



Jersey

**BEE DISEASES CONTROL (JERSEY)
ORDER 1992**

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Jersey

BEE DISEASES CONTROL (JERSEY) ORDER 1992

Arrangement

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BEE DISEASES CONTROL (JERSEY) ORDER 1992¹

THE ECONOMIC DEVELOPMENT COMMITTEE, in pursuance of Articles 28 and 42 of the Diseases of Animals (Jersey) Law 1956,² orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order, unless the context otherwise requires –

“American foul brood” means the disease of the brood of bees caused by the organism *Bacillus larvae*;

“appliances” means containers and other appliances and apparatus used in connection with keeping or transporting bees;

“approved laboratory” means a laboratory generally or specially approved for the purposes of this Order by the Minister;

“bee product” means any natural product of the activities of bees (such as, for example, honey or beeswax) in its natural state;

“European foul brood” means the disease of the brood of bees caused by the organism *Streptococcus pluton*;

“hive” means any receptacle which contains or has at any time contained a colony of bees;

“quilt” means any form of cloth material used to cover a bee colony in a hive; and

“Varroasis” means infestation of bees by the mite *Varroa Jacobsoni*.

2 Notification of disease

- (1) An owner or person in charge of any hive who knows or has reasonable grounds for supposing that any bees from it are infected with American foul brood, European foul brood or Varroasis shall with all practical

speed give notice of that fact to the Minister and shall not remove, or permit to be removed, any hive, bees, combs, quilts, bee-products or appliances from the premises or other place on or in which the hive is situated until –

- (a) an inspector has examined them and has confirmed in writing that the inspector is satisfied that American foul brood, European foul brood or Varroasis is not present in them;
 - (b) a report on the examination of a sample submitted from them under paragraph (2) confirms that American foul brood, European foul brood or Varroasis is not present in them and notification of that fact has been received under Article 4(2); or
 - (c) a notice has been served on the said owner or person in charge under Article 3(2) whereupon the prohibition on removal contained in that notice shall replace the prohibition on removal arising under this paragraph.
- (2) Notwithstanding the provisions of paragraph (1) an owner or person in charge of any hive may submit samples of any combs or, in the case of suspected Varroasis, samples of any bees, combs or hive debris, to an approved laboratory in order to see if they are free from infection and any sample so submitted shall be packed so as to prevent as far as possible the risk of the spread of infection during transit.

3 Precautions against spread of infection

- (1) An inspector may –
 - (a) take samples of any bees, combs or hive debris in order to see if they are free from infection and shall submit any sample so taken to an approved laboratory;
 - (b) mark any hive or appliance for identification purposes.
- (2) Where by reason of information received under Article 2(1) or otherwise an inspector has reasonable grounds for supposing that American foul brood, European foul brood or Varroasis is present on or in any premises or other place, or where an inspector is refused entry to any premises or other place on or in which he or she has reasonable grounds for supposing there are any hives, bees, combs, quilts, bee-products or appliances, he or she shall serve on the owner or person in charge of any hive, bees, combs, quilts, bee-products or appliances on or in those premises or other place a notice prohibiting their removal except under the authority of a licence issued by the Minister and in accordance with the terms and conditions (if any) subject to which the licence is issued.

4 Reports on samples

- (1) The report on the examination of a sample submitted under Article 2(2) or Article 3(1)(a) shall be sent by the person in charge of the approved laboratory to the Minister with all practical speed.
- (2) Upon receiving the report on the examination of a sample submitted under Article 2(2) or Article 3(1)(a) the Minister shall with all practical

speed send a copy of the report to the owner or person in charge of the hive from which the sample was taken and if the report does not confirm the presence of American foul brood, European foul brood or Varroasis the Minister shall at the same time serve on such owner or person in charge a notice withdrawing any notice served under Article 3(2).

5 American foul brood

- (1) If the report on the examination of a sample submitted under Article 2(2) or Article 3(1)(a) confirms the presence of American foul brood the Minister may serve on the owner or person in charge of the hive from which the sample was taken a notice under paragraph (3).
- (2) If, following an examination by him or her, an inspector is satisfied that American foul brood is present in any hive and if the owner or person in charge of the hive agrees then the inspector may serve on the owner or person in charge a notice under paragraph (3) and the owner or person in charge shall signify his or her agreement by signing a copy of that notice which shall be retained by the inspector.
- (3) A notice under this paragraph shall require the owner or person in charge of the hive within such reasonable time as shall be specified in the notice –
 - (a) to destroy by fire any bees, combs, (together with any honey contained in them) and quilts from the hive; and
 - (b) at the option of the said owner or person in charge either to destroy by fire the hive and any appliances which appear to an inspector to be infected with or to have been exposed to infection with American foul brood or to treat the same in such manner and with such substance as shall be specified in the notice.
- (4) Any form of destruction or treatment required to be carried out by a notice served under paragraph (3) shall be carried out by the person on whom the notice is served or by his or her duly authorized agent in the presence of an inspector.
- (5) Where a notice is served under paragraph (3) then any notice served under Article 3(2) shall remain in force until such date as the Minister shall by subsequent notice determine.

