



ANNO VICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1974

No. 118 of 1974

An Act to amend the Apiaries Act, 1931-1964.

[Assented to 5th December, 1974]

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

Short titles.

1. (1) This Act may be cited as the "Apiaries Act Amendment Act, 1974".
- (2) The Apiaries Act, 1931-1964, is hereinafter referred to as "the principal Act".
- (3) The principal Act, as amended by this Act, may be cited as the "Apiaries Act, 1931-1974".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of principal Act, s. 3—
Interpretation.

3. Section 3 of the principal Act is amended—
 - (a) by inserting after the definition of "appliance" the following definition:—

"bee" means a bee of the genus *Apis*;
 - (b) by inserting after the definition of "beekeeper" the following definition:—

"corresponding law" means a law of a State, other than this State, or Territory, of the Commonwealth declared by proclamation under subsection (2) of this section to be a corresponding law for the purposes of this Act;

and

- (c) by inserting after the present contents thereof, as amended by this section (which are hereby designated subsection (1) thereof) the following subsection:—
 - (2) The Governor may, from time to time, by proclamation declare any law of a State, other than this State, or Territory, of the Commonwealth to be a corresponding law for the purposes of this Act and may by proclamation amend, vary or revoke any such declaration.

4. Section 5 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of
s. 5 of
principal Act
and enactment
of section in
its place—

5. (1) Subject to this section, on or after the thirtieth day of June, 1975, a person shall not keep bees unless he is registered under this section as a beekeeper.

Registration as
beekeeper.

Penalty: Two hundred dollars.

(2) Application for registration, or renewal of registration, under this section shall be made in the prescribed manner and shall be accompanied by the prescribed information, and the prescribed fee.

(3) A registration may be granted under this section in respect of the whole or unexpired portion of the period of three years commencing on the thirtieth day of June, 1975, or in respect of the whole or unexpired portion of any of the successive periods of three years, and shall expire upon the expiration of the period in respect of which it was granted, and may be renewed for the successive periods of three years.

(4) Notwithstanding anything in subsection (1) of this section, a person may keep bees in a hive brought into this State for a period of ninety days in any continuous period of twelve months, where the manner in which that person keeps the bees would, if those bees were being kept in the State or Territory from which he brought them, comply with the requirements of the corresponding law of that State or Territory.

(5) Nothing in this section shall apply to or in relation to the keeping of bees for the purposes of instruction in any educational institution approved of by the Minister for the purposes of this subsection.

5. Section 9 of the principal Act is amended by striking out the passage "forty dollars" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of
principal Act,
s. 9—
Offences.

6. Section 10 of the principal Act is amended by striking out from subsection (3) the passage "forty dollars" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of
principal Act,
s. 10—
Power to
prohibit
removal of
bees.

7. Section 11 of the principal Act is amended by striking out from subsection (3) the passage "forty dollars" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of
principal Act,
s. 11—
Power to
prohibit the
keeping of bees
in specified
areas.

8. Section 12 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "forty dollars" and inserting in lieu thereof the passage "two hundred dollars";

(b) by striking out from subsection (3) the passage "forty dollars" and inserting in lieu thereof the passage "two hundred dollars";

and

(c) by striking out from subsection (6) the passage "forty dollars" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of
principal Act,
s. 12—
Prohibition of
keeping other
than Ligurian
bees on
Kangaroo
Island.

Amendment of principal Act, s. 13—
Power to reserve parts of the State for breeding specified kinds of bees.

9. Section 13 of the principal Act is amended by striking out from subsection (2) the passage “forty dollars” and inserting in lieu thereof the passage “two hundred dollars”.

Enactment of s. 13aa of principal Act—

10. The following section is enacted and inserted in the principal Act immediately after section 13 thereof:—

Bees to be kept in frame-hive.

13aa. A person shall not keep bees in a hive other than a frame-hive.

Penalty: Not exceeding two hundred dollars.

Repeal of s. 13a of principal Act and enactment of section in its place—
Hives to be branded.

11. Section 13a of the principal Act is repealed and the following section is enacted and inserted in its place:—

13a. (1) Subject to subsection (2) of this section, a beekeeper shall not fail to brand and keep branded each of his hives in the prescribed manner with a brand allotted to him by the chief inspector.

Penalty: Not exceeding two hundred dollars.

(2) Notwithstanding anything in subsection (1) of this section, a beekeeper is not required to brand any hive while the hive is kept in this State in accordance with subsection (4) of section 5 of this Act, if the hive is branded in accordance with the requirements of the corresponding law of the State or Territory from which he brought the hive.

(3) Nothing in this section shall apply to or in relation to a hive in which bees are kept for the purposes of instruction in any educational institution approved by the Minister for the purposes of subsection (5) of section 5 of this Act.

Amendment of principal Act, s. 19—
Regulations.

12. Section 19 of the principal Act is amended—

- (a) by striking out from paragraph II of subsection (1) the passage “of any hive” and inserting in lieu thereof the passage “as a beekeeper”;
 - (b) by striking out from paragraph IIa of subsection (1) the passage “the registration of hives” and inserting in lieu thereof the passage “registration as a beekeeper”;
 - (c) by inserting in paragraph IIb of subsection (1) before the first word thereof the passage “the type and”;
- and
- (d) by striking out from subsection (2) the passage “forty dollars” and inserting in lieu thereof the passage “two hundred dollars”.

Amendment of schedule of principal Act.

13. The schedule to the principal Act is amended by inserting after the passage “Nosema disease” the passage “*Ascospaera apis* infection”.

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

M. L. OLIPHANT, Governor