



STATUTORY INSTRUMENTS.

S.I. No. 308 of 2013



EUROPEAN COMMUNITIES (NOTIFICATION OF SMALL HIVE
BEETLE AND TROPILAEALAPS MITE) (AMENDMENT)
REGULATIONS 2013

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I, SIMON COVENEY, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving further effect to Council Directive 82/894/EEC of 21 November 1982¹ as amended by Commission Decision 2008/650/EC of 30 July 2008² and Commission Implementing Decision 2012/737/EU of 27 November 2012³ and Council Directive 92/65/EEC of 13 July 1992⁴ as amended by Commission Decision 2010/270/EU of 6 May 2010⁵ in so far as they refer to bees (*Apis mellifera*) hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Notification of Small Hive Beetle and *Tropilaelaps* Mite) (Amendment) Regulations 2013.

2. The European Communities (Notification of Small Hive Beetle and *Tropilaelaps* Mite) Regulations 2009 (S.I. No. 589 of 2009) are amended—

(a) in Regulation 2, by substituting the definition of “Council Directives” for the following:

“‘Council Directives’ means Council Directive 82/894/EEC of 21 November 1982 as amended by Commission Decision 2008/650/EC of 30 July 2008 and Commission Implementing Decision 2012/737/EU of 27 November 2012 and Council Directive 92/65/EEC of 13 July 1992 as amended by Commission Decision 2010/270/EU of 6 May 2010;”,

(b) substituting for Regulation 3, the following:

“Notification, etc

3. (1) A person who has bees in his or her possession or under his or her control and any other person who, by reason of an examination, laboratory test result or otherwise, becomes aware or suspects or who should reasonably be aware that there is an infestation or a suspected infestation of American foulbrood (*Paenibacillus larvae*), small hive beetle (*Aethina tumida*) or *Tropilaelaps* mite (*Tropilaelaps* spp.) in

¹ OJ L 378, 31.12.1982, p. 58

² OJ L213, 8.8.2008, p.42

³ OJ L329, 29.11.2012, p.19

⁴ OJ L 268, 14.9.1992, p. 54

⁵ OJ L 118, 12.5.2010, p. 56

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 9th August, 2013.*

bees shall immediately notify the Minister of the infestation or suspected infestation by contacting the Department of Agriculture, Food and the Marine.

(2) A person, who has bees in his or her possession or under his or her control and those bees are the subject of a notification under paragraph (1), shall not move the bees without the written permission of the Minister.

(3) The Minister may impose such conditions on the movement of bees under paragraph (2) as the Minister considers necessary.

Placing on the market

3A. A person shall not place bees on the market for the purposes of trade other than in accordance with Article 4 of Council Directive 92/65/EEC.

Introduction of bees into the State

3B. A person shall not introduce bees into the State other than in accordance with Article 8 of Council Directive 92/65/EEC.”,

(c) substituting Regulation 11 for the following:

“Offences

11. A person commits an offence and is liable on conviction to a Class A fine if he or she—

(a) contravenes the Council Directives or these Regulations, or

(b) aids or abets a contravention of the Council Directives or these Regulations.”, and

(d) substituting Regulation 13(1)(d) for the following:

“(d) that the person carried out any laboratory examination for the purposes of detecting the presence, in a sample so submitted, of American foulbrood (*Paenibacillus larvae*), small hive beetle (*Aethina tumida*) or Tropilaelaps mite (*Tropilaelaps* spp.) or that the sample was positive for American foulbrood (*Paenibacillus larvae*), small hive beetle (*Aethina tumida*) or Tropilaelaps mite (*Tropilaelaps* spp.).”.



Given under my Official Seal,
24 July 2013.

SIMON COVENEY,
Minister for Agriculture, Food and the Marine.

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