[Français](http://www.ontario.ca/fr/lois/loi/90b06)

Bees Act

R.S.O. 1990, CHAPTER B.6

**Consolidation Period:** From December 10, 2019 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Note: This Act is repealed on a day to be named by proclamation of the Lieutenant Governor. (See: 2019, c. 14, Sched. 3, s. 12)

Last amendment: [2019, c. 14, Sched. 3, s. 12](http://www.ontario.ca/laws/statute/S19014" \l "sched3s12).

Legislative History: 1993, c. 27, Sched.; 1994, c. 27, s. 12; 1999, c. 12, Sched. A, s. 6; [2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfs2); [2009, c. 31, s. 72](http://www.ontario.ca/laws/statute/S09031" \l "s72) (But see: [2019, c. 14, Sched. 3, s. 10](http://www.ontario.ca/laws/statute/S19014" \l "sched3s10)); [2009, c. 33, Sched. 1, s. 7](http://www.ontario.ca/laws/statute/S09033" \l "sched1s7); [2019, c. 7, Sched. 4](http://www.ontario.ca/laws/statute/S19007" \l "sched4s1); [2019, c. 14, Sched. 3, s. 12](http://www.ontario.ca/laws/statute/S19014" \l "sched3s12).

Definitions

**1** In this Act,

“apiary” means a place where bees and beekeeping equipment of a beekeeper are located; (“rucher”)

“beekeeper” means a person who owns or is in possession of bees or beekeeping equipment, but does not include a person who is in possession of new beekeeping equipment for the purpose of transportation, distribution or sale or who is a manufacturer of beekeeping equipment; (“apiculteur”)

“beekeeping equipment” means hives, parts of hives and utensils used in the keeping of bees; (“matériel apicole”)

“bees” means the insects known asApis mellifera; (“abeilles”)

“bees-wax refuse” means damaged honeycombs, honeycomb cappings or the material remaining after the first rendering of used honeycombs or honeycomb cappings; (“résidu de cire d’abeilles”)

“Director” means the Director appointed under this Act; (“directeur”)

“disease” means,

(a) American foulbrood, being the disease of the larvae and pupae of bees caused by organisms known asBacillus larvae,

(b) European foulbrood, being the disease of the larvae and pupae of bees caused by organisms known as Bacillus pluton or Bacillus alvei, and

(c) any disease designated by the regulations as a disease within the meaning of this Act; (“maladie”)

“infected” means infected with the causal organisms of a disease; (“infecté”)

“inspector” means an inspector appointed under this Act; (“inspecteur”)

“Minister” means the Minister of Agriculture, Food and Rural Affairs; (“ministre”)

“package bees” means bees placed in a screened cage or package without honeycombs for the purpose of being shipped; (“abeilles en caisse”)

“pest” means both of the subspecies of bees known asApis mellifera scutella andApis mellifera adonsonii and such other insect or parasite as is designated by the regulations to be a pest within the meaning of this Act; (“insectes nuisibles”)

“regulations” means the regulations made under this Act. (“règlements”) R.S.O. 1990, c. B.6, s. 1; 2009, c. 33, Sched. 1, s. 7.

**Section Amendments with date in force (d/m/y)**

[2009, c. 33, Sched. 1, s. 7](http://www.ontario.ca/laws/statute/S09033" \l "sched1s7) - 15/12/2009

Bees in hive private property

**2** Bees reared and kept in hives are private property. R.S.O. 1990, c. B.6, s. 2.

Right of owner to pursue and recover swarm

**3** (1)  Subject to subsections (2), (3) and (4), where a swarm of bees leaves a hive, the owner of the swarm may enter upon the premises of any person and recover the swarm. R.S.O. 1990, c. B.6, s. 3 (1).

Where owner declines to pursue swarm

(2)  Where the owner of a swarm of bees that leaves its hive declines to pursue it and another person takes up the pursuit, such other person is subrogated to all the rights of the owner in respect of the swarm. R.S.O. 1990, c. B.6, s. 3 (2).

Owner of premises to be notified

(3)  Where the right to recover a swarm of bees is claimed under subsection (1) or (2), the person claiming the swarm shall notify the owner of the premises on which the swarm has settled before entering the premises and shall compensate the owner for any damage to the premises caused by the entry. R.S.O. 1990, c. B.6, s. 3 (3).

