

Apiaries Regulation 1995

[1995-451]



New South Wales

Status Information

Currency of version

Repealed version for 1 July 2005 to 31 August 2005 (accessed 18 July 2024 at 6:21)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Regulation was repealed by sec 10 (2) of the [Subordinate Legislation Act 1989 No 146](#) with effect from 1.9.2005.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 September 2005

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Apiaries Regulation 1995



New South Wales

1 Name of Regulation

This Regulation may be cited as the *Apiaries Regulation 1995*.

2 Commencement

This Regulation commences on 1 September 1995.

3 Definitions

(1) In this Regulation:

nucleus hive means a colony of bees consisting of not more than 6 standard full depth Langstroth frames.

queen candy means the substance made by kneading powdered sugar into honey (or into an invert sugar syrup) until a stiff dough is formed.

the Act means the *Apiaries Act 1985*.

(2) (Repealed)

4 Queen candy

Queen candy is declared under the definition of **apiary product** in section 3 (1) of the Act to be an apiary product for the purposes of the Act.

5 Application for registration or renewal

(1)-(3) (Repealed)

(4) For the purposes of sections 7 (2) (c) and 11 (2) (c) of the Act, the prescribed registration fee to accompany an application for registration or renewal of registration is the sum of the following components:

(a) a base registration fee of \$18.00, and

(b) a bee compensation levy calculated at the rate of \$3.00 for every 10 (or part of 10) hives to which the application relates.

- (5) For the purpose of subclause (4) (b), 4 nucleus hives are taken to be 1 hive.

6 Prescribed laws

- (1) For the purposes of section 8 (2) (a) (i) of the Act, each of the following laws is a prescribed law of another State:
- (a) the *Apiaries Act 1982* of Queensland,
 - (b) the *Apiaries Act 1931* of South Australia,
 - (c) the *Apiaries Act 1978* of Tasmania,
 - (d) the *Bees Act 1971* of Victoria,
 - (e) the *Beekeepers Act 1963* of Western Australia.
- (2) For the purposes of section 8 (2) (a) (i) of the Act, each of the following laws is a prescribed law of a Territory:
- (a) the *Apiaries Act 1928* of the Australian Capital Territory,
 - (b) the *Stock Diseases Act 1954* of the Northern Territory.

7 (Repealed)

8 Register of beekeepers

- (1) For the purposes of section 8 (3) (a) of the Act, the prescribed particulars of an applicant to be entered in the register of beekeepers are the particulars required by section 13 (3) of the Act.
- (2) For the purposes of section 13 (3) (f) of the Act, the prescribed other particulars to be entered in the register in relation to a beekeeper's registration are the following:
- (a) the postal address and business telephone number of the beekeeper (as well as the home telephone number of a beekeeper that is a natural person),
 - (b) the number of hives to which the registration relates,
 - (c) the number of nucleus hives to which the registration relates.

9 Record of hives moved, lost or stolen

- (1) For the purposes of section 10 (1) (a) of the Act, the prescribed record is one that is written (whether by hand or by machine) or electronically recorded in a form that may readily be converted into writing and contains the particulars required by this clause.
- (2) The particulars required in relation to the movement of beehives are the following:
- (a) the date when the hives were moved,

- (b) the number of hives moved,
 - (c) the site from which the hives were moved,
 - (d) the site to which the hives were moved,
 - (e) the name of the person who moved the hives.
- (3) The particulars required in relation to the loss or theft of beehives are (to the extent that they are known to the beekeeper) the date of the loss or theft and the number of hives lost or stolen.

10 (Repealed)

11 Print-outs from register

For the purposes of section 13 (6) of the Act, the prescribed fees for a computer print-out from the register are as follows:

- (a) for a print-out of a single entry—\$20.00,
- (b) for a print-out of a group of entries not constituting the entire register (eg entries by reference to a postcode, surname, etc)—\$50.00,
- (c) for a print-out of the entire register—\$150.00.

12 Identification of hives

- (1) For the purposes of section 15 (1) of the Act, the prescribed period is 60 days after the allocation of the registration number.
- (2) For the purposes of section 15 (2) of the Act, it is a prescribed requirement that every letter and number of a registration number be branded on the outside wall of the broodbox in such a manner as to be incapable of being obliterated by painting.

13 Disposal of bees or other things by an inspector

- (1) For the purposes of section 17 (1) (a) of the Act, the prescribed time is the period of 20 days commencing when an inspector first examines the apiary for the purpose of ascertaining by whom the apiary is kept.
- (2) For the purposes of section 17 (1) (a) (ii) and (b) of the Act, the prescribed manner of disposal is by sale at the best offer made to the inspector after the intended sale has been advertised in a newspaper circulating generally within the district where the bees, hives, products or appliances were located when seized.
- (3) The proceeds of the sale must be paid into the Consolidated Fund.

14 Prescribed officers

For the purposes of section 25 (1) of the Act, a prescribed officer of a State or Territory is an officer who exercises the functions of an inspector of apiaries under a law of that State or Territory (being a law that is prescribed by clause 6 for the purposes of section 8 (2) (a) (i) of the Act).

15 Compensation claims and proportions

(1) (Repealed)

(2) For the purposes of section 31 (1) of the Act, the prescribed proportions are as follows:

- (a) in the case of queen bees that have been destroyed—100 per cent,
- (b) in the case of beehives or appliances that have been destroyed—50 per cent,
- (c) in the case of beehives or appliances that have been irradiated—100 per cent.

16-18 (Repealed)

19 Use of infected queen candy

A person must not use queen candy for the purpose of providing food for bees in transit if the queen candy contains any notifiable disease.

Maximum penalty: 5 penalty units.

20 Night parking of vehicle containing bees

When a vehicle contains a beehive with an open entrance, a person must not park the vehicle between the hours of sunset and sunrise:

- (a) within 200 metres of a street light, or
- (b) within a residential area.

Maximum penalty: 5 penalty units.

21 Repeal

- (1) The *Apiaries Regulation 1986* is repealed.
- (2) Any act, matter or thing that was done for the purposes of, or immediately before that repeal had effect under, that Regulation is taken to have been done for the purposes of, or to have effect under, this Regulation.

Schedule 1 (Repealed)