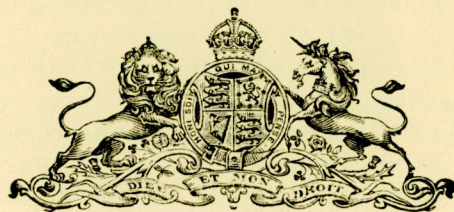


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 17 October, 1944.*

## New South Wales.



ANNO OCTAVO

## GEORGII VI REGIS.

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Act No. , 1944.

An Act to make further provision for regulating the bee industry and preventing the spread of bee diseases; to amend the Apiaries Act, 1916, and certain other Acts; and for purposes connected therewith.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Apiaries (Amendment) Act, 1944."

Short title, commencement and citation.

*Apiaries (Amendment).*

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) The Apiaries Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Apiaries Act, 1916-1944.

2. The Apiaries Act, 1916, as amended by subsequent Acts, is amended—

- (a) (i) by omitting from section two the words "control of" and by inserting in lieu thereof the words "context or";
- (ii) by inserting in the same section at the end of the definition of "Beekeeper" the words "and includes the occupier of any land or premises on which any bees are kept";
- (iii) by inserting in the definition of "Inspector" in the same section after the word "appointed" the words "by the Governor";
- (iv) by omitting from the same section the definition of "Minister";
- (b) by inserting at the end of section three the following new subsection:—
- (2) The Minister may by writing under his hand appoint honorary inspectors who shall have such powers and perform such duties as may be prescribed by regulations made under this Act.
- (c) by omitting from paragraph (a) of section four the words "be kept" and by inserting in lieu thereof the word "remain";
- (d) by omitting sections six, seven and eight and by inserting in lieu thereof the following sections:—
6. Any inspector may enter in and upon any land on which he has reasonable grounds to believe that there are any bees, bee-hives, fittings, apparatus, appliances, honey, honeycomb, or any articles used in connection therewith, and may carry out such inspection as he deems necessary for the purposes of this Act.

Amendment of Act No. 24, 1916.

Sec. 2.  
(Definitions.)

Sec. 3.  
New subsec. (2).

Sec. 4.  
(Infected bees.)

Subst. secs. 6, 7, 8.

Powers of entry and inspection.

*Apiaries (Amendment).*

7. If an inspector is satisfied on reasonable grounds that any bees are diseased and are a source of danger to other bees, he may forthwith destroy them, or cause them to be destroyed.

Power to  
destroy  
bees.

5 8. (1) If an inspector finds that any beehives, fittings, apparatus, appliances, honey, honeycomb, or any articles are, in his opinion, liable to spread disease, he may forthwith destroy them, or cause them to be destroyed, or may order all or any of them to be cleansed, disinfected, renewed, readjusted, or otherwise treated in such manner and within such time as he may direct.

Beehives,  
etc.,  
liable to  
spread  
disease.

10 He may also order that any of the above-mentioned articles shall not be sold or otherwise alienated or removed from the place at which they are for the time being situated for a further specified period of not more than one month, except with his written consent.

15 (2) Articles, the value of which exceeds ten pounds, shall not be destroyed under this section without the written approval of the Minister.

20 (e) by inserting next after section eight the following new sections:—

New secs.  
8A, 8B, 8C.

25 8A. If an inspector is satisfied on reasonable grounds that any bees or any beehives have been abandoned and are neglected, he may take possession of them, and shall dispose of them in accordance with regulations made under this Act.

Abandoned  
bees and  
beehives.

30 8B. No person shall suffer or allow any honey, or any honeycomb, receptacle or article on or in which honey is deposited, and which is in his possession or under his control, to remain exposed in a manner or under conditions which would provide robber bees with access to the honey.

Honey not  
to be  
exposed.

8C.

*Apiaries (Amendment).*

- 5 Sc. (1) The Governor may from time to time by proclamation published in the Gazette prohibit the importation, introduction or bringing into the State or into any specified portion thereof, either generally or from any other State or country or place, or the bringing into one portion of the State from any other portion of any bees, honey, honeycomb or other thing of any nature or kind whatsoever which in his opinion is likely to introduce any disease into the State or into any specified portion thereof, as the case may be, or is likely to spread such disease.
- 10 (2) Such prohibition may be absolute or conditional.
- 15 (3) The Governor may at any time revoke or vary any such proclamation.
- (4) Any person who contravenes the provisions of any such proclamation shall be liable to a penalty not exceeding one hundred pounds.
- 20 (f) (i) by omitting from section ten the words "in charge";
- (ii) by omitting from the same section all words following the words "such order";
- 5 (g) by inserting next after section eleven the following new section:—
- 11A. If, in the opinion of an inspector, any hive is in such a condition that it cannot readily be handled for inspection, he may order such hive to be replaced within such time as he may specify in the order.
- 30 (h) by omitting section twelve and by inserting in lieu thereof the following sections:—
12. (1) Within three months after the commencement of the Apiaries (Amendment) Act, 1944, or within fourteen days after commencing to keep bees, every beekeeper shall register each and every apiary on which bees are kept by him, and thereafter shall register the same annually on the thirty-first day of March in each year.

