

2011 No. 226 (W. 44)

BEE DISEASES, WALES

**The Bee Diseases and Pests Control
(Wales) (Amendment) Order 2011**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Bee Diseases and Pests Control (Wales) Order 2006 (S.I. 2006/1710) (W 172) (“the 2006 Order”). It makes provision for the enforcement in Wales of Article 13 of Commission Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (OJ No L 73, 20.3.2010, p1, as read with the Corrigenda published in OJ No L 146, 11.6.2010, p1).

Article 13 of that Regulation imposes conditions that apply following the introduction of certain species of queen bees and bumble bees (*Apis mellifera* and *Bombus* spp.) from third countries into Wales.

This Order also amends article 12(1) of the 2006 Order so that its provisions also apply in cases where notifiable disease is known or suspected.

Breach of the 2006 Order, as amended by this Order, is an offence under section 1(7) of the Bees Act 1980 (c. 12).

A regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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BEE DISEASES, WALES

**The Bee Diseases and Pests Control
(Wales) (Amendment) Order 2011**

Made 01 February 2011

Laid before the National Assembly for Wales
07 February 2011

Coming into force 28 February 2011

The Welsh Ministers make this Order in exercise of the powers conferred by section 1 of the Bees Act 1980⁽¹⁾.

Title, application and commencement

1. The title of this Order is the Bee Diseases and Pests Control (Wales) (Amendment) Order 2011. It applies in relation to Wales and comes into force on 28 February 2011.

Amendments

2.—(1) The Bee Diseases and Pests Control (Wales) Order 2006⁽²⁾ is amended as follows.

(2) For article 11, substitute—

“Imported bees

11.—(1) Where consignments of queen bees mentioned in Article 7(3)(a) of Commission

(1) 1980 c.12. The functions of the Secretary of State for Wales under section 1 were, in so far as exercisable in relation to Wales transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the Minister of Agriculture, Fisheries and Food were, in so far as exercisable in relation to Wales transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044). Functions conferred on the National Assembly for Wales now vest in the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006.

(2) S.I. 2006/1710 (W.172).

Regulation (EU) No 206/2010⁽¹⁾ arrive at the designated place of final destination from a third country or territory mentioned in Article 7(1) of that Regulation, the consignee must—

- (a) transfer them to new cages in accordance with Article 13(1) of that Regulation; and
- (b) send the cages, attendants and other material that accompanied those queen bees from the third country of origin to a laboratory in accordance with Article 13(2) of that Regulation.

(2) Where consignments of bumble bees mentioned in Article 7(3)(b) of Commission Regulation (EU) No 206/2010 are introduced into Wales from a third country or territory mentioned in Article 7(1) of that Regulation, the owner or person in charge of those bumble bees must destroy the container and material that accompanied them from the third country of origin in accordance with the third paragraph of Article 13(3) of that Regulation.

(3) The Welsh Ministers are the competent authority for the purposes of Article 13(1) and (2) of that Regulation.

(4) For the purposes of this article—

- (a) “Commission Regulation (EU) No 206/2010” (“*Rheoliad y Comisiwn (EU) Rhif 206/2010*”) means Commission Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements;
- (b) “the consignee” (“*y traddodai*”) means the consignee as indicated on the veterinary certificate accompanying the bees in accordance with Article 7(4)(a) of Commission Regulation (EU) No 206/2010; and
- (c) “designated place of final destination” (“*cyrchfan derfynol ddynodedig*”) has the same meaning in this article as it has in Article 13 of Commission Regulation (EU) No 206/2010.”.

(3) In article 12(1), after “notifiable pest”, insert “or notifiable disease”.

(1) OJ No L 73, 20.3.2010, p 1 as corrected in OJ No L 146, 11.6.2010, p 1 and amended by Commission Regulation (EU) No 810/810 OJ No L 243, 16.9.2010, p16

Elin Jones

Minister for Rural Affairs, one of the Welsh Ministers

01 February 2011