

BEE ACT

CHAPTER 27

Interpretation

1. In this Act

“apiary” means a place where bees or beehive or beekeeping equipment are kept;

“bee” means the insect *apis mellifera*;

“beehive equipment” means hives, supers, hive covers, hive floors, queen excluders, frames, combs, and includes the honey, brood and pollen in the combs;

“beekeeper” means a person who owns or controls bees or beehive or beekeeping equipment;

“beekeeping equipment” means tool, machine or other device for handling bees, beehive equipment or a bee product;

“cappings” means the covering and adhering honey over comb cells, pollen or brood, that is removed before the honey extracting process;

“colony” means queen, brood and accompanying bees;

“comb” means a structure of cells composed of beeswax;

“disease” includes American foulbrood, European foulbrood, chalkbrood, sacbrood, bee moths, the Mediterranean flour moth, nosema, acarine and any other disease or pest included by regulation;

“hive” means beehive equipment inhabited by live bees;

“inspector” means an inspector appointed under the *Ministry of Agriculture Act*.

1975-6-1, 1977-2-14, 1977-75-10

Beemasters

2. The minister may issue a beemaster certificate to a beekeeper or other person found to be qualified by an examiner appointed by the minister. A temporary employee appointed as an inspector under the *Public Service Act* must hold a beemaster certificate.

1975-6-2,3

Registration: apiaries

3. A person shall not keep bees except in an apiary registered under this Act or for which an application for registration has been made in the preceding 15 days.

1975-6-4.

Registration: beekeepers, land

4. (1) A person shall not own or possess bees or beehive equipment unless he is registered under this Act or has applied for registration within the preceding 15 days.

(2) No person shall allow bees to be kept on land owned or occupied by him unless the land is registered under this Act as the location of an apiary.

(3) An inspector who has reasonable cause to believe that a person is contravening this section may seize and destroy or otherwise dispose of bees or beehive equipment in the possession of or owned by the person.

1975-6-5

Registration certificate

5. (1) The minister may, subject to this Act and regulations, without charge, register the applicant for registration and issue a certificate of registration.

(2) A certificate shall not be issued for an apiary in a new location that is so close to a registered apiary or an established honey extracting plant that it may interfere with normal beekeeping operations at the apiary or plant, or that there may be danger of the spread of disease.

(3) Where there is a conflict between applicants about location, the minister may give preference to the applicant having the longest continuously established location.

1975-6-6.

Cancellation

6. The minister may cancel a certificate of registration

- (a) where, in his opinion, the holder has ceased to be a beekeeper or has failed to comply with this Act, regulations or an order under this Act or regulations;
- (b) for an apiary where bees are not kept and have not been kept for a period of 18 months commencing on any January first; or
- (c) with the holder's consent.

1975-6-7(1,2).

Notice

7. Where registration or a certificate is cancelled the minister shall promptly give notice to the beekeeper by registered mail addressed to the beekeeper's last known recorded address. The notice shall also advise the beekeeper of his right to appeal.

1975-6-7(3).

Appeal

8. (1) A land owner or beekeeper may appeal the cancellation of his registration or certificate of registration within 30 days of receiving the notice by delivering to the head, apiculture branch, a written appeal and a certified cheque in the amount fixed by regulation, by way of deposit.

(2) An appeal board, consisting of the head, apiculture branch and 2 persons appointed by the minister, one of whom shall be an elected official of the British Columbia Honey Producers Association, shall meet within 30 days.

(3) Where the appeal is allowed the deposit shall be returned to the person appealing, but if the appeal is dismissed the deposit is forfeited to the Crown.

1975-6-8.

Owner's identity

9. The owner of an apiary shall maintain a sign at the apiary to indicate his ownership.

1975-6-9.

Suppression of disease

10. A person who brings bees into the Province shall, under the regulations, report their presence to the head, apiculture branch, to prevent the spread of disease.

1975-6-10.

Duty of beekeeper

11. A person who suspects disease in an apiary shall immediately report the suspicion with his reasons to an inspector.

1975-6-11.

Storage of equipment

12. A person shall not leave or permit to be left beehive or beekeeping equipment, honey or cappings where bees have access to them, other than in a hive.

1975-6-12

Inspector's duties

13. An inspector who receives notice or becomes aware of the existence of disease in an apiary or beehive equipment shall promptly examine the apiary or place where the disease exists.

1975-6-13

Disease: destruction

14. (1) An inspector who finds that disease is present may destroy under the regulations bees affected by the disease, together with the beehive equipment in which they are kept. The beekeeper who possessed the bees shall disinfect buildings and beekeeping equipment as instructed by the inspector.

(2) An inspector who finds beehive equipment that is not located in an apiary and is infected with disease, may destroy it under the regulations.

(3) An inspector who finds bees that are infected with disease may destroy them under the regulations.

1975-6-14

Disease: treatment

15. Where an inspector finds disease that in his opinion is unlikely to create serious damage, he may treat the diseased bees or beehive equipment using, under the regulations, an antibacterial agent approved by the head, apiculture branch.

