



ANNO DECIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1964

No. 16 of 1964

An Act to amend the Apiaries Act, 1931-1943.

[Assented to 24th September, 1964.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Apiaries Act Amendment Act, 1964". Short titles.

(2) The Apiaries Act, 1931-1943, as amended by this Act, may be cited as the "Apiaries Act, 1931-1964".

(3) The Apiaries Act, 1931-1943, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Section 3 of the principal Act is amended by striking out the definition of "apiary" therein and inserting in lieu thereof the following definitions:— Amendment of principal Act, s. 3— Interpretation.

"apiary" means any place where bees or any hives are kept by any person and, in relation to any such place that in the opinion of an inspector is infected with disease, includes the bees, hives, honey, beeswax and appliances therein:

"appliance" means an article used in an apiary or in connection with the extraction or storage of honey.

Amendment of
principal Act,
s. 5—
Hives to be
registered.

4. Section 5 of the principal Act is amended—

(a) by striking out subsection (2) thereof and inserting in lieu thereof the following subsections :—

(2) Within one month after commencing to keep bees, a beekeeper shall, upon payment of the prescribed fee, register all hives in which he keeps bees, and thereafter shall register all such hives annually on or before the thirtieth day of June.

(2a) Where immediately before the commencement of the Apiaries Act Amendment Act, 1964, the registration of the hives of a beekeeper is in force, such registration shall continue in force until the thirtieth day of June, One thousand nine hundred and sixty-five ; and

(b) by striking out subsection (4) thereof.

Amendment of
principal Act,
s. 7—
Duties of
beekeepers.

5. Section 7 of the principal Act is amended—

(a) by striking out the words “the prescribed” in paragraph (a) thereof and inserting in lieu thereof the words “all necessary” ;

(b) by striking out the words “by fire” and “in the manner prescribed” in subparagraph (iii) of paragraph (b) thereof and inserting in lieu thereof in each case the words “as directed by the inspector” ; and

(c) by inserting at the end thereof the following subsection (the preceding part of the section as amended by paragraphs (a) and (b) of this section being designated as subsection (1) thereof) :—

(2) A beekeeper who has received notice from an inspector that his apiary is infected with disease shall not, except with the permission of an inspector—

(a) dispose of or move a hive or an appliance from the apiary unless the hive or appliance, as the case may be, has ceased to be so infected (proof whereof shall lie upon the beekeeper) ; or

(b) dispose of or move any honey or beeswax.

6. Section 8 of the principal Act is amended—

Amendment of
principal Act,
s. 8—
Powers of
inspectors.

- (a) by striking out the words “as may be prescribed” in paragraphs (c) and (d) thereof and inserting in lieu thereof in each case the words “as the inspector considers necessary”;
- (b) by striking out the word “and” at the end of paragraph (c) thereof; and
- (c) by inserting after paragraph (d) thereof the following paragraphs :—
 - (e) seize and destroy or otherwise dispose of as the Minister may direct any hives, honey, beeswax or appliances that are or is found abandoned or neglected and infected or likely to become infected with disease; and
 - (f) require the owner of an apiary infected with disease to remove the apiary to a place where it will not constitute a source of infection to other apiaries, or, if the owner does not comply with the requirement, the inspector may remove the apiary to any such place.

7. Section 9 of the principal Act is amended—

Amendment of
principal Act,
s. 9—
Offences.

- (a) by striking out paragraph (b) thereof;
- (b) by striking out paragraphs (c) and (d) thereof and inserting in lieu thereof the following paragraphs :—
 - (c) contravene any of the other provisions of this Act;
 - (d) except when required by an inspector pursuant to paragraph (f) of section 8 of this Act, knowingly remove any bees, hives, appliances or any honey or beeswax infected with disease from the premises whereon they are, or it is, found to be so infected to any other premises;
- (c) by striking out the words “which are” in paragraph (e) thereof and inserting in lieu thereof the words “or any honey or beeswax which are or is”;
- (d) by inserting after the passage “honey,” in paragraph (f) thereof the passage “beeswax,”; and
- (e) by striking out the passage “therein,” in paragraph (g) thereof and inserting in lieu thereof the passage “or an appliance or article therein, is or”.

Repeal and re-enactment of s. 13a and enactment of s. 13b of principal Act—
Hives to be branded.

8. Section 13a of the principal Act is struck out and the following sections are inserted in lieu thereof:—

13a. (1) Subject to subsection (2) of this section, a beekeeper shall brand, in accordance with the regulations, at least one hive in each group of his hives or, if a group contains more than ten hives, at least one hive out of every ten hives in that group, and shall keep his hives branded accordingly.

(2) For the purposes of subsection (1)—

(a) the brand shall specify the name and address of the beekeeper; or

(b) the brand shall be a brand allotted to the beekeeper by the chief inspector.

Beekeeper to provide water.

13b. A beekeeper shall, in each place where he keeps bees, provide for the bees a sufficient amount of clean water of suitable mineral content, and shall place the water so as to prevent any pollution by the bees of water provided for livestock, or stored, on adjacent premises.

Amendment of principal Act, s. 19 (1)—
Regulations.

9. Subsection (1) of section 19 of the principal Act is amended by inserting therein after paragraph II thereof the following paragraphs:—

IIa. fees to be charged for the registration of hives pursuant to this Act and additional fees payable as a penalty for late registration;

IIb. the size of any brand required by section 13a of this Act, and the manner in which hives shall be branded therewith.

Repeal and re-enactment of Schedule to principal Act.

10. The Schedule to the principal Act is struck out and the following Schedule is inserted in lieu thereof:—

THE SCHEDULE.

DISEASES TO WHICH THIS ACT APPLIES.

American Foul Brood.
European Foul Brood.
Sac Brood.
Para Foul Brood.
Wax-Moth.
Acariasis.
Tranhu coeca infestation.
Nosema disease.

section 3.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

EDRIC BASTYAN, Governor.