

Serial Number 1952/56



THE APIARIES REGULATIONS 1952

FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 24th day of
March 1952

Present :

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL.

PURSUANT to the Apiaries Act 1927, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Apiaries Regulations 1952.

(2) These regulations shall come into force on the seventh day after the date of their notification in the *Gazette*.

2. In these regulations, unless the context otherwise requires,—
“Appliance” means any hive, bee-comb, extractor, or other appliance that has been used in connection with beekeeping :

“Director” means the Director of the Horticultural Division of the Department of Agriculture :

“Inspector” means an Inspector appointed under the Apiaries Act 1927 :

“Minister” means the Minister of Agriculture :

“Prohibited area” means any of the specified portions of land comprised and described in the Schedule hereto.

3. No person shall introduce into New Zealand any bees or any appliance from outside New Zealand :

Provided that it shall be lawful for any person with a prior permit in writing from the Minister or from the Director with the authority of the Minister, and subject to such conditions as may be prescribed in the permit, to introduce bees into New Zealand from any country or place specified in the permit, together with such appliances as are necessary to serve as containers for bees so introduced.

4. (1) Every application for a permit to introduce bees into New Zealand shall be in writing signed by the applicant, and shall state the name and address of the breeder and the keeper of the bees, the breed or breeds and the strain or strains of the bees, and the location of the apiary from which the applicant proposes to obtain the bees.

(2) The Minister, or the Director with the authority of the Minister, may, on such grounds as the Minister or the Director in his discretion deems sufficient, refuse to grant any permit applied for under this regulation.

5. Any bees or appliances introduced into New Zealand without a permit in writing from the Minister, or from the Director with the authority of the Minister, or otherwise than in accordance with the conditions prescribed in the permit, may be seized and destroyed by an Inspector.

6. No person shall establish or keep bees in any prohibited area without a prior permit in writing from the Minister, or from the Director with the authority of the Minister, and otherwise than in accordance with such conditions as may be prescribed in the permit; and in granting any such permit regard shall be had to the likelihood that honey produced in the area may contain poison.

7. In addition to any conditions that may be prescribed by the Minister or by the Director with the authority of the Minister in the exercise of the discretion under regulation 6 hereof, the following shall be prescribed as conditions of every permit granted under that regulation, namely :—

- (a) That the place on which the bees are kept or established shall be registered as an apiary under the Apiaries Act 1927 in accordance with the Apiary Registration Regulations 1937.*
- (b) That no honey produced in the apiary shall be disposed of otherwise than in the manner prescribed by paragraph (c) of this regulation :
- (c) That all honey stored by bees in the apiary and not required by the bees for feeding purposes shall be destroyed in the presence of an Inspector either by burning or by being buried in the ground to a depth of at least 3 ft. below the surface :
- (d) That any person who removes honey from a hive in the apiary shall, pending the destruction thereof, deny all bees access to the honey :
- (e) That no appliance containing any honey or pollen produced in the apiary shall be removed or permitted to be removed outside the prohibited area.

8. All bees and appliances established or kept in a prohibited area without a prior permit in writing from the Minister or from the Director with the authority of the Minister or otherwise than in accordance with the conditions of the permit may at any time be seized and destroyed by an Inspector.

9. All honey condemned by an Inspector pursuant to section 11 of the Apiaries Act 1927 shall be destroyed in his presence either by being burnt or by being buried in the ground to a depth of not less than 3 ft. below the surface.

10. (1) Every person commits an offence against these regulations who—

- (a) Fails to comply with or acts in contravention of any of the provisions of such regulations ; or

* Statutory Regulations 1937, Serial number 1937/268, page 957.

- (b) Being the holder of a permit under these regulations, fails to comply with any of the conditions prescribed in the permit.
- (2) Every person who commits an offence against these regulations shall be liable on summary conviction to a fine not exceeding £20.
- (3) In any prosecution for an offence against these regulations proof that the Director has granted a permit shall be proof that he did so with the authority of the Minister.

11. (1) The Apiaries Regulations 1948* and the Apiaries Regulations 1948, Amendment No. 1†, are hereby revoked.

(2) All prohibitions and consents, and generally all acts of authority which originated under the regulations hereby revoked and are subsisting or in force at the commencement of these regulations, shall enure for the purposes of these regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

SCHEDULE

ALL that area in the Auckland Land District, situated in the counties of Tauranga and Rotorua, bounded by a line commencing at the easternmost corner of Section 2 of Block X, Maketu Survey District, and running towards the east generally along the southern boundaries of Blocks VII and VIII of Maketu Survey District, and the southern boundary of Block II of Waihi South Survey District, to the south-eastern corner of the said Block II; thence towards the south generally along the western boundary of Block VI, Waihi South Survey District, to and towards the north-east along the south-eastern boundary of Lot 3 as shown on the plan numbered 32310, deposited in the office of the District Land Registrar at Auckland, being part of Pukehina L. No. 1D Block, and the south-eastern boundary of part of Pukehina L. No. 2 Block, as shown on the plan numbered 10387, deposited as aforesaid, to and along the south-western boundaries of part of Section 5 of the said Block VI, the western and southern boundaries of Lot 7 as shown on the plan numbered 15136, deposited as aforesaid, being part of Section 4 of the said Block VI, the southern boundary of Lot 6 as shown on the said plan numbered 15136, being part of the aforesaid Section 4, and along a right line across a public road, and the Waitahanui River, to and along the southern boundaries of Lot 9 as shown on the plan numbered 8636, deposited as aforesaid, being part of Tahunaroa No. 2 Block, Section 7 of Block VI aforesaid, and Lot 10 as shown on the said plan numbered 8636, being part of the said Tahunaroa No. 2 Block, to and along the western boundary of Block VII, Waihi South Survey District, the northern and western boundaries of Block XI, Waihi South Survey District, and the western boundary of Block III, Rotoma Survey District, to the northern boundary of Block VII, Rotoma Survey District; thence towards the west generally along the said northern boundary, and the northern boundaries of Blocks VI and V of Rotoma Survey District, and Blocks VIII and VII of Rotoiti Survey District, to the north-western corner of the last-mentioned Block VII; thence towards the north generally along the eastern boundaries of Block II, Rotoiti Survey District, and Blocks XIV and X of Maketu Survey District, to the point of commencement.