6 European foul brood

- (1) If the report on the examination of a sample submitted under Article 2(2) or Article 3(1)(a) confirms the presence of European foul brood the Minister may –
 - (a) serve on the owner or person in charge of the hive from which the sample was taken a notice requiring him or her within such reasonable time as shall be specified in the notice either –
 - (i) to destroy by fire any bees, combs (together with any honey contained in them) and quilts from the hive and, at the option of the said owner or person in charge, either to

destroy by fire the hive and any appliances which appear to an inspector to be infected with or to have been exposed to infection with European foul brood or to treat the same in such manner and with such substance as shall be specified in the notice, or

- (ii) to treat any bees from the hive in such manner and with such substance as shall be specified in the notice;
- (b) serve on the owner or person in charge of any bees which appear to an inspector likely to have come into contact with bees from the hive (referred to in this sub-paragraph as “contact bees”) a notice requiring the treatment of the contact bees by such method, with such substance and within such reasonable time as shall be specified in the notice; and should any of the bees in a hive containing contact bees die before the treatment can be administered the Minister may serve a further notice on the owner or person in charge of the said hive requiring him or her, within such reasonable time as shall be specified in the notice, to destroy or treat the dead and remaining bees, their associated combs (together with any honey contained in them) and quilts and, at the option of the said owner or person in charge, either to destroy by fire the said hive and any appliances which appear to an inspector to be infected with or to have been exposed to infection with European foul brood or to treat the same in such manner and with such substance as shall be specified in the notice.
- (2) Where any bees have been treated in accordance with paragraph (1) such bees together with their associated combs and hives shall for a period of 8 weeks following the termination of such treatment be retained in the custody or under the control of the owner or the person in charge of the hives containing the said bees at the time when such treatment was carried out and during that period no person shall remove any combs or bee-products from any of the said hives.
 - (3) The Minister may exempt any person from the requirements contained in paragraph (2) by a licence and in accordance with the terms and conditions (if any) subject to which the licence is issued.
 - (4) Any form of destruction or treatment required to be carried out by a notice served under paragraph (1) shall be carried out by the person on whom the notice is served or by his or her duly authorized agent in the presence of an inspector; but the treatment of any bees shall be carried out by an inspector.
 - (5) Where a notice is served under paragraph (1) then any notice served under Article 3(2) shall remain in force until such date as the Minister shall by subsequent notice determine.

7 Varroasis

- (1) If the report on the examination of a sample submitted under Article 3(2) or Article 3(1)(a) confirms the presence of Varroasis the Minister may –

- (a) serve on the owner or person in charge of the hive from which the sample was taken a notice requiring the destruction, treatment or isolation of any of the following –
 - (i) the hive,
 - (ii) any bees, combs, quilts or bee-products from the hive,
 - (iii) any appliances belonging to him or her or in his or her charge which appear to an inspector to be infected with Varroasis;
 - (b) serve on the owner or person in charge of any other hive, bees, combs, quilts, bee-products or appliances which appear to an inspector to have been exposed to infection with Varroasis a notice requiring the destruction, treatment or isolation of such things;
 - (c) declare by notice published in accordance with Article 10(2) an area specified in the notice, in which the presence of Varroasis has been confirmed, to be an infected area.
- (2) A notice under paragraph (1)(a) requiring destruction or treatment –
- (a) shall specify the method of destruction or treatment and, in the case of treatment, the substance to be used;
 - (b) shall specify a reasonable period within which the destruction or treatment is to be carried out; and
 - (c) may require such destruction or treatment to be carried out by or in the presence of an inspector,
- and a notice requiring isolation shall specify the period of isolation.
- (3) A notice under paragraph (1)(c) may provide that all or any of the provisions specified in the Schedule to this Order shall apply in the infected area or in such parts thereof as are specified in the notice; and such a notice may provide for the application of different provisions to different parts of the infected area as the Minister considers necessary to prevent the spread of Varroasis.
- (4) Where the report on the examination of a sample submitted under Article 3(2) or 3(1)(a) confirms the presence of Varroasis then any notice served under Article 3(2) shall remain in force until such date as the Minister shall by subsequent notice determine.

