
STATUTORY INSTRUMENTS

1997 No. 310

BEE DISEASES

The Importation of Bees Order 1997

Made - - - - *11th February 1997*
Laid before Parliament *18th February 1997*
Coming into force - - *17th March 1997*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1(1) and (2) of the Bees Act 1980(1) and of all other powers enabling them in that behalf, hereby make the following Order:

Title and commencement

1. This Order may be cited as The Importation of Bees Order 1997 and shall come into force on 17th March 1997.

Interpretation

2. In this Order—

“bees” means any member of the genus *Apis* and includes bees in any stage of their life cycle;

“bee pests” means any organisms or pathogens which are injurious to bees or any cultures of such organisms or pathogens;

“the responsible Minister” means in relation to England, the Minister of Agriculture, Fisheries and Food and in relation to Scotland and Wales, the Secretary of State.

Prohibition of importation of bees

3. Subject to the exemptions provided in articles 4, 5 and 6 below, the importation of bees or bee pests into Great Britain is prohibited.

Importation of bees from another member State

4.—(1) Subject to the following provisions of this article, the prohibition in article 3 above shall not apply to the importation by way of trade from another member State of bees of the species *Apis mellifera*.

- (2) Any person who imports bees in accordance with paragraph (1) above shall ensure that—
- (a) the importation meets the requirements of Article 8 of Council Directive 92/65/EEC⁽²⁾ (laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC), in addition to the requirements of the Animals and Animal Products (Import and Export) Regulations 1995⁽³⁾; and
 - (b) the final destination of the bees is within an area of Great Britain which has been declared under article 8 of The Bee Diseases Control Order 1982⁽⁴⁾ to be an area in which the presence of varroasis has been confirmed, and is accordingly an infected area within the meaning of that Order;

and for the avoidance of doubt it is declared that the prohibition in article 3 above shall continue to apply in any area which has not been declared to be an infected area.

General licences

5.—(1) The responsible Minister may issue general licences exempting the importation of bees or bee pests from the prohibition imposed by article 3 above.

- (2) A licence issued under paragraph (1) above—
- (a) shall be published in such manner as the responsible Minister may decide;
 - (b) shall authorise generally the importation of bees or bee pests from any country named in it;
 - (c) may be issued subject to conditions which may be varied from time to time; and
 - (d) may be suspended or revoked at any time.

Specific licences

6.—(1) The responsible Minister, or any person authorised by him for the purpose, may issue specific licences exempting the importation of bees or bee pests from the prohibition imposed by article 3 above.

- (2) A licence issued under paragraph (1) above—
- (a) shall be issued to a named person;
 - (b) shall be valid for a specified period not exceeding three years;
 - (c) shall specify the country or countries from which bees or bee pests may be imported;
 - (d) may be issued subject to conditions, which may be varied from time to time; and
 - (e) may be suspended or revoked in accordance with the procedure set out in article 7 below.

Suspension and revocation of specific licences

- 7.—(1) Before suspending or revoking a specific licence the responsible Minister shall—
- (a) inform the licence holder that he is considering suspending or revoking the licence;

(2) O.J. No. L.268, 14.9.92, p. 54.

(3) S.I. 1995/2428 as amended by S.I. 1996/1111.

(4) S.I. 1982/107.

- (b) give reasons for the consideration formed at sub-paragraph (a) above;
- (c) invite the licence holder to submit written or oral representations within a specified period; and
- (d) take account of any such representations submitted.

(2) The responsible Minister shall inform the licence holder of his decision and the grounds on which it was taken.

(3) A licence holder to whom the provisions of this article apply may continue to use the licence until such time as he is informed that a decision suspending or revoking it has been taken in accordance with paragraph (2) above.

Revocations

8. The instruments listed in the Schedule to this Order are hereby revoked.

10th February 1997

Douglas Hogg
Minister of Agriculture, Fisheries and Food

Scottish Office
10th February 1997

Lindsay
Parliamentary Under Secretary of State,

Signed by authority of the Secretary of State for Wales

Welsh Office
11th February 1997

Jonathan Evans
Parliamentary Under Secretary of State,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Article 8

REVOCATIONS

<i>Title</i>	<i>Reference</i>
The Importation of Bees Order 1980	S.I.1980/792
The Importation of Bees (Amendment) Order 1987	S.I. 1987/867
The Importation of Bees (Amendment) Order 1993	S.I. 1993/3249

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and re-enacts the Importation of Bees Order 1980, as amended. That Order prohibited the importation of bees or bee pests except under the authority of a general or specific licence issued by the Minister of Agriculture, Fisheries and Food or the Secretary of State. A specific licence permitted the licensee to import a specified consignment of bees or bee pests from a country named in the general licence issued under that Order.

The principal change made by this Order is to provide for the issue of a specific licence which permits the licence holder to import an unlimited number of consignments of bees or bee pests from any specified country. Specific licences are valid for a specified period not exceeding three years (article 6).

Article 7 sets out the procedure to be followed before a specific licence is suspended or revoked.

Any person who without lawful authority or excuse, contravenes or fails to comply with any provision of this Order is guilty of an offence against the Bees Act 1980.