

## BEES.

6° Elizabeth II., No. VI.

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No. 6 of 1957.

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AN ACT to amend the Bees Act, 1930-1950.

[Assented to 19th August, 1957.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation.

1. (1) This Act may be cited as the *Bees Act Amendment Act, 1957*.

(2) In this Act the Bees Act, 1930-1950,

Act No. 18 of 1930 as amended by Act No. 70 of 1950,

is referred to as the principal Act.

2. Section six of the principal Act is amended by adding after subsection (3), the following subsections:—

S. 6  
amended.

(4) Where an officer has submitted or is about to submit for consideration a proposal that a proclamation be made under subsection (1) of this section in respect of any portion of the State, he may issue and serve an interim prohibition order on any beekeeper having in that portion any apiary which, in the opinion of the officer, is infected by disease.

Interim  
prohibition  
order.

(5) The order may be served on the beekeeper by serving a copy of it in any manner prescribed by section thirty-one of the Interpretation Act, 1918, or by attaching a copy of it to any hive which, in the opinion of the officer, is infected by disease.

Cf. No. 30 of  
1918, s. 31.

(6) An interim prohibition order served on a beekeeper

- (a) is, subject to appeal to the Minister, binding on the beekeeper during the period of its effectiveness;
- (b) prohibits, either unconditionally, or subject to such conditions as an officer imposes in writing and is hereby authorised to impose, the sending or bringing of bees, honey, wax, hives, beekeepers' appliances, or other articles used in connection therewith, into the apiary to which the interim prohibition order relates, or the sending or removal from the apiary into any other part of the State of bees, honey, wax, hives, beekeepers' appliances, or any other articles used in connection therewith;
- (c) is effective
  - (i) until the Governor either makes, pursuant to subsection (1) of this section, a proclamation declaring the portion of the State in which the apiary is situated to be an infected area, or decides not to do so;

- (ii) until the expiration of twenty-eight days from the day of service of the interim prohibition order;
- (iii) until the order is cancelled pursuant to subsection (7) of this section; or
- (iv) until the order is quashed under subsection (8) of this section;

whichever occurs first.

(7) If the Governor decides, before the expiration of that period of twenty-eight days, not to make a proclamation affecting the apiary, an officer shall immediately cancel the interim prohibition order and serve written notice of the cancellation on the beekeeper.

(8) A beekeeper who objects to an interim prohibition order served on him may appeal against the order to the Minister by causing written grounds of his objection to be served on the Minister who shall consider the objections and shall notify the appellant of his decision quashing, confirming, or varying the order.

(9) The decision of the Minister has effect according to its tenor and is final.

(10) A person who, while an interim prohibition order is effective, contravenes the order commits an offence.

Penalty: Twenty pounds.

- (11) A contravention
  - (a) of a proclamation made pursuant to subsection (1) of this section; or
  - (b) of an interim prohibition order issued and served pursuant to subsection (4) of this section;

is punishable if it occurred before the proclamation was revoked, or as the case may be, before the interim prohibition order ceased to be effective, notwithstanding that proceedings for the

prosecution of the offence are commenced by complaint made after the proclamation was revoked, or, as the case may be, after the order ceased to be effective, and notwithstanding section eleven of the Criminal Code.

3. Section nine of the principal Act is amended by substituting for the word, "No" in line one of subsection (3), the passage, "Except where, and to the extent that, the Bee Industry Compensation Act, 1953 provides otherwise, no". S. 9  
amended.

4. Section ten of the principal Act is amended— S. 10  
amended.

(a) by substituting for the word, "affected" in line nine of subsection (1), the word, "infected"; and

(b) by adding after the word, "necessary" being the last word in subsection (1), the passage, " , but the officer may include in the direction a provision that if the beekeeper causes any beecombs, hives, beekeepers' appliances, and other infected articles, specified in the direction, to be disinfected in the manner and within the time specified in the direction and to the satisfaction of an officer, the beekeeper shall be exempted from the necessity of destroying the things so disinfected, and if the beekeeper does so he shall be exempted accordingly."

5. The principal Act is amended by substituting for the words, "beekeeper's appliances" wherever they appear, the words, "beekeepers' appliances". General  
amendment.

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