



Isle of Man } Signed in Tynwald: 20th June 1989
 to Wit } Received Royal Assent: 21st June 1989
 Announced to Tynwald: 21st June 1989
 Passed: 21st June 1989

AN ACT

to make new provision for the control of pests and diseases affecting bees; and for connected purposes.

WE, your Majesty's most dutiful and loyal subjects, the Lieutenant Governor, Council and Keys of the said Isle, do humbly beseech Your Majesty that it may be enacted, and be it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lieutenant Governor, Council and Keys in Tynwald assembled, and by the authority of the same, as follows (that is to say): —

1. (1) The Department of Agriculture, Fisheries and Forestry (in this Act referred to as "the Department") may by order make such provision as it thinks fit for the purpose of preventing the introduction into or spreading within the Island of pests or diseases affecting bees.

Control of pests and diseases affecting bees.

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(2) For the purpose mentioned in subsection (1) an order under this section —



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(2) For the purpose mentioned in subsection (1) an order under this section —

- 
- (a) may prohibit or regulate the importation into or movement within the Island of bees and combs, bee products, hives, containers and other appliances used in connection with keeping or transporting bees, and of any other thing which has or may have been exposed to infection with any pest or disease to which the order applies; and
- (b) may make provision with respect to any of the matters specified in the Schedule.

This subsection is without prejudice to the generality of subsection (1).

(3) Any authorised person may examine any bees or other thing subject to control under an order under this section, and may take samples of them, in order to see if they are free from infection.

(4) Where any bees or other things subject to control under any such order are found to be infected, or to have been exposed to infection, with any pest or disease to which the order applies, any authorised person may destroy them by such means as he thinks fit, or cause them to be so destroyed.

(5) Without prejudice to subsection (4), where any bees or other thing are imported into the Island in contravention of an order under this section, any authorised person may destroy them by such means as he thinks fit, or cause them to be so destroyed, and may do so with or without first allowing an opportunity for them to be re-exported.

(6) No compensation shall be payable in respect of any exercise of the powers conferred by subsections (3) and (5).

(7) Any person who —

- (a) imports any bees or other thing into the Island in contravention of an order under this section;

- (b) moves any bees or other thing within the Island in contravention of any such order; or
- (c) otherwise contravenes or fails to comply with the provisions of any such order or with any condition imposed by any licence issued under any such order;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2,000.



(8) Any expenses incurred by the Department under this section (or under any order made under this section) shall be provided out of moneys provided by Tynwald.

(9) An order under this section shall be laid before Tynwald as soon as is practicable after it is made, and if Tynwald at the sitting before which such order is so laid, or at the next following sitting, resolves that the order shall be annulled the order shall cease to have effect.

2. (1) Subject to this section, for the purpose of exercising any power conferred on him by or under section 1 an authorised person may at any reasonable time enter —

Power of entry.
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- (a) any premises or other place; or
- (b) any vessel, boat, hovercraft, aircraft or vehicle of any description;

on or in which he has reasonable grounds for supposing that there are or have been any bees or other things subject to control under an order under that section.

(2) Admission to a dwelling shall not be demanded as of right unless a warrant has been issued by a justice of the peace under subsection (3).

(3) If it is shown to the satisfaction of a justice of the peace on information on oath that there are

reasonable grounds for entry of the dwelling for the purposes mentioned in subsection (1), the justice may by warrant under his hand authorise an authorised person to enter the dwelling.

(4) A warrant issued under subsection (3) shall continue in force for 5 days.

(5) A person seeking to enter any premises or other place, or any vessel, boat, hovercraft, aircraft or other vehicle in exercise of the power of entry under this section, shall, if so required by or on behalf of the owner or occupier or person in charge, produce evidence of his authority and, in the case of entry to a dwelling, the warrant issued under subsection (3) before entering.

(6) Any person who intentionally obstructs a person acting in exercise of the power of entry under this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2,000.

Interpretation.

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3. In this Act —

“authorised person” means a person generally or specially authorised in writing by the Department;

“bees” include bees in any stage of their life cycle;

“bee product” means any natural product of the activities of bees (such as, for example, honey or beeswax) in its natural state;

“Department” has the meaning given by section 1(1);

“importation” includes removal to the Island from the United Kingdom, and “re-exported” shall be construed accordingly.

Short title and commencement.

4. (1) This Act may be cited as the Bees Act 1989.

(2) This Act shall come into operation on such day as the Department may by order appoint.

Section 1(2)

SCHEDULE

SPECIFIC MATTERS WITH RESPECT TO WHICH PROVISION
MAY BE MADE BY ORDER UNDER SECTION 1

1. The conditions to be observed before, during and after importation.
2. Exemptions from prohibitions on importation in the order by means of licences, whether general or specific and whether conditional or unconditional, issued in accordance with the order (whether on or before importation) by the Department or (where the order so provides) by any authorised person.
3. The revocation of any licence issued in accordance with the order and the variation of any of the conditions attached to a licence so issued.
4. Securing information with respect to —
 - (a) the persons who keep bees;
 - (b) the occurrence of any pest or disease to which the order applies;
 - (c) the country or place of origin or consignment, contacts in transit and destination of any bees or other things subject to control under the order (whether the information is required on, before or following their importation into or transportation within the Island);
 - (d) any other matter relevant to determining whether any bees or other things subject to control under the order have been exposed to infection with any pest or disease to which the order applies.
5. The circumstances in which and the time when any bees brought into the Island are to be regarded for the purposes of this Act as being imported into the Island.
6. Treatment of any bees found to be infected or to have been exposed to infection with any pest or disease to which the order applies.
7. Cleansing and disinfection.

8. Marking of hives or other containers for identification.
9. Recovery of costs.
10. Payment of compensation for bees or other thing subject to control destroyed in accordance with section 1(4).