

Serial Number 268/1937.



THE APIARY REGISTRATION REGULATIONS 1937.

Enacting authority : His Excellency the Governor-General in Council.
Act pursuant to which the regulations were made : The Apiaries Act,
1927.

Date on which the regulations were made : 27th day of October, 1937.
Date of notification in *Gazette* : 28th day of October, 1937.

REGULATIONS.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Apiary Registration Regulations 1937.

(2) These regulations shall come into force on the 1st day of November, 1937.

(3) In these regulations, if not inconsistent with the context,—

“ Apiary ” means any place where bees or appliances are kept :

“ Appliance ” means any hive, bee-comb, extractor, or other appliance that has been used in connection with beekeeping :

“ Beekeeper ” means any person who keeps bees or appliances, or who allows bees or appliances to be kept on any land occupied by him :

“ Director ” means the Director of the Horticulture Division of the Department of Agriculture.

(4) The Apiary Registration Regulations 1928* are revoked.

(5) Every certificate of registration issued under the regulations hereby revoked shall expire on the date of the coming into force of these regulations.

* *Gazette*, 15th March, 1928, Vol. I, page 708.

REGULATION 2.—APPLICATIONS FOR REGISTRATION.

(1) Every person who, on the date of the coming into force of these regulations, is using as an apiary any place which it is proposed to use as an apiary after that date shall forthwith apply for registration of such place as an apiary in manner hereinafter provided.

(2) Every person who, after the date of the coming into force of these regulations, proposes to use any place as an apiary shall before so using that place apply for registration thereof in manner hereinafter provided.

(3) Every person using any place as a registered apiary, which he proposes to use as an apiary after the certificate of registration issued in respect of which has expired pursuant to these regulations, shall forthwith on the expiry of such certificate apply for registration of such place as an apiary in manner hereinafter provided.

(4) Every application for registration or re-registration of any place as an apiary shall be made in writing to the Director on a form of application obtained for that purpose, which form shall be in or to the effect of Form No. 1 set out in the Schedule hereto, and shall contain the information indicated in the said form and shall be signed by the applicant.

(5) The Director, on receipt of any application for registration or re-registration, may, by notice in writing posted to the applicant at the address set out in his application, require the applicant to furnish further or better particulars of any of the matters information as to which is required by the said Form No. 1.

(6) Every applicant shall forthwith comply to the reasonable satisfaction of the Director with the requirements of any such notice as aforesaid, and until he so complies he shall not be deemed to have applied for registration or re-registration of the apiary concerned within the meaning of these regulations.

(7) Forms of application for registration of an apiary may be obtained free of charge from the Director or from any District Office or Apiary Instructor of the Department of Agriculture, or from any post-office.

REGULATION 3.—CERTIFICATE OF REGISTRATION.

(1) On the registration or re-registration of any apiary there shall be issued without charge to the person by whom the application for registration was made a certificate of registration in or to the effect of Form No. 2 set out in the Schedule hereto.

(2) Every certificate of registration issued under this regulation shall expire on the next ensuing expiry date as hereinafter defined.

(3) For the purposes of this regulation the term "expiry date" means the 31st day of October in the year 1942, in the year 1947, and in every fifth year thereafter respectively.

(4) At any time during the currency of any certificate of registration the Director may, if he thinks fit, and shall, if required for the purposes of any legal proceedings, issue to the person lawfully using any place as an apiary a further certificate of registration in respect of such apiary.

REGULATION 4.—THE REGISTER.

(1) For the purpose of the registration of apiaries a Register of Apiaries shall be kept by the Director at his office in Wellington.

(2) The register may be kept bookwise or in card form, or in such other manner as may be deemed convenient, and an application for registration in regular form may be incorporated with and form part of the register.

(3) The entries in the register may be arranged in order of localities and in suborder of names of beekeepers, arranged alphabetically, or in such other order as may be deemed convenient, and may from time to time be rearranged in different order.

(4) The particulars to be entered in the register shall be those set out in Form No. 1 in the Schedule hereto.

(5) The Director may from time to time direct any entry in the register to be amended, corrected, cancelled, or deleted upon such documentary or other evidence as he shall deem sufficient.

(6) No person shall be entitled to inspect or search the register except by permission of the Director, which permission it shall be in the discretion of the Director to grant or withhold.

REGULATION 5.—EVIDENCE OF REGISTRATION.