Also, all that area in the Auckland Land District, situated in the County of Whakatane, bounded by a line commencing at a point on the southern shores of the Bay of Plenty, being the north-eastern corner of Block VIII, Waihi South Survey District, and running towards the east generally along the said shores to the north-western corner of Block IV, Awa o te Atua Survey District; thence towards the south along the western boundary of the said Block IV to the north-eastern corner of Block II, Rangitaiki Upper Survey District; thence towards the west and south along the northern and western boundaries of the said Block II, and again towards the west along the northern boundary of Block V, Rangitaiki Upper Survey District, to its north-western corner; thence towards the north generally along the eastern boundaries of Block IV, Rotoma Survey District, and Blocks XII and VIII of Waihi South Survey District, to the point of commencement.

* Statutory Regulations 1948, Serial number 1948/10, page 19.

† Statutory Regulations 1951, Serial number 1951/235, page 876.

Also, all that area in the Whakatane and Opotiki Counties bounded by a line commencing at a point on the shores of the Bay of Plenty, being the north-eastern corner of Block VII, Whakatane Survey District, and running towards the south along the eastern boundaries of Blocks VII and XI, Whakatane Survey District, to the south-eastern corner of Block XI aforesaid; thence towards the west along the southern boundaries of Blocks XI, X, and IX, Whakatane Survey District, to the south-western corner of Block IX aforesaid; thence again towards the south along the eastern boundary of Block XII, Whakatane Survey District, to its south-eastern corner; thence towards the west generally along the southern boundaries of Block XII aforesaid and Block XVI, Rangitaiki Upper Survey District, to the south-eastern corner of the last-mentioned block; thence towards the north along the western boundaries of Blocks XVI, XII, and VIII, Rangitaiki Upper Survey District, to the intersection of the northern side of the Tauranga-Taneatua railway with the western boundary of Block VIII aforesaid; thence towards the south-east generally along the northern side of the said Tauranga-Taneatua railway to its intersection with the southern boundary of Block IV, Whakatane Survey District; thence towards the east along the southern boundary of Block IV aforesaid and towards the north along the eastern boundaries of Block IV aforesaid and Block I, Whakatane Survey District, to the north-eastern corner of Block I aforesaid; thence along a right line, being the last-mentioned boundary produced to the shores of the Bay of Plenty; thence towards the south-east generally along the shores of the said Bay of Plenty to the point of commencement.

Also all that area of the counties of Whakatane, Tauranga, and Rotorua bounded by a line commencing at a point on the shores of the Bay of Plenty, being the north-eastern corner of Waewahikitia No. 1 Block, being the north-eastern corner of the County of Tauranga; thence towards the south-east generally along the said shores of the Bay of Plenty to the north-western corner of Block I, Awa o te Atua Survey District; thence towards the south along the western boundaries of Blocks I and II, Awa o te Atua Survey District and Block I, Rangitaiki Upper Survey District, and towards the east along the southern boundary of Block I aforesaid to the north-eastern corner of Block V, Rangitaiki Upper Survey District; thence towards the south along the eastern boundaries of Blocks V, IX, and XIII, Rangitaiki Upper Survey District, to the south-eastern corner of Block XIII aforesaid; thence towards the west along the southern boundaries of Block XIII aforesaid, Blocks XVI, XV, XIV, and XIII, Rotoma Survey District, and Block XVI, Rotoiti Survey District, to the south-western corner of Block XVI aforesaid; thence towards the north along the western boundaries of Blocks XVI, XII, and VIII, Rotoiti Survey District, to the north-western corner of Block VIII aforesaid; thence towards the east along the southern boundaries of Block IV, Rotoiti Survey District, and Block I, Rotoma Survey District, to the south-western boundary of Section 1A, Block I aforesaid; thence along a right line to and along the southern boundary of Block II, Rotoma Survey District, to the south-eastern corner of Block II aforesaid; thence towards the north along the eastern boundaries of Block II, Rotoma Survey District aforesaid, and Block X, Waihi South Survey District, to and along the southern and eastern boundaries of Section 6 of Block VI, of the County of Tauranga, to the north-eastern corner of Waewahikitia No. 1 Block on the shore of the Bay of Plenty, being the point of commencement.

T. J. SHERRARD,

Clerk of the Executive Council.

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

These regulations consolidate the Apiaries Regulations 1948 and its amendments. The existing regulations are amended as so to enable the Minister to delegate his power of granting various permits to the Director of the Horticulture Division of the Department of Agriculture.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 27th day of March 1952.

These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 5224.)