

EXECUTIVE NOTE TO
THE BEE DISEASES AND PESTS CONTROL
(SCOTLAND) AMENDMENT ORDER 2011

2011 No. 326

The above instrument was made in exercise of the powers conferred by section (9) of the Bees Act 1980. The instrument is subject to negative procedure.

Policy Objectives

The objective of the **Bees Act 1980** and Orders made under it is to ensure as far as possible that the spread of serious endemic bee diseases and the introduction of exotic bee pests is minimised. **The Bee Diseases and Pests Control (Scotland) Order 2007** implements the post import controls for bees which are laid down in Commission Decision 2003/881/EC. This Decision has now been revoked and replaced by Commission Regulation (EU) 206/2010 which is directly applicable. Although the post import control requirements are unchanged, for legal reasons the new instrument is needed to remove the domestic measures on these controls from the Order and replace them with provisions which simply enforce those in the Regulation.

Consultation

No consultation was carried out as there are no practical changes to the current arrangements for stakeholders.

Impact Assessments

An Impact Assessment has not been prepared for this instrument as there is no additional impact on business, charities or voluntary bodies and there is no impact on the public sector.

Financial Effects

A Business Regulatory Impact Assessment (BRIA) has not been prepared as the instrument has no financial effects on the Scottish Government, local government or on business.

Transposition

A Transposition Note is attached to this Executive Note for information. Commission Regulation (EU) 206/2010 was not subject to scrutiny by the EU Scrutiny Committee.

Animal Health and Welfare Division
Enterprise and Environment Directorate
The Scottish Government

26 August 2011

TRANSPPOSITION NOTE FOR THE BEE DISEASES AND PESTS CONTROL (SCOTLAND) (AMENDMENT) ORDER 2011

The Bee Diseases and Pests Control (Scotland) (Amendment) Order 2011 provides enforcement provisions for the post import control measures on bees that are part of Commission Regulation (EU) 206/2010. These provisions are set out in the table below.

Commission Regulation (EU) 206/2010 Article	Purpose	The Bee Diseases and Pests Control (Scotland) (Amendment) Order 2011 Article (ref to original Order)	Responsibility
7 and 13(1)	Requires consignments of queen bees imported from a third country to be conveyed without delay to the designated place of final destination	Article 11(1)(a)	Consignees are responsible for making the appropriate arrangements for transportation without delay
7 and 13(1)	Requires queen bees imported from a third country to be transferred to new (queen) cages at their designated destination before introducing them to new local colonies.	Article 11(1)(b)	Consignees
7 and 13(2)	Requires the (queen) cages, attendant worker bees and other material that accompanied the queen bees from their third country of origin to be sent to a laboratory designated by the competent authority for examination for the presence of the small hive beetle and tropilaelaps.	Article 11(1)(c)	<p>Consignees</p> <p>Note that there is also an implied duty on the laboratory to carry out the necessary examination and thereafter destroy the cages, attendants and material.</p> <p>The designated laboratory for such</p>

			<p>purposes is the Scottish Agricultural Science Agency (SASA) which provides laboratory based diagnostic support for Scottish bee inspectors in the identification and control of the statutory bee diseases American Foul Brood, European Foul Brood, Tropilaelaps mites and Small Hive beetle.)</p> <p>If the Scottish Ministers were to become aware of failures, such as a failure to carry out the requisite examination or destruction, that would be dealt with administratively – i.e. through the SASA's approval to carry out such tests.</p>
7 and 13(3)	<p>Requires consignments of bumble bees imported from a third country to be conveyed without delay to the designated place of destination</p> <p>Requires that the container and all the material that accompanied the bumble bees from the third country of origin be destroyed either during or immediately at the end of the life span of the colony.</p>	<p>Article 11(2)(a)</p> <p>Article 11(2)(b)</p>	<p>Consignees are responsible for making the appropriate arrangements for transportation without delay</p> <p>The owner or person in charge of the bees.</p>