Prohibition of importation of bees, etc., likely to introduce disease.

Sec. 10.  
(Transfer to frame-hives.)

New sec.  
11A.

Replacement of hive.

Subst. sec. 12 and new secs. 12A, 12B, 12C.

Beekeepers to register.

*Apiaries (Amendment).*

(2) Registration of apiaries under this section may be effected as prescribed.

(3) An annual fee, fixed in accordance with regulations made under this Act, shall be payable in respect of each registration of an apiary and such regulations may provide for the fixing of different annual fees in respect of different apiaries on the basis of the number of hives kept thereon.

A fee shall not be payable in respect of any registration effected before the thirty-first day of March, one thousand nine hundred and forty-five.

12A. A beekeeper who removes hives of bees from his apiary shall within seven days thereafter give notice of such removal to the Under Secretary of the Department of Agriculture.

Notification  
of removal  
of bees.

Such notice shall be given in the manner and in or to the effect of the form prescribed.

12B. (1) If, upon the prescribed application being made to the Minister, a beekeeper satisfies the Minister—

Protected  
apiaries.

(a) that he is carrying on the business of a bee farmer; and

(b) that he keeps on any apiary registered by him under section twelve of this Act at least fifty hives of bees; and

(c) that he has carried out work on such apiary or on land in the vicinity for the purpose of improving the apiary as a site for bee-farming,

the Minister may direct that such apiary shall be registered as a protected apiary and that a certificate of registration thereof as a protected apiary shall be issued to him.

(2) No person shall, without the consent in writing of the Minister, move bees or cause or permit bees to be moved into or upon any land which is situated within the prescribed distance from any external boundary of the site of an apiary

*Apiaries (Amendment).*

apiary in respect of which a certificate of registration as a protected apiary has been issued under this section.

5 The prescribed distance for the purposes of this subsection shall not in any case exceed two miles.

(3) An application under this section shall be accompanied by the prescribed fee.

10 (4) No beekeeper shall be entitled to be issued under this section with certificates of registration in respect of more than three protected apiaries.

15 12c. (1) In any case where the Governor is of opinion that the keeping of bees in any part of the State is harmful to the drying of any fruits the Governor may by proclamation published in the Gazette prohibit (either absolutely or subject to such conditions as may be declared in the proclamation) the keeping of bees within the part of the State specified in the proclamation.

Power to prohibit the keeping of bees in specified areas.  
cf. S.A. Act No. 2021, s. 11.

20 (2) Any such proclamation may provide that the same is to continue in force for the period or periods therein named, and any such proclamation may be revoked or varied by proclamation made by the Governor and published in the Gazette.

25 (3) Any person who keeps any bees in contravention of the provisions of any such proclamation shall be liable to a penalty not exceeding twenty pounds.

30 (i) (i) by inserting in section fifteen after the words "under this Act" the words "or the regulations made thereunder";

Sec. 15. (Offences and penalties.)

35 (ii) by omitting from the same section the words "the inspector may himself carry out the necessary work at the expense of the person failing to so comply" and by inserting in lieu thereof the words "an inspector or any person

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*Apiaries (Amendment).*

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5 person authorised in writing by the Minister  
may carry out the necessary work at the  
expense of the person failing so to comply,  
and may for that purpose employ any  
necessary assistance”;

(iii) by inserting at the end of the same section  
the following new subsection:—

10 (2) Such expense shall be recoverable in  
any court of competent jurisdiction by  
an inspector or any person authorised in  
writing by the Minister, and shall include  
the expense incurred by the inspector or  
15 other person in travelling to and from the  
place where such work is carried out, a  
proportionate part of the salary or wages of  
the inspector or other person, having regard  
to the time occupied by him in so travelling  
and in performing the work, and the cost  
of any necessary assistance.

20 (j) (i) by inserting in subsection one of section  
seventeen after the word “inspections” the  
words “the grading and packing of honey  
and the marking, branding or labelling of  
25 packages or containers containing honey  
and the prohibition of any sale thereof  
unless the prescribed conditions are  
fulfilled”;

Sec. 17.  
(Regula-  
tions.)

30 (ii) by omitting from the same subsection the  
words “five pounds” and by inserting in  
lieu thereof the words “twenty pounds”.

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Section (iii) of faint, illegible text, possibly a list or numbered section.



No. , 1944.

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## A BILL

To make further provision for regulating the bee industry and preventing the spread of bee diseases; to amend the Apiaries Act, 1916, and certain other Acts; and for purposes connected therewith.