8 Provision of facilities and obligations of beekeepers

- (1) No person shall in any way interfere with or cause or knowingly permit to be interfered with any form of identifying mark made by an inspector under Article 3(1)(b).
- (2) The owner or person in charge of any hive, bees, combs, quilts, bee-products or appliances shall, so far as he or she is able, make available all such facilities and give such information (including information concerning the whereabouts and number of hives, bees, combs, quilts, bee-products and appliances belonging to him or her or in his or her charge) to an inspector as that inspector shall reasonably require for the purposes of this Order.

- (3) No person except an inspector carrying out the treatment of bees under Article 6(4) shall treat any bees with any substance which may have the effect of disguising the presence of, or rendering difficult the detection of, American foul brood or European foul brood.
- (4) Any person may be excepted from the prohibition contained in paragraph (3) by a licence (which may be general or specific) issued by the Minister and in accordance with the terms and conditions (if any) subject to which the licence is issued.
- (5) Any person upon whom a notice is served under this Order or who is subject to the provisions of a notice declaring an area to be an infected area within the meaning of Article 7 shall comply in all respects with the provisions of that notice.

9 Default procedures

Where any action required to be taken by any person under any notice served on him or her under this Order has not been taken within the time specified in the notice for the taking of that action then an inspector may himself or herself take that action and the reasonable expenses incurred in the taking of that action shall, without prejudice to any proceedings arising in connection with a contravention of this Order, be recoverable on demand by the Minister as a civil debt from that person.

10 Notices

- (1) A notice shall be in writing and if required to be served on any person shall be deemed to be properly served if delivered personally to him or her or left at or posted to his or her place of abode or business last known to the Minister; and any notice so served may be varied or revoked in the same manner.
- (2) A notice declaring an area to be an infected area within the meaning of Article 7 shall be published in such newspapers or periodicals or in such other manner as the Minister shall consider necessary to bring it to the attention of those persons likely to be affected by its terms and may be varied or revoked by the Minister by a further notice published, so far as is practicable, in the same manner.

11 Exemptions

Any person who in the opinion of the Minister is concerned or connected with research into, or with any course of training relating to, pests or diseases affecting bees may be exempted from any of the provisions of this Order by a licence issued by the Minister and in accordance with any terms and conditions subject to which the licence is issued.

12 Licences

- (1) A general licence shall be issued by the publication of it in such newspapers or periodicals or in such other manner as the Minister shall

consider necessary to bring it to the attention of those persons likely to be affected by its terms.

- (2) A general licence may be varied, revoked or suspended by a notice published, so far as practicable, in the same manner and to the same extent as the licence.
- (3) A specific licence may be varied, revoked or suspended by a notice in writing served on the person to whom the licence was issued.

13 Citation

This Order may be cited as the Bee Diseases Control (Jersey) Order 1992.

SCHEDULE

(Article 7(3))

PROVISIONS WHICH MAY APPLY IN AN INFECTED AREA

1. The Minister may serve on the owner or person in charge a notice requiring the destruction, treatment or isolation of any hive, bees, combs, quilts, bee-products or appliances. Where the notice requires destruction or treatment it shall specify the method of destruction or treatment and, in the case of treatment, the substance to be used. The notice shall also specify a reasonable period within which the destruction or treatment is to be carried out. Where the notice requires isolation it shall specify the period of isolation.
2. Any movement into, from or within an infected area of any hive, bees, combs, quilts, bee-products or appliances shall be prohibited except under the authority of a licence, which may be general or specific, issued by the Minister and in accordance with the terms and conditions (if any) subject to which the licence is issued.
3. An owner or person in charge of any hive, bees, combs, quilts, bee-products or appliances shall notify the Minister as soon as he or she is reasonably able to do so of his or her name and address and the location of all the hives, bees, combs, quilts, bee-products or appliances belonging to him or her or in his or her charge.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Bee Diseases Control (Jersey) Order 1992	R&O.8437	10 September 1992
States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005	R&O.132/2005	9 December 2005

Table of Renumbered Provisions

Original	Current
1(2), (3)	spent, omitted from this revised edition
13	spent, omitted from this revised edition
14	13

Table of Endnote References

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- ¹ *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *chapter 02.400*