

POLICY NOTE

THE BEE KEEPING (COLONSAY AND ORONSAY) ORDER 2013

SSI 2013/279

1. The above instrument is made in exercise of the powers conferred by section 14ZC of the Wildlife and Countryside Act 1981 (the 1981 Act), as amended by the Wildlife and Natural Environment (Scotland) Act 2011 (the 2011 Act). The instrument is subject to negative procedure.

Policy Objectives

2. This instrument protects the population of *Apis mellifera mellifera* (Amm, black bee) on Colonsay from hybridisation with other honey bees.

3. Section 14ZC of the 1981 Act, inserted by section 14(3) of the 2011 Act, provides that it is an offence to keep any invasive species that Ministers have specified by order. The prohibition can be set out in terms of different types of animal or plant, circumstances, purposes, persons, times of year, areas or places.

4. The power to create such a prohibition depends on the prohibited species being deemed to be invasive. The 1981 Act defines those species that are likely to have a significant adverse impact on biodiversity, other environmental interests or social or economic interests as invasive. The keeping of any non-Amm honey bee on Colonsay (or its adjoining island Oronsay) risks those bees hybridising with the Amm colonies that are already kept there. This would have an irreversible effect on a rare population of Amm honey bees and effectively remove a source of valuable information and research into honey bees. In that sense it would be likely to have significant adverse impact on both environmental interests and socio-economic interests.

5. The instrument creates a prohibition on the keeping of any non-Amm honey bee on Colonsay or Oronsay. It has no legal effect outwith Colonsay or Oronsay.

Consultation

6. In exercising the powers given to them under Section 14 ZC of the 1981 Act the Scottish Ministers are required to consult Scottish Natural Heritage (SNH) and any other person appearing to them to have an interest in accordance with section 26(4A) of the 1981 Act (as inserted by section 17(6)(c) of the 2011 Act).

7. In making this instrument the Scottish Ministers have consulted SNH. They have also consulted others appearing to them to have an interest by running a small-scale consultation in early 2013.

8. The consultation responses indicated that the proposed measure would not have any impact on the business plans of beekeepers.

Impact Assessments

9. There are no equality impact issues.

Financial Effects

10. The Minister for Environment and Climate Change confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

**Directorate for Environment and Forestry
September 2013**