[MR. GRAHAM;—11 October, 1944.]

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of  
5 the same, as follows:—

**1.** (1) This Act may be cited as the "Apiaries (Amendment) Act, 1944."

Short title,  
commencement  
and citation.

59641 7—

(2)

*Apiaries (Amendment).*

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) The Apiaries Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Apiaries Act, 1916-1944.

2. The Apiaries Act, 1916, as amended by subsequent Acts, is amended—

- (a) (i) by omitting from section two the words “control of” and by inserting in lieu thereof the words “context or”;
- (ii) by inserting in the same section at the end of the definition of “Beekeeper” the words “and includes the occupier of any land or premises on which any bees are kept”;
- (iii) by inserting in the definition of “Inspector” in the same section after the word “appointed” the words “by the Governor”;
- (iv) by omitting from the same section the definition of “Minister”;
- (b) by inserting at the end of section three the following new subsection:—
- (2) The Minister may by writing under his hand appoint honorary inspectors who shall have such powers and perform such duties as may be prescribed by regulations made under this Act.
- (c) by omitting from paragraph (a) of section four the words “be kept” and by inserting in lieu thereof the word “remain”;
- (d) by omitting sections six, seven and eight and by inserting in lieu thereof the following sections:—
6. Any inspector may enter in and upon any land on which he has reasonable grounds to believe that there are any bees, bee-hives, fittings, apparatus, appliances, honey, honeycomb, or any articles used in connection therewith, and may carry out such inspection as he deems necessary for the purposes of this Act.

Amendment of Act No. 24, 1916.

Sec. 2.  
(Definitions.)

Sec. 3.  
New subsec. (2).

Sec. 4.  
(Infected bees.)

Subst. secs. 6, 7, 8.

Powers of entry and inspection.

*Apiaries (Amendment).*

7. If an inspector is satisfied on reasonable grounds that any bees are diseased and are a source of danger to other bees, he may forthwith destroy them, or cause them to be destroyed.

Power to destroy bees.

5

8. (1) If an inspector finds that any beehives, fittings, apparatus, appliances, honey, honeycomb, or any articles are, in his opinion, liable to spread disease, he may forthwith destroy them, or cause them to be destroyed, or may order all or any of them to be cleansed, disinfected, renewed, readjusted, or otherwise treated in such manner and within such time as he may direct.

Beehives, etc., liable to spread disease.

10

He may also order that any of the above-mentioned articles shall not be sold or otherwise alienated or removed from the place at which they are for the time being situated for a further specified period of not more than one month, except with his written consent.

15

20

(2) Articles, the value of which exceeds ten pounds, shall not be destroyed under this section without the written approval of the Minister.

25

(e) by inserting next after section eight the following new sections:—

New secs. 8A, 8B, 8C.

30

8A. If an inspector is satisfied on reasonable grounds that any bees or any beehives have been abandoned and are neglected, he may take possession of them, and shall dispose of them in accordance with regulations made under this Act.

Abandoned bees and beehives.

35

8B. No person shall suffer or allow any honey, or any honeycomb, receptacle or article on or in which honey is deposited, and which is in his possession or under his control, to remain exposed in a manner or under conditions which would provide robber bees with access to the honey.

Honey not to be exposed.

8C.

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*Apiaries (Amendment).*

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- 5           8c. (1) The Governor may from time to time by proclamation published in the Gazette prohibit the importation, introduction or bringing into the State or into any specified portion thereof, either generally or from any other State or country or place, or the bringing into one portion of the State from any other portion of any bees, honey, honeycomb or other thing of any nature or kind whatsoever which in his opinion is likely to introduce any disease into the State or into any specified portion thereof, as the case may be, or is likely to spread such disease.
- 10
- 15           (2) Such prohibition may be absolute or conditional.
- (3) The Governor may at any time revoke or vary any such proclamation.
- (4) Any person who contravenes the provisions of any such proclamation shall be liable to a penalty not exceeding one hundred pounds.
- 20 (f) (i) by omitting from section ten the words "in charge";
- (ii) by omitting from the same section all words following the words "such order";
- 25 (g) by inserting next after section eleven the following new section:—
- 11A. If, in the opinion of an inspector, any hive is in such a condition that it cannot readily be handled for inspection, he may order such hive to be replaced within such time as he may specify in the order.
- 30
- (h) by omitting section twelve and by inserting in lieu thereof the following sections:—
12. (1) Within three months after the commencement of the Apiaries (Amendment) Act, 1944, or within fourteen days after commencing to keep bees, every beekeeper shall register each and every apiary on which bees are kept by him, and thereafter shall register the same annually on the thirty-first day of March in each year.
- 35
- 40

Prohibition of importation of bees, etc., likely to introduce disease.

