

2010 No. 2363

BEE DISEASES, ENGLAND

**The Bee Diseases and Pests Control (England) (Amendment)
Order 2010**

<i>Made</i>	- - - -	<i>21st September 2010</i>
<i>Laid before Parliament</i>		<i>29th September 2010</i>
<i>Coming into force</i>	- -	<i>25th October 2010</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 1 of the Bees Act 1980(a).

Title and commencement

1. This Order may be cited as the Bee Diseases and Pests Control (England) (Amendment) Order 2010 and comes into force on 25th October 2010.

Amendments

2.—(1) The Bee Diseases and Pests Control (England) Order 2006(b) is amended as follows.

(2) For article 11, substitute—

“Imported bees

11.—(1) Where consignments of queen bees mentioned in Article 7(3)(a) of Commission Regulation (EU) No 206/2010 arrive at the designated place of final destination from a third country or territory mentioned in Article 7(1) of that Regulation, the consignee must—

- (a) transfer them to new cages in accordance with Article 13(1) of that Regulation; and
- (b) send the cages, attendants and other material that accompanied those bees from the third country of origin to a laboratory in accordance with Article 13(2) of that Regulation.

(a) 1980 c. 12. The functions of the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales under section 1 were, so far as exercisable in relation to Scotland, transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46). The functions of the Secretary of State for Wales under section 1 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The remaining functions of the Secretary of State for Scotland and the Secretary of State for Wales under section 1 were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141). The functions of the Minister of Agriculture, Fisheries and Food under section 1 were transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794). The functions of the Secretary of State under section 1 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by section 162 of, and Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(b) S.I. 2006/342.

(2) Where consignments of bumble bees mentioned in Article 7(3)(b) of Commission Regulation (EU) No 206/2010 are introduced into England from a third country or territory mentioned in Article 7(1) of that Regulation, the owner or person in charge of those bees must destroy the container and material that accompanied them from the third country of origin in accordance with the third paragraph of Article 13(3) of that Regulation.

(3) The Secretary of State is the competent authority for the purposes of Article 13(1) and (2) of that Regulation.

(4) For the purposes of this article—

- (a) “Commission Regulation (EU) No 206/2010” means Commission Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements;
- (b) “the consignee” means the consignee as indicated on the veterinary certificate accompanying the bees in accordance with Article 7(4)(a) of Commission Regulation (EU) No 206/2010; and
- (c) “designated place of final destination” has the same meaning in this article as it has in Article 13 of Commission Regulation (EU) No 206/2010.”.

(3) In article 12(1), after “notifiable pest”, insert “or notifiable disease”.

21st September 2010

Henley
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Bee Diseases and Pests Control (England) Order 2006 (S.I. 2006/342) (“the 2006 Order”). It makes provision for the enforcement in England of Article 13 of Commission Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (OJ No L 73, 20.3.2010, p1, as read with the Corrigenda published in OJ No L 146, 11.6.2010, p1).

Article 13 of that Regulation imposes conditions that apply following the introduction of certain species of queen bees and bumble bees (*Apis mellifera* and *Bombus* spp.) from third countries into England.

This Order also amends article 12(1) of the 2006 Order so that its provisions also apply in cases where notifiable disease is known or suspected.

Breach of the 2006 Order, as amended by this Order, is an offence under section 1(7) of the Bees Act 1980 (c. 12).

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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STATUTORY INSTRUMENTS

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