

2011 No. 326

BEE DISEASES

**The Bee Diseases and Pests Control (Scotland) Amendment
Order 2011**

<i>Made</i>	- - - -	<i>8th September 2011</i>
<i>Laid before the Scottish Parliament</i>		<i>9th September 2011</i>
<i>Coming into force</i>	- -	<i>11th October 2011</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 1 of the Bees Act 1980(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Bee Diseases and Pests Control (Scotland) Amendment Order 2011 and comes into force on 11th October 2011.

Amendments

2.—(1) The Bee Diseases and Pests Control (Scotland) Order 2007(b) is amended as follows.

(2) In article 2 (interpretation), after the definition of “bee pest”, insert—

““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(c);

“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;

“designated place of destination” and “designated place of final destination” have the same meanings as they do in Article 13 of Commission Regulation (EU) No 206/2010;”.

(a) 1980 c.12. The functions conferred upon the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales under section 1 were, in so far as exercisable within devolved competence, transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.S.I. 2007/506.

(c) OJ L 73, 20.3.2010, p.1, as last amended by Commission Implementing Regulation (EU) No 342/2011 (OJ L 96, 9.4.2011), p.10).

(3) For article 11 (imported bees), substitute—

“Imported bees

11.—(1) Where consignments of queen bees mentioned in Article 7(3)(a) of Commission Regulation (EU) No 206/2010 are introduced into Scotland from a third country or territory mentioned in Article 7(1) of that Regulation, the consignee must—

- (a) arrange for them to be conveyed without delay to the designated place of final destination;
- (b) transfer them to new cages before introducing them to local colonies; and
- (c) as soon as reasonably practicable after making that transfer, send the cages, attendants and other material that accompanied those bees from the third country or territory of origin to a laboratory.

(2) Where consignments of bumble bees mentioned in Article 7(3)(b) of Commission Regulation (EU) No 206/2010 are introduced into Scotland from a third country or territory mentioned in Article 7(1) of that Regulation—

- (a) the consignee must arrange for them to be conveyed without delay to the designated place of destination; and
- (b) the owner or person in charge of those bees must destroy the container and material that accompanied them from the third country or territory of origin in accordance with the third paragraph of Article 13(3) of that Regulation.

(3) The Scottish Ministers are the competent authority for the purposes of Article 13(1) and (2) of Commission Regulation (EU) No 206/2010.”.

RICHARD LOCHHEAD
A member of the Scottish Executive

St Andrew’s House,
Edinburgh
8th September 2011

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Bee Diseases and Pests Control (Scotland) Order 2007 (“the 2007 Order”). It makes provision for the enforcement in Scotland 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.

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 Scotland.

Breach of the 2007 Order, as amended by this Order, is an offence under section 1(7) of the Bees Act 1980.

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

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