Sec. 10.  
(Transfer to frame-hives.)

New sec. 11A.

Replacement of hive.

Subst. sec. 12 and new secs. 12A, 12B, 12C.

Beekeepers to register.

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*Apiaries (Amendment).*

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(2) Registration of apiaries under this section may be effected as prescribed.

5 (3) An annual fee, fixed in accordance with regulations made under this Act, shall be payable in respect of each registration of an apiary and such regulations may provide for the fixing of different annual fees in respect of different apiaries on the basis of the number of hives kept thereon.

10 A fee shall not be payable in respect of any registration effected before the thirty-first day of March, one thousand nine hundred and forty-five.

15 12A. A beekeeper who removes hives of bees from his apiary shall within seven days thereafter give notice of such removal to the Under Secretary of the Department of Agriculture. Notification of removal of bees.

Such notice shall be given in the manner and in or to the effect of the form prescribed.

20 12B. (1) If, upon the prescribed application being made to the Minister, a beekeeper satisfies the Minister— Protected apiaries.

(a) that he is carrying on the business of a bee farmer; and

25 (b) that he keeps on any apiary registered by him under section twelve of this Act at least fifty hives of bees; and

(c) that he has carried out work on such apiary or on land in the vicinity for the purpose of improving the apiary as a site for bee-farming,

30 the Minister may direct that such apiary shall be registered as a protected apiary and that a certificate of registration thereof as a protected apiary shall be issued to him.

35 (2) No person shall, without the consent in writing of the Minister, move bees or cause or permit bees to be moved into or upon any land which is situated within the prescribed distance from any external boundary of the site of an  
40 apiary

*Apiaries (Amendment).*

apiary in respect of which a certificate of registration as a protected apiary has been issued under this section.

5 The prescribed distance for the purposes of this subsection shall not in any case exceed two miles.

(3) An application under this section shall be accompanied by the prescribed fee.

10 (4) No beekeeper shall be entitled to be issued under this section with certificates of registration in respect of more than three protected apiaries.

15 12c. (1) In any case where the Governor is of opinion that the keeping of bees in any part of the State is harmful to the drying of any fruits the Governor may by proclamation published in the Gazette prohibit (either absolutely or subject to such conditions as may be declared in the proclamation) the keeping of bees within the part of the State specified in the proclamation.

Power to prohibit the keeping of bees in specified areas. cf. S.A. Act No. 2021, s. 11.

25 (2) Any such proclamation may provide that the same is to continue in force for the period or periods therein named, and any such proclamation may be revoked or varied by proclamation made by the Governor and published in the Gazette.

30 (3) Any person who keeps any bees in contravention of the provisions of any such proclamation shall be liable to a penalty not exceeding twenty pounds.

(i) (i) by inserting in section fifteen after the words "under this Act" the words "or the regulations made thereunder";

Sec. 15. (Offences and penalties.)

35 (ii) by omitting from the same section the words "the inspector may himself carry out the necessary work at the expense of the person failing to so comply" and by inserting in lieu thereof the words "an inspector or any person

*Apiaries (Amendment).*

5 person authorised in writing by the Minister  
may carry out the necessary work at the  
expense of the person failing so to comply,  
and may for that purpose employ any  
necessary assistance”;

(iii) by inserting at the end of the same section  
the following new subsection:—

10 (2) Such expense shall be recoverable in  
any court of competent jurisdiction by  
an inspector or any person authorised in  
writing by the Minister, and shall include  
the expense incurred by the inspector or  
15 other person in travelling to and from the  
place where such work is carried out, a  
proportionate part of the salary or wages of  
the inspector or other person, having regard  
to the time occupied by him in so travelling  
and in performing the work, and the cost  
of any necessary assistance.

20 (j) (i) by inserting in subsection one of section  
seventeen after the word “inspections” the  
words “the grading and packing of honey  
and the marking, branding or labelling of  
25 packages or containers containing honey  
and the prohibition of any sale thereof  
unless the prescribed conditions are  
fulfilled”;

(ii) by omitting from the same subsection the  
30 words “five pounds” and by inserting in  
lieu thereof the words “twenty pounds”.

Sec. 17.  
(Regula-  
tions.)





New South Wales.



ANNO OCTAVO

GEORGII VI REGIS.

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Act No. 22, 1944.

An Act to make further provision for regulating the bee industry and preventing the spread of bee diseases; to amend the Apiaries Act, 1916, and certain other Acts; and for purposes connected therewith. [Assented to, 14th November, 1944.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Apiaries (Amendment) Act, 1944."

Short title, commencement and citation.

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*Apiaries (Amendment).*

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(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) The Apiaries Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Apiaries Act, 1916-1944.

Amendment of  
Act No. 24,  
1916.

**2.** The Apiaries Act, 1916, as amended by subsequent Acts, is amended—

Sec. 2.  
(Definitions.)