(1) Any certificate of registration shall be *prima facie* evidence of the registration for the prescribed period of registration of the apiary to which such certificate relates.

(2) A copy certified by the Director of any entry in the register shall be *prima facie* evidence of such entry.

(3) A certificate under the hand of the Director of the absence of an entry in the register shall be *prima facie* evidence of the facts stated in such certificate.

(4) The absence of an entry in the register relating to any apiary shall be *prima facie* evidence that no application has been made for the making of such entry.

REGULATION 6.—ALTERATIONS IN RESPECT OF THE OWNERSHIP OR POSSESSION OR AREA OF APIARIES.

(1) Every person who has applied for registration as an apiary of a place in respect of which a certificate of registration has been issued and is in force shall, immediately such place ceases to be used as an apiary, or immediately such apiary ceases to be used by the person aforesaid, or immediately any change takes place in the ownership or possession of such apiary, give the Director notice thereof and of the particulars of such change as the case may require, and shall in the event of any change occurring in the ownership or possession of such apiary return to the Director the certificate of registration issued in respect thereof, but compliance with the requirements of this clause shall not relieve any person from the duty of complying with clause (4) of this regulation.

(2) Every person who has applied for registration as an apiary of a place in respect of which a certificate of registration has been issued and is in force shall, if during the currency of such certificate any increase or decrease since the date of registration or since the date of the last notification given pursuant to this clause has taken place in the number of hives maintained on such apiary on the 1st day of December in any year, give the Director notice thereof and of the particulars of such increase or decrease as the case may be not later than the 31st day of December in that year.

(3) No person shall use any place as an apiary in respect of which notice of any increase or decrease in the number of hives maintained thereon has not been given to the Director as required by clause (2) hereof.

(4) Every person who, after the date of the coming into force of these regulations, acquires or succeeds to the ownership or possession of any registered apiary shall forthwith give notice thereof to the Director.

(5) The Director on receipt of any notice given pursuant to clause (4) hereof may, by notice in writing posted to the person giving the notice at the address of the registered apiary, require that person to furnish particulars of any of the matters information as to which is required by the said Form No. 1.

(6) Every such person shall forthwith comply to the reasonable satisfaction of the Director with the requirements of any notice so given by the Director, and until he so complies he shall not be deemed to have complied with the requirements of clause (4) of this regulation.

(7) Upon receipt of any notice pursuant to this regulation and on verification thereof to his satisfaction the Director shall make such entries in the register as the case may require and shall if need be issue a fresh certificate of registration in respect of such apiary.

REGULATION 7.—OFFENCES AND PENALTY.

(1) Every person commits an offence against these regulations who directly or indirectly by himself, his servant, or agent fails to observe and perform any duty or obligation imposed upon him by these regulations, and shall be liable accordingly.

(2) Every person commits an offence against these regulations who makes any statement which is false or misleading in any material particular in any application for registration pursuant to Regulation 2 hereof or in any notice given pursuant to Regulation 6 hereof.

(3) Every person commits an offence against these regulations who at any time after the expiration of six weeks from the date of the coming into force of these regulations is the owner or possessor of an apiary in respect of which a certificate of registration issued to such owner or possessor is not for the time being in force.

(4) Every person who commits an offence against these regulations shall be liable on conviction to a penalty not exceeding £20.

SCHEDULE.

[Form No. 1.

APPLICATION FOR REGISTRATION OF AN APIARY.

Surname :.....
 Christian names :.....
 Address of applicant :.....
 Situation of apiary :.....
 Name of occupier of property where apiary is situated :.....
 County :.....
 Number of hives—
 Italian bees : ...
 Black bees : ...
 Crossbred bees :...
 —
 Total ...
 —

I hereby apply in pursuance of the Apiary Registration Regulations 1937 under the Apiaries Act, 1927, for the registration of the above-mentioned apiary, of which I am the beekeeper.

Date :.....

Signature :.....

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[Form No. 2.

CERTIFICATE OF REGISTRATION OF AN APIARY.

I HEREBY certify that the apiary belonging to, of, situated at, and comprising ... hives, is duly registered as an apiary in terms of the Apiaries Act, 1927, and the Apiary Registration Regulations 1937 for the registration period ending the 31st day of October, 19..

Dated at Wellington, this day of, 19..

Signature :.....
Director, Horticulture Division.

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Issued under the authority of the Regulations Act, 1936.
These regulations are administered by the Department of Agriculture.

(Ag. No. 3514.)