When right of property in swarm lost

(4)  Where a swarm of bees leaves a hive and settles in an occupied hive owned by a person other than the owner of the swarm, the owner of the swarm loses all right of property in the swarm. R.S.O. 1990, c. B.6, s. 3 (4).

Appointment of officials

**4** (1)  The Minister may appoint a Director, a Provincial Apiarist, an Assistant Provincial Apiarist and such inspectors as are considered necessary for the purposes of this Act. R.S.O. 1990, c. B.6, s. 4 (1).

Idem

(2)  The Assistant Provincial Apiarist shall act in lieu of the Provincial Apiarist in the absence of the Provincial Apiarist or when so instructed to act by the Provincial Apiarist and when so doing has all the powers and may perform any of the duties of the Provincial Apiarist. R.S.O. 1990, c. B.6, s. 4 (2).

Idem

(3)  The Provincial Apiarist has all the powers and may perform any of the duties of an inspector. R.S.O. 1990, c. B.6, s. 4 (3).

Duties of inspector

(4)  It is the duty of an inspector when he or she considers it necessary or when so instructed by the Provincial Apiarist,

(a) to inspect any bees or beekeeping equipment to determine whether any pest is present or disease exists in the bees, whether the beekeeping equipment is infected, or whether the provisions of this Act and the regulations have been complied with; and

(b) to inspect any books or records required by this Act or the regulations to be kept by beekeepers and persons who sell bees. R.S.O. 1990, c. B.6, s. 4 (4).

Employment of persons by inspector

(5)  With the approval of the Provincial Apiarist, an inspector may employ such persons as the inspector requires to assist him or her in an inspection and such persons shall be paid such amounts as the Minister determines. R.S.O. 1990, c. B.6, s. 4 (5).

Right of entry

(6)  In the performance of his or her duties under this Act and the regulations, an inspector may at any time between sunrise and sunset enter any premises, other than a dwelling, where bees, beekeeping equipment or books or records pertaining to the keeping of bees are kept or stored. R.S.O. 1990, c. B.6, s. 4 (6).

Samples

(7)  An inspector may take such samples as the inspector considers necessary in order to determine whether any pest is present or disease exists in the bees or whether the beekeeping equipment is infected. R.S.O. 1990, c. B.6, s. 4 (7).

Obstruction of inspector

(8)  No person shall obstruct the Provincial Apiarist, Assistant Provincial Apiarist or an inspector in the performance of their duties or furnish them with false information. R.S.O. 1990, c. B.6, s. 4 (8).

Assistance of beekeeper in inspection

(9)  Every beekeeper shall, when requested to do so by an inspector, assist the inspector in an inspection on the premises of the beekeeper. R.S.O. 1990, c. B.6, s. 4 (9).

Treatment or destruction of infected bees or beekeeping equipment

**5** (1)  Where an inspector has reasonable grounds for believing that any pest is present or disease exists in any bees or that any beekeeping equipment is infected, the inspector may, by order in writing,

(a) require the beekeeper to treat or disinfect such bees or beekeeping equipment in such manner and within such period as the order requires;

(b) require the beekeeper to destroy by fire, or other means approved by the Provincial Apiarist, within such period as the order requires, such bees or beekeeping equipment as in the opinion of the inspector cannot be suitably treated or disinfected; or

(c) require the beekeeper to retain the bees and beekeeping equipment at such location and for such period of time as the order requires. R.S.O. 1990, c. B.6, s. 5 (1).

Power of inspector to destroy or treat diseased bees, etc.

(2)  If the beekeeper fails to carry out the instructions in an order given under subsection (1) within such period as the order requires or if so requested by the beekeeper, the inspector may carry out the instructions in the order and, when required to do so by the Provincial Apiarist, the beekeeper shall pay any expenses incurred in carrying out the instructions. R.S.O. 1990, c. B.6, s. 5 (2).

(3)  Repealed: 2019, c. 7, Sched. 4, s. 1.

**Section Amendments with date in force (d/m/y)**

[2019, c. 7, Sched. 4, s. 1](http://www.ontario.ca/laws/statute/S19007" \l "sched4s1) - 29/05/2019

Bees in hive without movable frames

**6** (1)  No beekeeper shall keep bees in a hive without movable frames. R.S.O. 1990, c. B.6, s. 6 (1).

Transfer of bees to hives with movable frames

(2)  Where an inspector finds that bees are kept in a hive without movable frames, the inspector may order that they be transferred to hives with movable frames within such period as is specified in the order. R.S.O. 1990, c. B.6, s. 6 (2).