- (a) (i) by omitting from section two the words “control of” and by inserting in lieu thereof the words “context or”;
- (ii) by inserting in the same section at the end of the definition of “Beekeeper” the words “and includes the occupier of any land or premises on which any bees are kept”;
- (iii) by inserting in the definition of “Inspector” in the same section after the word “appointed” the words “by the Governor”;
- (iv) by omitting from the same section the definition of “Minister”;

Sec. 3.  
New  
subsec. (2).

- (b) by inserting at the end of section three the following new subsection:—

(2) The Minister may by writing under his hand appoint honorary inspectors who shall have such powers and perform such duties as may be prescribed by regulations made under this Act.

Sec. 4.  
(Infected  
bees.)

- (c) by omitting from paragraph (a) of section four the words “be kept” and by inserting in lieu thereof the word “remain”;

Subst.  
secs. 6, 7, 8.

- (d) by omitting sections six, seven and eight and by inserting in lieu thereof the following sections:—

Powers of  
entry and  
inspection.

6. Any inspector may enter in and upon any land on which he has reasonable grounds to believe that there are any bees, bee-hives, fittings, apparatus, appliances, honey, honeycomb, or any articles used in connection therewith, and may carry out such inspection as he deems necessary for the purposes of this Act.

*Apiaries (Amendment).*

7. If an inspector is satisfied on reasonable grounds that any bees are diseased and are a source of danger to other bees, he may forthwith destroy them, or cause them to be destroyed.

Power to  
destroy  
bees.

8. (1) If an inspector finds that any beehives, fittings, apparatus, appliances, honey, honeycomb, or any articles are, in his opinion, liable to spread disease, he may forthwith destroy them, or cause them to be destroyed, or may order all or any of them to be cleansed, disinfected, renewed, readjusted, or otherwise treated in such manner and within such time as he may direct.

Beehives,  
etc.,  
liable to  
spread  
disease.

He may also order that any of the above-mentioned articles shall not be sold or otherwise alienated or removed from the place at which they are for the time being situated for a further specified period of not more than one month, except with his written consent.

(2) Articles, the value of which exceeds ten pounds, shall not be destroyed under this section without the written approval of the Minister.

(e) by inserting next after section eight the following new sections:—

New secs.  
8A, 8B, 8C.

8A. If an inspector is satisfied on reasonable grounds that any bees or any beehives have been abandoned and are neglected, he may take possession of them, and shall dispose of them in accordance with regulations made under this Act.

Abandoned  
bees and  
beehives.

8B. No person shall suffer or allow any honey, or any honeycomb, receptacle or article on or in which honey is deposited, and which is in his possession or under his control, to remain exposed in a manner or under conditions which would provide robber bees with access to the honey.

Honey not  
to be  
exposed.

8C.

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*Apiaries (Amendment).*


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Prohibition of importation of bees, etc., likely to introduce disease.

8c. (1) The Governor may from time to time by proclamation published in the Gazette prohibit the importation, introduction or bringing into the State or into any specified portion thereof, either generally or from any other State or country or place, or the bringing into one portion of the State from any other portion of any bees, honey, honeycomb or other thing of any nature or kind whatsoever which in his opinion is likely to introduce any disease into the State or into any specified portion thereof, as the case may be, or is likely to spread such disease.

(2) Such prohibition may be absolute or conditional.

(3) The Governor may at any time revoke or vary any such proclamation.

(4) Any person who contravenes the provisions of any such proclamation shall be liable to a penalty not exceeding one hundred pounds.

Sec. 10.  
(Transfer to frame-hives.)

- (f) (i) by omitting from section ten the words "in charge";  
(ii) by omitting from the same section all words following the words "such order";

New sec. 11A.

- (g) by inserting next after section eleven the following new section:—

Replace-ment of hive.

11A. If, in the opinion of an inspector, any hive is in such a condition that it cannot readily be handled for inspection, he may order such hive to be replaced within such time as he may specify in the order.

Sust. sec. 12 and new secs. 12A, 12B, 12C.

- (h) by omitting section twelve and by inserting in lieu thereof the following sections:—

Beekeepers to register.

12. (1) Within three months after the commencement of the Apiaries (Amendment) Act, 1944, or within fourteen days after commencing to keep bees, every beekeeper shall register each and every apiary on which bees are kept by him, and thereafter shall register the same annually on the thirty-first day of March in each year.

(2)

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*Apiaries (Amendment).*

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(2) Registration of apiaries under this section may be effected as prescribed.

(3) An annual fee, fixed in accordance with regulations made under this Act, shall be payable in respect of each registration of an apiary and such regulations may provide for the fixing of different annual fees in respect of different apiaries on the basis of the number of hives kept thereon.

