

THE BEES CONTROL ACT

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THE BEES CONTROL ACT

Cap. 38.
Act
6 of 1968.

[10th May, 1918.]

1. This Act may be cited as the Bees Control Act. Short title.

Preliminary

2. In this Act— Interpre-
tation.
- “beekeepers’ stock” includes combs, hives that have been in use and other products of and things used in connection with bee-keeping;
- “disease” means the diseases known as “foul brood” and “Isle of Wight disease of bees,” and any other disease which the Minister, by notice published in the *Gazette*, may declare to be a disease for the purposes of this Act.

PART I. *Importation*

3. No bees, honey or beekeeper’s stock shall be brought within the limits of this Island save with the permission in writing of the Chief Plant Protection Officer first had and obtained, and any bees, honey, or beekeepers’ stock brought within the limits of this Island without such permission may be seized and destroyed at any time by any Customs Officer or by any officer or sub-officer of the Jamaica Constabulary Force. Permits for
importation
required.
6/1968
S. 3(2) and
Sch.

- 4.—(1) The Chief Plant Protection Officer may grant to any person leave to bring within the limits of this Island or to land in this Island any bees, honey or beekeepers’ stock in accordance with such regulations as the Minister may make and regulations may be made accordingly. Permit
regulations.
6/1968
S. 3(2) and
Sch.

6/1968
S. 3(2) and
Sch.

(2) On the breach of any term or condition prescribed by such regulations the Chief Plant Protection Officer may, with the approval of the Minister, destroy or cause to be destroyed any bees, honey or beekeepers' stock so brought within the limits of this Island or landed in this Island.

Punishment
of offenders.
6/1968
S. 3(2) and
Sch.

5. Any person bringing within the limits of this Island or landing in this Island any bees, honey or beekeepers' stock without the leave of the Chief Plant Protection Officer first had and obtained and any person failing to observe or carry out such terms and conditions as may be prescribed by or under the regulations in the last preceding section mentioned shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding one hundred dollars and in default of payment to imprisonment with or without hard labour for a term not exceeding three months.

PART II. *Protection from Disease*

Minister
may
prescribe
measures,
etc., for
preventing
introduction
and spread
of disease.

6. It shall be lawful for the Minister from time to time, by orders to be published in the *Gazette*, to—

- (a) prescribe the measures to be taken for the treatment of any disease by the owner or person having the charge or management of any apiary;
- (b) regulate the duty of persons appointed to carry out the provisions of any orders issued under this Part;
- (c) direct the destruction of any apiary infected or suspected of being infected with disease;
- (d) generally make provisions for the purpose of preventing the introduction and spread of disease or of any particular disease named in the order.

7. It shall be lawful for the Governor-General to appoint persons to carry out the provisions of this Part and of any orders issued thereunder, and the Minister may by warrant direct payment out of the Treasury of the remuneration and expenses of all such persons and of any other expenditure that the Minister may deem necessary for the purposes of this Act, including such compensation to the owner of any apiary destroyed under the provisions of this Act as the Minister may in his absolute discretion approve.

Governor-General may appoint persons to carry out provisions of this Part, etc.

8. Any person appointed under the provisions of section 7 may with such assistance as may be necessary enter upon any land and there examine any apiary in order to ascertain whether the said apiary is infected with disease.

Appointed persons may enter upon land and examine apiary.

9.—(1) Every owner or person having the charge or management of an apiary who knows of or suspects the existence of any disease in such apiary shall with all practicable speed give notice in writing to the Chief Plant Protection Officer of the fact of the apiary being so infected or suspected, and shall in such notice give all information in his power as to the extent and nature of such disease. The said notice shall be served personally on the Chief Plant Protection Officer or shall be addressed to him by registered post.

Duties of owner, etc., of apiary. 6/1968. S. 3(2) and Sch.

(2) Where the owner or person having the charge or management of an apiary is charged with an offence under this Part, he shall be presumed to have known of the existence of the disease, unless and until he shows to the satisfaction of the Court that he had not knowledge thereof, and could not with reasonable diligence have obtained that knowledge.

Presumption against owner, etc., of apiary charged with offence against this Part.

10. If any person without lawful authority or excuse, proof whereof shall lie on him, does any of the following things he shall be guilty of an offence against this Part—

Acts which constitute offences against this Part.

- (a) if he does anything in contravention of this Part or of any order issued under this Act or of any rule made under this Part or fails to carry out any measures required to be carried out by him under any such order or rule;
 - (b) if he fails to give any notice which by this Part he is required to give;
 - (c) if he refuses to any person acting in execution of this Part or of any order issued thereunder, admission to any land or place which the said person is entitled to enter, or obstructs or impedes such person in so entering or in examining any apiary or otherwise in any respect obstructs or impedes any person in the execution of his duty under this Part or assists in any such obstructing or impeding;
- and he shall on summary conviction before a Resident Magistrate be liable to a fine not exceeding one hundred dollars and in default of payment to imprisonment with or without hard labour for a period not exceeding three months, and on a further conviction within a period of twelve months for a second or subsequent offence against this Part he shall be liable to be imprisoned for a term not exceeding six months, with or without hard labour, in lieu of a fine to which he is liable.

Consent of
Director of
Public
Prosecutions
necessary
for
prosecution.
Rules.

11. No prosecution for an offence against this Part shall be instituted except by or with the consent of the Director of Public Prosecutions.

12.—(1) The Minister may make rules for the purpose of more effectually carrying out the provisions and objects of this Part.

(2) Rules made under this section shall have the same effect as if they were contained in this Act and shall be judicially noticed.

13. For the purposes of this Part the decision of the Chief Plant Protection Officer as to the presence of any disease shall be final.

Decision of
Chief Plant
Protection
Officer
final.
6/1968
S. 3(2) and
Sch.

PART III. Transportation of Bees

14.—(1) It shall be lawful for the Minister to make rules regulating the transportation of bees along any main road or any parochial road.

Rules to be
made by
Minister.

(2) A breach of any rule made under this section may on summary conviction be punished by a fine not exceeding forty dollars and in default of payment by imprisonment with or without hard labour for a period not exceeding three months.

Punishment
for breach.