from an inspector—

(i.) so to do, attend the inspector at his apiary at the time specified in the notice, and remove or cause to be removed from any hive such frames or honey-combs as the inspector may require and facilitate the inspection thereof by the inspector ;

(ii.) that any hive in his apiary does not comply with the regulations, remedy such defect within the time specified in the notice ;

(iii.) that

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(iii.) that any disease occurring in his apiary has developed too fully to be cured, destroy by fire all bees and combs infected with such disease within the time specified in the notice, and properly sterilize in the manner prescribed all hives, appliances, and articles infected with such disease within the time specified in the notice; and

(c) comply with all requirements and directions of an inspector lawfully given to him under this Act.

8. Any inspector may—

Powers of inspectors.

(a) with such assistants as he deems necessary, enter any premises in which there is an apiary, or in which he has reasonable ground to believe that bees are kept, and inspect any apiary or hive or appliance therein or article used in connection therewith and may, with such assistants as he deems necessary, enter any premises in which he has reasonable grounds to believe there is any hive, colony, or swarm of bees other than bees kept by a beekeeper;

(b) give to any beekeeper any of the notices mentioned in section 7;

(c) require any beekeeper to take any such steps or precautions as may be prescribed, for the prevention or eradication of disease in his apiary; and

(d) destroy, as may be prescribed, any bees (whether kept by a beekeeper or not) or combs and sterilize in the manner prescribed any hives, appliances, or articles which he has reasonable ground to believe to be so affected with disease as to necessitate his so doing, and, if any beekeeper whose bees or combs are so destroyed, or whose hives, appliances, or articles are so sterilized has failed to destroy or sterilize the same when required as provided by this Act, the inspector may recover from him in any Court of competent jurisdiction, all reasonable costs and expenses incurred by him in effecting such destruction or sterilizing.

9. No person shall—

Offences.

(a) keep any bees in contravention of this Act;

(b) fail to notify any disease as provided by section 6;

(c) contravene any of the provisions of section 7;

(d) knowingly remove any bees, hives, appliances, or articles affected with any disease from the premises whereon the same are found to be so affected to any other premises;

(e) sell, barter, give away, or otherwise than in the prescribed manner dispose of any bees, hives, appliances, or articles which are known by him to be infected by or liable to spread disease;

(f) expose

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- (f) expose to the open air, or in any place where bees may have access thereto, any frames, combs, honey, appliances, or articles affected with any disease ;
- (g) conceal from an inspector the fact that his apiary, or any bees therein, are infected with disease ;
- (h) obstruct, resist, or impede any inspector in the performance of any duty under this Act ; or
- (i) fail to comply with any requirement lawfully made of him under this Act by an inspector.

Penalty—Not exceeding Twenty Pounds.

Power to prohibit removal of bees.

10. (1) In any case in which the Governor is of opinion that it is desirable so to do in order to prevent or minimise the spread or introduction of disease into any part of the State, the Governor may by proclamation declare that no bees or hives, or specified appliances or articles shall be removed from any specified part of the State and may by proclamation declare that no bees, hives, or specified appliances or articles shall be taken into any specified part of the State.

(2) Any such proclamation may provide that the same is to continue in force for the period therein named and any such proclamation may be revoked or varied by proclamation made by the Governor.

(3) If any person contravenes any provision of any such proclamation he shall be liable to a penalty not exceeding Twenty Pounds. An inspector may seize and detain any bees, hives, appliances, or articles in respect of which any such contravention occurs and the said bees, hives, appliances, or articles may be destroyed or otherwise disposed of as the Minister may direct.

Power to prohibit the keeping of bees in specified areas.

11. (1) In any case where the Governor is of opinion that the keeping of bees in any part of the State is harmful to the drying of any fruits the Governor may by proclamation prohibit (either absolutely or subject to such conditions as may be declared in the proclamation) the keeping of bees within the part of the State specified in the proclamation.

(2) Any such proclamation may provide that the same is to continue in force for the period or periods therein named, and any such proclamation may be revoked or varied by proclamation made by the Governor.