Failure of beekeeper to transfer

(3)  If a beekeeper fails to transfer the bees in accordance with an order under subsection (2), the inspector may destroy the hives and the bees dwelling therein. R.S.O. 1990, c. B.6, s. 6 (3).

Inspector’s orders, content and delivery

**6.1**(1)  Every order made by an inspector under section 5, 6 or 19 shall state that the beekeeper may appeal from the inspector’s order to the Director within five days after receipt of the order. 2019, c. 7, Sched. 4, s. 2.

Delivery

(2)  An inspector’s order shall be delivered to the beekeeper,

(a) by registered mail or courier at the beekeeper’s last or usual place of abode;

(b) by email; or

(c) in person by the inspector. 2019, c. 7, Sched. 4, s. 2.

Deemed receipt

(3)  An inspector’s order shall be deemed to have been received by the beekeeper in accordance with the following rules:

1. If the order is delivered by registered mail or courier, it is deemed to have been received on the fifth day after the day the order is mailed or couriered.

2. If the order is delivered by email or in person by the inspector, it is deemed to have been received on the day it is sent by email or received in person. 2019, c. 7, Sched. 4, s. 2.

Failure to receive document

(4)  Subsection (3) does not apply if the beekeeper establishes that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond the beekeeper’s control, receive the order or did not receive it until after the deemed date of receipt. 2019, c. 7, Sched. 4, s. 2.

**Section Amendments with date in force (d/m/y)**

[2019, c. 7, Sched. 4, s. 2](http://www.ontario.ca/laws/statute/S19007" \l "sched4s2) - 29/05/2019

Appeal

**7** (1)  A beekeeper who considers themself aggrieved by an order of an inspector may within five days of the receipt of the order appeal against the order by notice to the Director. R.S.O. 1990, c. B.6, s. 7 (1); 1993, c. 27, Sched.

Idem

(2)  An appeal under this section may be made in writing or orally or by telephone to the Director, but the Director may require the grounds for appeal to be specified in writing before the hearing. R.S.O. 1990, c. B.6, s. 7 (2).

Hearing and decision on appeal

(3)  Upon being notified of an appeal, the Director shall hold a hearing and at the conclusion of the hearing may confirm, revoke or vary the inspector’s order. 2019, c. 7, Sched. 4, s. 3.

Notice of decision

(3.1)  The Director shall give the beekeeper who appealed the inspector’s order notice of a decision made under subsection (3),

(a) by registered mail or courier at the beekeeper’s last or usual place of abode; or

(b) by email. 2019, c. 7, Sched. 4, s. 3.

Compliance with decision

(3.2)  A beekeeper who receives notice of the Director’s decision made under subsection (3) shall comply with the decision within the time specified in the notice. 2019, c. 7, Sched. 4, s. 3.

Deemed receipt

(3.3)  Notice of the Director’s decision shall be deemed to have been received by the beekeeper in accordance with the following rules:

1. If the notice is delivered by registered mail or courier, it is deemed to have been received on the fifth day after the day the notice is mailed or couriered.

2. If the notice is delivered by email, it is deemed to have been received on the day it is sent by email. 2019, c. 7, Sched. 4, s. 3.

Failure to receive document

(3.4)  Subsection (3.3) does not apply if the beekeeper establishes that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond the beekeeper’s control, receive the notice or did not receive it until after the deemed date of receipt. 2019, c. 7, Sched. 4, s. 3.

Parties

(4)  The beekeeper and the inspector who made the order appealed from are parties to an appeal under this section. R.S.O. 1990, c. B.6, s. 7 (4).

**Section Amendments with date in force (d/m/y)**

1993, c. 27, Sched. - 31/12/1991

[2019, c. 7, Sched. 4, s. 3](http://www.ontario.ca/laws/statute/S19007" \l "sched4s3) - 29/05/2019

Information as to the location of beekeeping equipment to be given inspector

**8** (1)  When requested by an inspector, every beekeeper shall inform the inspector of the location of all beekeeping equipment in the possession of the beekeeper. R.S.O. 1990, c. B.6, s. 8 (1).