A fee shall not be payable in respect of any registration effected before the thirty-first day of March, one thousand nine hundred and forty-five.

12A. A beekeeper who removes hives of bees from his apiary shall within seven days thereafter give notice of such removal to the Under Secretary of the Department of Agriculture. Notification of removal of bees.

Such notice shall be given in the manner and in or to the effect of the form prescribed.

12B. (1) If, upon the prescribed application being made to the Minister, a beekeeper satisfies the Minister— Protected apiaries.

- (a) that he is carrying on the business of a bee farmer; and
- (b) that he keeps on any apiary registered by him under section twelve of this Act at least fifty hives of bees; and
- (c) that he has carried out work on such apiary or on land in the vicinity for the purpose of improving the apiary as a site for bee-farming,

the Minister may direct that such apiary shall be registered as a protected apiary and that a certificate of registration thereof as a protected apiary shall be issued to him.

(2) No person shall, without the consent in writing of the Minister, move bees or cause or permit bees to be moved into or upon any land which is situated within the prescribed distance from any external boundary of the site of an  
apiary

*Apiaries (Amendment).*

apiary in respect of which a certificate of registration as a protected apiary has been issued under this section.

The prescribed distance for the purposes of this subsection shall not in any case exceed two miles.

(3) An application under this section shall be accompanied by the prescribed fee.

(4) No beekeeper shall be entitled to be issued under this section with certificates of registration in respect of more than three protected apiaries.

12c. (1) In any case where the Governor is of opinion that the keeping of bees in any part of the State is harmful to the drying of any fruits the Governor may by proclamation published in the Gazette prohibit (either absolutely or subject to such conditions as may be declared in the proclamation) the keeping of bees within the part of the State specified in the proclamation.

(2) Any such proclamation may provide that the same is to continue in force for the period or periods therein named, and any such proclamation may be revoked or varied by proclamation made by the Governor and published in the Gazette.

(3) Any person who keeps any bees in contravention of the provisions of any such proclamation shall be liable to a penalty not exceeding twenty pounds.

- (i) (i) by inserting in section fifteen after the words "under this Act" the words "or the regulations made thereunder";
- (ii) by omitting from the same section the words "the inspector may himself carry out the necessary work at the expense of the person failing to so comply" and by inserting in lieu thereof the words "an inspector or any person

Power to prohibit the keeping of bees in specified areas.

cf. S.A. Act No. 2021, s. 11.

Sec. 15. (Offences and penalties.)

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*Apiaries (Amendment).*


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person authorised in writing by the Minister may carry out the necessary work at the expense of the person failing so to comply, and may for that purpose employ any necessary assistance”;

- (iii) by inserting at the end of the same section the following new subsection:—

(2) Such expense shall be recoverable in any court of competent jurisdiction by an inspector or any person authorised in writing by the Minister, and shall include the expense incurred by the inspector or other person in travelling to and from the place where such work is carried out, a proportionate part of the salary or wages of the inspector or other person, having regard to the time occupied by him in so travelling and in performing the work, and the cost of any necessary assistance.

- (j) (i) by inserting in subsection one of section seventeen after the word “inspections” the words “the grading and packing of honey and the marking, branding or labelling of packages or containers containing honey and the prohibition of any sale thereof unless the prescribed conditions are fulfilled”;
- Sec. 17.  
(Regulations.)
- (ii) by omitting from the same subsection the words “five pounds” and by inserting in lieu thereof the words “twenty pounds”.

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By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1944.

The first part of the report is devoted to a general survey of the situation in the country. It is found that the country is in a state of general depression and that the people are suffering from want and distress.

The following are the principal causes of the depression:

- (1) The failure of the crops in the principal agricultural districts.
- (2) The excessive expenditure on the part of the Government in the maintenance of the army and navy.
- (3) The high rate of interest on loans.
- (4) The depreciation of the value of the rupee.
- (5) The failure of the exports.

The Government have taken the following measures to relieve the distress of the people:

- (1) The issue of Government bonds.
- (2) The issue of Government loans.
- (3) The issue of Government grants.
- (4) The issue of Government subsidies.
- (5) The issue of Government advances.

The Government have also taken the following measures to improve the condition of the country:

- (1) The issue of Government grants for the improvement of the roads.
- (2) The issue of Government grants for the improvement of the railways.
- (3) The issue of Government grants for the improvement of the ports.
- (4) The issue of Government grants for the improvement of the harbours.
- (5) The issue of Government grants for the improvement of the fisheries.

The Government have also taken the following measures to improve the condition of the people:

- (1) The issue of Government grants for the improvement of the education.
- (2) The issue of Government grants for the improvement of the health.
- (3) The issue of Government grants for the improvement of the agriculture.
- (4) The issue of Government grants for the improvement of the industry.
- (5) The issue of Government grants for the improvement of the commerce.