(3) Any person who keeps any bees in contravention of the provisions of any such proclamation shall be liable to a penalty not exceeding Twenty Pounds.

Prohibition of keeping other than Ligurian bees on Kangaroo Island. 342, 1885, ss. 1 and 2.

12. (1) No person shall keep or cause to be kept within Kangaroo Island or bring or cause to be brought into Kangaroo Island any bees other than pure Ligurian or Italian Bees.

Penalty—Not exceeding Twenty Pounds.

(2) Any

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(2) Any inspector or member of the Police Force may enter upon any premises within Kangaroo Island or any ship, boat or vessel in or near any of the harbours thereof for the purpose of searching for and ascertaining if there be any bees other than pure Ligurian or Italian bees, and if any such bees are found the said inspector or member of the Police Force may seize, detain and destroy the same and any hive or other receptacle in which the same may be.

13. (1) The Governor may by proclamation declare that no bees other than of the kind specified in the proclamation shall be kept in or brought into any part of the State specified in the proclamation, and may by proclamation revoke or vary any such proclamation.

Power to reserve parts of the State for breeding specified kinds of bees.

(2) No person shall keep in or bring into any such part of the State any bees in contravention of any such proclamation.

Penalty—Not exceeding Twenty Pounds.

14. All proceedings in respect of offences against this Act shall be disposed of summarily.

Procedure.

15. All fees and other moneys received under this Act shall be paid into, and form part of, the General Revenue.

Application of fees, &c.

16. (1) An inspector acting in the execution of this Act shall not be deemed to be a trespasser by reason of any entry or removal or destruction authorised by this Act, nor be liable for any damage occasioned in carrying out the provisions of this Act, unless the damage was occasioned by such inspector wilfully and without necessity.

Protection for inspector.

(2) No person shall be entitled to receive any compensation in consequence of any measures taken for the eradication of any disease or the destruction of any bees or any articles ordered to be destroyed under this Act, or in respect of any damage that may result to him therefrom, either directly or indirectly, unless the same was occasioned wilfully and without necessity.

17. In any proceedings for an offence against this Act or for the recovery of any costs or expenses incurred by an inspector, proof that any bees in any hive were found upon any premises shall, in the absence of proof to the contrary, be sufficient proof that the bees were kept by the occupier of the premises.

Evidence.

18. Any notice required to be given to a beekeeper pursuant to this Act may be given by delivering the same to the beekeeper or may be given by registered post.

Notice.

19. (1) The Governor, from time to time, may make regulations under and for the purposes of this Act, prescribing all matters and things

Regulations.

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things which may be necessary or desirable for giving effect thereto, and such regulations may prescribe, in addition to any other such matters—

- I. the diseases which shall be deemed to be diseases within the meaning of this Act, in the same manner and to the same extent as though the same were enumerated in the Schedule to this Act;
- II. any requirements or conditions in the absence of which registration of any hive may be refused;
- III. the grading, packing, marking, branding, or labelling of packages or containers containing honey, and the prohibition of any sale thereof unless the prescribed conditions are fulfilled;
- IV. the examination of bees, hives, appliances, or articles imported into the State for the purpose of ascertaining whether the same are infected with disease;
- V. the issue of certificates certifying that any honey is produced in a part of the State in which disease is not known to exist and the conditions which must be fulfilled in respect of honey intended for export from the State and the prohibition of such export unless the same are fulfilled; and
- VI. fees to be charged for the issue of any certificate pursuant to this Act or for any service rendered pursuant to this Act.

(2) Any such regulations may impose a penalty not exceeding Twenty Pounds for the breach of any regulation so made.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

A. HORE-RUTHVEN, Governor.

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SCHEDULE.

DISEASES TO WHICH THIS ACT APPLIES.

Foul-brood (*Bacillus pluton*, *Bacillus alvei*, and *Bacillus larvæ*).

Bee-moths (*Galleria mellonella* and *Achroæa grisella*).

Braula cæca.

Isle of Wight Disease (*Acarine disease*).