Posting of name and address of beekeeper

(2)  Every beekeeper shall identify the apiary or apiaries of which the beekeeper is the owner by posting, in the places and in the manner prescribed by the regulations, the beekeeper’s name and address. R.S.O. 1990, c. B.6, s. 8 (2).

Concealing existence of disease

**9** No beekeeper shall conceal the presence of any pests or the existence of any disease. R.S.O. 1990, c. B.6, s. 9.

Duty of beekeeper to report disease

**10** Every beekeeper who finds that any pest is present or disease exists in his, her or its bees or that his, her or its beekeeping equipment is infected, shall immediately report the presence of the pest or the existence of the disease to the Provincial Apiarist. R.S.O. 1990, c. B.6, s. 10.

Quarantine of bees

**11** (1)  The Minister may declare a quarantine of bees in any area in Ontario that the Minister designates and may fix the duration of the quarantine and the conditions with respect thereto. R.S.O. 1990, c. B.6, s. 11 (1).

Moving bees to, from, etc., quarantine area

(2)  No person shall move any bees or beekeeping equipment to, from, within or through an area of quarantine without a permit from the Provincial Apiarist stating the conditions under which bees or beekeeping equipment may be moved. R.S.O. 1990, c. B.6, s. 11 (2); 1994, c. 27, s. 12 (1).

**Section Amendments with date in force (d/m/y)**

1994, c. 27, s. 12 (1) - 09/12/1994

Permit required for sale or removal of bees

**12** (1)  No beekeeper shall sell or remove or cause to be removed from the beekeeper’s premises any bees or beekeeping equipment without a permit from an inspector stating that such bees or beekeeping equipment were inspected under conditions established by the Provincial Apiarist. R.S.O. 1990, c. B.6, s. 12 (1); 1994, c. 27, s. 12 (2).

Exception

(2)  Subsection (1) does not apply where the bees and beekeeping equipment are moved by the beekeeper from the beekeeper’s extracting plant to the beekeeper’s apiaries or from such apiaries to such extracting plant or between such apiaries. R.S.O. 1990, c. B.6, s. 12 (2).

**Section Amendments with date in force (d/m/y)**

1994, c. 27, s. 12 (2) - 09/12/1994

Receiving or transporting pest prohibited

**13** (1)  No person shall receive or transport in any manner within Ontario any pest. R.S.O. 1990, c. B.6, s. 13 (1).

Permit required for transport

(2)  No person shall receive or transport in any manner within Ontario any bees or used beekeeping equipment obtained from outside Ontario without a permit from the Provincial Apiarist stating the conditions under which such bees or beekeeping equipment may be received or transported within Ontario. 1994, c. 27, s. 12 (3).

**Section Amendments with date in force (d/m/y)**

1994, c. 27, s. 12 (3) - 09/12/1994

Exposing infected comb or honey

**14** No person shall expose any honeycomb or honey in such manner that it is accessible to bees where that person knows or ought to know that the honeycomb or honey is likely to be infected. R.S.O. 1990, c. B.6, s. 14.

Disposal of dead colonies of bees, etc.

**15** (1)  Where dead colonies of bees or honeycombs are exposed in such manner that they are accessible to bees, or where colonies of bees are abandoned or not regularly and properly attended, an inspector may require the beekeeper to dispose of such colonies and honeycombs in such manner and within such period as the inspector specifies. R.S.O. 1990, c. B.6, s. 15 (1).

Disposal by inspector

(2)  If the beekeeper fails to dispose of such colonies and honeycombs as required by the inspector, the inspector may dispose of them and, where required to do so by the Provincial Apiarist, the beekeeper shall pay any expenses incurred in disposing of them. R.S.O. 1990, c. B.6, s. 15 (2).

Honey prohibited as food for bees

**16** No person who sells package bees or queen bees shall use as food for such bees any honey or candy containing honey. R.S.O. 1990, c. B.6, s. 16.

Bees obtained outside Ontario

**17** Every person who receives bees that have been obtained from outside Ontario shall, within ten days of the receipt of the bees, notify the Provincial Apiarist that the bees have been received. R.S.O. 1990, c. B.6, s. 17.

