

2023 No. 114

BEE DISEASES

**The Bee Diseases and Pests Control (Scotland) (Amendment)
Order 2023**

Made - - - - *28th March 2023*

Laid before the Scottish Parliament *30th March 2023*

Coming into force - - *25th May 2023*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 1 of the Bees Act 1980(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Bee Diseases and Pests Control (Scotland) (Amendment) Order 2023 and comes into force on 25 May 2023.

Amendment of the Bee Diseases and Pests Control (Scotland) Order 2007

- 2.—(1) The Bee Diseases and Pests Control (Scotland) Order 2007(b) is amended as follows.
- (2) In article 2 (interpretation), in paragraph (3), after “article 10” insert “or 11A”.
- (3) After article 11 (imported bees), insert—

“Notice prohibiting or regulating importation

11A.—(1) Where the Scottish Ministers have reasonable grounds for suspecting the existence of a notifiable pest or notifiable disease in the whole or part of a country or territory outside Great Britain, the Scottish Ministers may by notice declare special measures on importation into Scotland necessary to prevent the introduction of the notifiable pest or notifiable disease from the whole or part of the country or territory concerned.

- (2) The special measures in a notice under paragraph 1 may apply to the importation of—
- (a) bees;
 - (b) combs;
 - (c) bee products;
 - (d) hives;
 - (e) appliances; or

(a) 1980 c. 12. The functions of the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales were, so far as exercisable within devolved competence, transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(b) S.S.I. 2007/506 as amended by S.S.I. 2011/326 and S.S.I. 2021/91.

- (f) any other thing which has or may have been exposed to infection with any notifiable pest or notifiable disease.
- (3) The special measures that the Scottish Ministers may require include—
- (a) prohibition of the importation into Scotland of any of the things listed in paragraph (2) originating in or dispatched from the whole or part of the country or territory concerned;
 - (b) imposition of conditions to be observed before, during or after importation;
 - (c) exemptions from a prohibition of importation under the authority of a licence issued by the Scottish Ministers;
 - (d) such other measures as the Scottish Ministers consider necessary to prevent the introduction of the notifiable pest or notifiable disease.
- (4) The Scottish Ministers must publish the notice in such a manner as they think fit.
- (5) No person may import anything in breach of such a notice.”.
- (4) In article 16 (service of notices), in subparagraph (3), after “article 10” insert “or 11A”.

MAIRI GOUGEON
A member of the Scottish Government

St Andrew’s House,
Edinburgh
28th March 2023

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Bee Diseases and Pests Control (Scotland) Order 2007 (“the 2007 Order”) which makes provision for the control of pests and diseases affecting bees.

Article 2 of this Order inserts a new article 11A into the 2007 Order allowing the Scottish Ministers to publish a notice of the special measures on importation into Scotland that may be applied to the importation of bees, combs, bee products, hives, containers and other appliances and any other thing which has or may have been exposed to infection with any notifiable pest or notifiable disease. The Scottish Ministers may publish special measures where they have reasonable grounds for suspecting the existence of a notifiable pest or notifiable disease in the whole or part of a country or territory outside of Great Britain, and where necessary to prevent the introduction of that notifiable pest or notifiable disease into Great Britain. Consequential amendments are also made to the provisions relating to notices in articles 2 and 16 of the 2007 Order.

A Business and Regulatory Impact Assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

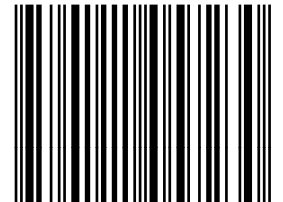
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