1975-6-15

Disease: control of movement

16. Where bees or beehive equipment have been destroyed or treated under this Act or regulations, a person shall not move any remaining bees or beehive or beekeeping equipment used in the apiary or by the beekeeper to a different place without a permit from an inspector.

1975-6-16

Production of documents

17. An inspector may require the production for inspection of any records that he has reason to believe relate to the keeping or sale of bees or beehive or beekeeping equipment.

1975-6-17

Search and seize

18. An inspector may stop a vehicle conveying bees or beehive or beekeeping equipment or in which he believes they may be found and search the vehicle. The inspector may seize and dispose of bees or beehive or beekeeping equipment found in the vehicle where he believes that the person who owns or possesses them has violated this Act or regulations.

1975-6-18

Entry on land: samples

19. (1) For the purposes of this Act or regulations, an inspector has at all reasonable times free access to a place where bees or beehive or beekeeping equipment is kept, but shall, if requested, produce a certificate of his appointment.

(2) An inspector may at a reasonable time examine combs and other beehive equipment for disease.

(3) An inspector may take and retain for evidence or analysis samples of bees, brood, comb or honey found by him during an inspection, and shall mark the samples with the beekeeper's name, registration number and address, the apiary location, the date, the sample number and the name of the inspector.

1975-6-19

Duty to disinfect clothing

20. An inspector shall, after inspecting infected hives or fixtures or handling diseased bees, disinfect his person and clothing, and ensure that each assistant disinfects his person and clothing before inspecting another colony or proceeding to another apiary.

1975-6-20

Movable comb frames

21. (1) A person shall not keep bees in a hive or structure that does not have movable frames containing combs.

(2) A person shall not have in his possession beehive equipment that does not have movable frames for combs.

(3) An inspector may order that a beekeeper who owns or possesses a hive or beehive equipment with comb not individually or readily removed transfer the bees to a movable frame hive within a specified time, and destroy the comb in a manner specified by the inspector.

(4) Where a beekeeper fails to transfer bees or destroy comb under an inspection order an inspector may destroy or order destroyed the hive and its bees.

1975-6-21

Delivery order

22. An inspector's order under this Act or regulations shall be in writing and shall be delivered personally to the beekeeper or sent by registered mail to the beekeeper's last known recorded address.

1975-6-22

Disposal of used beehive equipment

23. A person shall not, without a permit from an inspector, sell, offer for sale, rent, lend or otherwise dispose of used beehive equipment.

1975-6-23

Regulated districts

24. (1) The minister may, by regulation, establish a breeding stock district, stock improvement district or bee quarantine district and prescribe standards and requirements for beekeeping that must be complied with in the district.

(2) A regulation may specify the races or strains of bees that a person may or may not keep in the district.

(3) A person shall not take bees, beehives or beekeeping equipment into or out of a district established under this section except as authorized by and in compliance with a permit issued by an inspector.

1979-22-4.

Abandoned apiaries

25. (1) The minister may consider abandoned an apiary which he or his representative finds is not regularly attended in accordance with good beekeeping practice and is a hazard or threat to disease control in the beekeeping industry. The apiary may be seized.

(2) The minister or his representative, on at least 14 days' notice, where feasible, to the apiary owner, may cause diseased equipment in an abandoned apiary to be destroyed under the regulations and may cause the remainder of the equipment to be sold at public auction.

(3) The proceeds of the sale, after costs, shall be paid to the owner of the apiary or, where his identity is unknown or he cannot be found by the use of reasonable means, shall be paid into the consolidated revenue fund.

1975-6-25.

Following swarm of bees

26. A beekeeper, his agent and employee, in following a swarm of the beekeeper's bees may, to recover them, enter the land of any person, but shall do no unnecessary damage. The beekeeper and every person entering the land are liable for damage caused to land or property by the entry.

1975-6-26.

Sale of bees

27. A person who sells bees in the Province shall within 15 days after the sale furnish to the head, apiculture branch, the name and address of the buyer and the number of packages or colonies sold.

1975-6-27.

Beeswax salvage

28. (1) A person shall not salvage, or attempt to salvage beeswax from combs from diseased colonies without the written permission of an inspector.

(2) The minister may provide beeswax salvage service to beekeepers with diseased bees or beehive equipment, but the beeswax salvage shall be operated or supervised by an inspector.

1975-6-28.

Certification system for colony strength

29. (1) The minister may establish a system for certifying colony strength for hives used in pollination of agricultural crops.

(2) An inspector shall make an inspection and certification at the request of a beekeeper or agricultural producer.

(3) The colony strength of a beehive shall be certified on the basis of the number of active combs of bees or the square inches of brood to a colony, or both, using a sampling system approved by the minister.

1975-6-29.

Offence and penalty

30. (1) A person who contravenes, fails to carry out or prevents or hinders the carrying out of a provision of this Act, regulations or an order or permit under this Act or regulations commits an offence.

(2) A certificate signed by the minister stating that an apiary or person identified in the certificate was or was not registered under this Act on a stated date is admissible in evidence as proof of the facts stated in the certificate without proof of the signature or appointment of the person signing the certificate.

1975-6-30.

Regulations

31. The Lieutenant Governor in Council may make regulations.

1975-6-31.