*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 8 November, 1944.*

## New South Wales.



ANNO OCTAVO

## GEORGII VI REGIS.

\*\*\*\*\*

Act No. 22, 1944.

An Act to make further provision for regulating the bee industry and preventing the spread of bee diseases; to amend the Apiaries Act, 1916, and certain other Acts; and for purposes connected therewith. [Assented to, 14th November, 1944.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Apiaries (Amendment) Act, 1944."

Short title, commencement and citation.

(2)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*

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*Apiaries (Amendment).*


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(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

(3) The Apiaries Act, 1916, as amended by subsequent Acts and by this Act, may be cited as the Apiaries Act, 1916-1944.

Amendment of  
Act No. 24,  
1916.

**2.** The Apiaries Act, 1916, as amended by subsequent Acts, is amended—

Sec. 2.  
(Defini-  
tions.)

- (a) (i) by omitting from section two the words “control of” and by inserting in lieu thereof the words “context or”;
- (ii) by inserting in the same section at the end of the definition of “Beekeeper” the words “and includes the occupier of any land or premises on which any bees are kept”;
- (iii) by inserting in the definition of “Inspector” in the same section after the word “appointed” the words “by the Governor”;
- (iv) by omitting from the same section the definition of “Minister”;

Sec. 3.  
New  
subsec. (2).

- (b) by inserting at the end of section three the following new subsection:—

(2) The Minister may by writing under his hand appoint honorary inspectors who shall have such powers and perform such duties as may be prescribed by regulations made under this Act.

Sec. 4.  
(Infected  
bees.)

- (c) by omitting from paragraph (a) of section four the words “be kept” and by inserting in lieu thereof the word “remain”;

Subst.  
secs. 6, 7, 8.

- (d) by omitting sections six, seven and eight and by inserting in lieu thereof the following sections:—

Powers of  
entry and  
inspection.

6. Any inspector may enter in and upon any land on which he has reasonable grounds to believe that there are any bees, bee-hives, fittings, apparatus, appliances, honey, honeycomb, or any articles used in connection therewith, and may carry out such inspection as he deems necessary for the purposes of this Act.

*Apiaries (Amendment).*

7. If an inspector is satisfied on reasonable grounds that any bees are diseased and are a source of danger to other bees, he may forthwith destroy them, or cause them to be destroyed.

Power to  
destroy  
bees.

8. (1) If an inspector finds that any beehives, fittings, apparatus, appliances, honey, honeycomb, or any articles are, in his opinion, liable to spread disease, he may forthwith destroy them, or cause them to be destroyed, or may order all or any of them to be cleansed, disinfected, renewed, readjusted, or otherwise treated in such manner and within such time as he may direct.

Beehives,  
etc.,  
liable to  
spread  
disease.

He may also order that any of the above-mentioned articles shall not be sold or otherwise alienated or removed from the place at which they are for the time being situated for a further specified period of not more than one month, except with his written consent.

(2) Articles, the value of which exceeds ten pounds, shall not be destroyed under this section without the written approval of the Minister.

(e) by inserting next after section eight the following new sections:—

New secs.  
8A, 8B, 8C.

8A. If an inspector is satisfied on reasonable grounds that any bees or any beehives have been abandoned and are neglected, he may take possession of them, and shall dispose of them in accordance with regulations made under this Act.

Abandoned  
bees and  
beehives.

8B. No person shall suffer or allow any honey, or any honeycomb, receptacle or article on or in which honey is deposited, and which is in his possession or under his control, to remain exposed in a manner or under conditions which would provide robber bees with access to the honey.

Honey not  
to be  
exposed.

8c.

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*Apiaries (Amendment).*


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Prohibition  
of importa-  
tion of bees,  
etc., likely  
to introduce  
disease.

8c. (1) The Governor may from time to time by proclamation published in the Gazette prohibit the importation, introduction or bringing into the State or into any specified portion thereof, either generally or from any other State or country or place, or the bringing into one portion of the State from any other portion of any bees, honey, honeycomb or other thing of any nature or kind whatsoever which in his opinion is likely to introduce any disease into the State or into any specified portion thereof, as the case may be, or is likely to spread such disease.

(2) Such prohibition may be absolute or conditional.

(3) The Governor may at any time revoke or vary any such proclamation.

(4) Any person who contravenes the provisions of any such proclamation shall be liable to a penalty not exceeding one hundred pounds.

Sec. 10.  
(Transfer  
to frame-  
hives.)

- (f) (i) by omitting from section ten the words "in charge";  
(ii) by omitting from the same section all words following the words "such order";

New sec.  
11A.

- (g) by inserting next after section eleven the following new section:—

Replace-  
ment of  
hive.

11A. If, in the opinion of an inspector, any hive is in such a condition that it cannot readily be handled for inspection, he may order such hive to be replaced within such time as he may specify in the order.