Spraying of fruit trees

**18** No person shall spray or dust fruit trees during the period within which the trees are in bloom with a mixture containing any poisonous substance injurious to bees unless almost all the blossoms have fallen from the trees. R.S.O. 1990, c. B.6, s. 18.

Location of hives

**19** (1)  No person shall place hives or leave hives containing bees within 30 metres of a property line separating the land on which the hives are placed or left from land occupied as a dwelling or used for a community center, public park or other place of public assembly or recreation. 2002, c. 17, Sched. F, Table.

Location near highway

(2)  No person shall place hives or leave hives containing bees within 10 metres of a highway. 2002, c. 17, Sched. F, Table.

Inspection orders

(3)  An inspector who finds hives containing bees in a location contrary to subsection (1) or (2) may order that those hives be relocated to a location that is in compliance with subsection (1) or (2). 2002, c. 17, Sched. F, Table.

**Section Amendments with date in force (d/m/y)**

[2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfs2) - 01/01/2003

Transporting of used containers

**20** No person shall sell, transport or ship within Ontario any used honey container that has not been properly cleansed. R.S.O. 1990, c. B.6, s. 20.

Certificate of registration

**21** (1)  No person shall be a beekeeper in Ontario without a certificate of registration issued by the Provincial Apiarist. R.S.O. 1990, c. B.6, s. 21 (1).

Application

(2)  Every application for the issue or renewal of a certificate of registration shall be made to the Provincial Apiarist, be accompanied by the prescribed fee and include such information as the Provincial Apiarist requires. R.S.O. 1990, c. B.6, s. 21 (2).

Expiry

(3)  A certificate of registration issued after the day the *Red Tape Reduction Act, 1999* receives Royal Assent expires on the date specified in the certificate. 1999, c. 12, Sched. A, s. 6.

Application for renewal

(4)  An applicant for the renewal of a certificate of registration shall file the application with the Provincial Apiarist,

(a) within 60 days of receiving a renewal notice from the Provincial Apiarist; or

(b) at least 30 days before the certificate expires if the Provincial Apiarist has not sent a renewal notice to the applicant. 1999, c. 12, Sched. A, s. 6.

**Section Amendments with date in force (d/m/y)**

1999, c. 12, Sched. A. s. 6 - 22/12/1999

Bees-wax refuse and used honeycombs

**22** No person shall buy, sell or transport bees-wax refuse or used honeycombs between the 1st day of April and the 1st day of December in any year without a permit from the Provincial Apiarist. R.S.O. 1990, c. B.6, s. 22.

Records and returns

**23** Every beekeeper and every person who sells bees shall,

(a) keep such books and records as the regulations prescribe; and

(b) make such returns in such manner and at such times as the regulations prescribe. R.S.O. 1990, c. B.6, s. 23.

Offence

**24** Every person who contravenes any provision of this Act or the regulations or any order of the Director, Provincial Apiarist, Assistant Provincial Apiarist or an inspector is guilty of an offence and on conviction is liable to a fine of not more than $2,000 for a first offence and to a fine of not more than $5,000 for any subsequent offence. R.S.O. 1990, c. B.6, s. 24.

Regulations

**25** The Lieutenant Governor in Council may make regulations,

(a) prescribing the fees that shall be paid for a certificate of registration;

(a.1) exempting classes of persons from the requirement under section 12, 13 or 22 for a permit or under section 21 for a certificate, in such circumstances as may be prescribed and subject to such restrictions as may be prescribed;

(b) providing for the keeping of a register of beekeepers;

(c) prescribing the books and records that shall be kept by beekeepers and by persons who sell bees or package bees;

(d) prescribing the returns that shall be made to the Provincial Apiarist by beekeepers and by persons who sell bees or package bees;

(e) requiring and prescribing the reports that shall be made to the Provincial Apiarist by inspectors;

(f) designating any area in Ontario as a queen bee breeding area and regulating the keeping of bees in such area;

(g) designating any disease of bees to be a disease within the meaning of this Act;

(h) designating any insect or parasite to be a pest within the meaning of this Act;

(i) prescribing forms and providing for their use. R.S.O. 1990, c. B.6, s. 25; 1994, c. 27, s. 12 (4).

**Section Amendments with date in force (d/m/y)**

1994, c. 27, s. 12 (4) - 09/12/1994

\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Français](http://www.ontario.ca/fr/lois/loi/90b06)

[Back to top](#Top)