Subst. sec. 12  
and new secs.  
12A, 12B, 12C.

- (h) by omitting section twelve and by inserting in lieu thereof the following sections:—

Beekeepers  
to  
register.

12. (1) Within three months after the commencement of the Apiaries (Amendment) Act, 1944, or within fourteen days after commencing to keep bees, every beekeeper shall register each and every apiary on which bees are kept by him, and thereafter shall register the same annually on the thirty-first day of March in each year.

(2)

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*Apiaries (Amendment).*

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(2) Registration of apiaries under this section may be effected as prescribed.

(3) An annual fee, fixed in accordance with regulations made under this Act, shall be payable in respect of each registration of an apiary and such regulations may provide for the fixing of different annual fees in respect of different apiaries on the basis of the number of hives kept thereon.

A fee shall not be payable in respect of any registration effected before the thirty-first day of March, one thousand nine hundred and forty-five.

12A. A beekeeper who removes hives of bees from his apiary shall within seven days thereafter give notice of such removal to the Under Secretary of the Department of Agriculture. Notification  
of removal  
of bees.

Such notice shall be given in the manner and in or to the effect of the form prescribed.

12B. (1) If, upon the prescribed application being made to the Minister, a beekeeper satisfies the Minister— Protected  
apiaries.

- (a) that he is carrying on the business of a bee farmer; and
- (b) that he keeps on any apiary registered by him under section twelve of this Act at least fifty hives of bees; and
- (c) that he has carried out work on such apiary or on land in the vicinity for the purpose of improving the apiary as a site for bee-farming,

the Minister may direct that such apiary shall be registered as a protected apiary and that a certificate of registration thereof as a protected apiary shall be issued to him.

(2) No person shall, without the consent in writing of the Minister, move bees or cause or permit bees to be moved into or upon any land which is situated within the prescribed distance from any external boundary of the site of an  
apiary

*Apiaries (Amendment).*

apiary in respect of which a certificate of registration as a protected apiary has been issued under this section.

The prescribed distance for the purposes of this subsection shall not in any case exceed two miles.

(3) An application under this section shall be accompanied by the prescribed fee.

(4) No beekeeper shall be entitled to be issued under this section with certificates of registration in respect of more than three protected apiaries.

Power to prohibit the keeping of bees in specified areas.

cf. S.A. Act No. 2021, s. 11.

12c. (1) In any case where the Governor is of opinion that the keeping of bees in any part of the State is harmful to the drying of any fruits the Governor may by proclamation published in the Gazette prohibit (either absolutely or subject to such conditions as may be declared in the proclamation) the keeping of bees within the part of the State specified in the proclamation.

(2) Any such proclamation may provide that the same is to continue in force for the period or periods therein named, and any such proclamation may be revoked or varied by proclamation made by the Governor and published in the Gazette.

(3) Any person who keeps any bees in contravention of the provisions of any such proclamation shall be liable to a penalty not exceeding twenty pounds.

Sec. 15.  
(Offences and penalties.)

- (i) (i) by inserting in section fifteen after the words "under this Act" the words "or the regulations made thereunder";
- (ii) by omitting from the same section the words "the inspector may himself carry out the necessary work at the expense of the person failing to so comply" and by inserting in lieu thereof the words "an inspector or any
- person

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*Apiaries (Amendment).*

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person authorised in writing by the Minister may carry out the necessary work at the expense of the person failing so to comply, and may for that purpose employ any necessary assistance”;

- (iii) by inserting at the end of the same section the following new subsection:—

(2) Such expense shall be recoverable in any court of competent jurisdiction by an inspector or any person authorised in writing by the Minister, and shall include the expense incurred by the inspector or other person in travelling to and from the place where such work is carried out, a proportionate part of the salary or wages of the inspector or other person, having regard to the time occupied by him in so travelling and in performing the work, and the cost of any necessary assistance.

- (j) (i) by inserting in subsection one of section Sec. 17. seventeen after the word “inspections” the (Regula- words “the grading and packing of honey and the marking, branding or labelling of packages or containers containing honey and the prohibition of any sale thereof unless the prescribed conditions are fulfilled”;tions.)
- (ii) by omitting from the same subsection the words “five pounds” and by inserting in lieu thereof the words “twenty pounds”.

*In the name and on behalf of His Majesty I assent to this Act.*

WAKEHURST,  
Governor.

*Government House,  
Sydney, 14th November, 1944.*

The first part of the report  
 deals with the general  
 situation of the country  
 and the progress of  
 the various branches  
 of industry and  
 commerce. It is  
 followed by a  
 detailed account of  
 the state of the  
 treasury and the  
 public debt. The  
 report concludes  
 with a summary of  
 the principal  
 events of the year.

The second part of the report  
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 the government and  
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 of the various  
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11

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