VERŻJONI ELETTRONIKA

L.N. 309 of 2026

AGRICULTURE ACT
(CAP. 639)

Maltese Honey Bee Conservation Zone Regulations, 2026

IN EXERCISE of the powers conferred by article 7 of the Agriculture Act, the Minister responsible for agriculture and rural affairs has made the following regulations:-

PART I
PRELIMINARY

Citation and scope.

1. (1) The title of these regulations is the Maltese Honey Bee Conservation Zone Regulations, 2026.

(2) The scope of these regulations is to establish a protected apicultural area in the Zone in which the keeping, propagation and movement of honey bee colonies is regulated so as to preserve the genetic integrity of the Maltese honey bee and minimise the risk of hybridisation, genetic introgression, disease transmission and any other adverse impacts capable of compromising the long-term conservation of the Maltese honey bee.

Interpretation.

2. (1) In these regulations, unless the context otherwise requires:

Cap. 639.

"Act" means the Agriculture Act;

"Director" means the Director responsible for agriculture and includes, to the extent of the authority given, any officer authorised by him in writing, to act on his behalf for any of the purposes of this Act or any regulations made thereunder;

"Maltese honey bee" means a honey bee belonging to the subspecies Apis mellifera ruttneri;

"Maltese honey bee colony" means a honey bee colony possessing a genetic purity of not less than ninety per cent (90%) attributable to *Apis mellifera ruttneri*, as determined by the Director in accordance with these regulations and the technical guidelines issued under regulation 10;

"non-native honey bee colony" means any honey bee colony other than a Maltese honey bee colony;

VERŻJONI ELETTRONIKA

"permanent resident" means a Maltese honey bee colony authorised by the Director under regulation 6 to be permanently kept or maintained within the Zone;

S.L. 36.36.

"registered colony" means a honey bee colony registered in accordance with the Bee Keeping Regulations;

"Zone" means the Maltese Honey Bee Conservation Zone designated in regulation 3.

(2) Unless the context otherwise requires, words and phrases used in these regulations which are not defined herein shall have the same meaning as assigned to them in the Act.

PART II
DESIGNATION AND CONSERVATION OBJECTIVE

Designation of the Zone.

3. (1) The island of Comino is hereby designated as the Maltese Honey Bee Conservation Zone.

(2) The Zone shall be managed for the conservation, propagation and protection of the Maltese honey bee and for the safeguarding of its genetic integrity.

PART III
RESTRICTIONS WITHIN THE ZONE

Restriction on non-native honey bee colonies.

4. (1) Subject to regulations 7 and 8, no person shall introduce, import, place, keep, maintain, breed, rear, propagate, transfer, sell, exchange, donate, transport, abandon or otherwise release within the Zone any non-native honey bee colony or any genetic material derived from a non-native honey bee colony.

(2) Subject to regulations 7 and 8, no person shall establish or maintain within the Zone any apiary, hive or beekeeping operation containing or involving a non-native honey bee colony.

(3) No person shall intentionally or negligently undertake any act or omission which may defeat or prejudice the conservation objective of these regulations.

Registration.

S.L. 36.36.

5. (1) No person shall keep any honey bee colony within the Zone unless such colony is registered in accordance with the Bee Keeping Regulations and is lawfully kept under these regulations.

(2) Every person keeping any honey bee colony within the Zone shall ensure that the registration details are complete, accurate and kept up to date, including the location of the apiary, the number of colonies, and such other information as the Director may reasonably

VERŻJONI ELETTRONIKA

require.

(3) Registration under the Bee Keeping Regulations shall not exempt any person from compliance with these regulations or with any other applicable law. S.L. 36.36.

Authorisation of Maltese honey bee colonies as permanent residents.

6. (1) No Maltese honey bee colony shall become or be kept as a permanent resident within the Zone unless authorised in writing by the Director in accordance with this regulation.

(2) An application for an authorisation under this regulation shall be made in such form and manner as the Director may determine.

(3) In determining an application under this regulation, the Director shall have regard to:

(a) the conservation objective of these regulations;

(b) the genetic purity of the colony as determined in accordance with regulation 10;

(c) the preservation of the genetic integrity and genetic diversity of the Maltese honey bee population within the Zone;

(d) the carrying capacity of the Zone;

(e) bee health and biosecurity considerations;

(f) the technical guidelines issued under regulation 10; and

(g) any other scientific or environmental consideration which the Director reasonably considers relevant for the proper conservation and management of the Zone.

(4) An authorisation granted under this regulation may be made subject to such conditions as the Director considers reasonably necessary for the proper conservation and management of the Zone.

(5) The Director may suspend, vary or revoke an authorisation granted under this regulation where:

(a) any condition attached to the authorisation has not been complied with;

(b) the colony no longer satisfies the requirements of these regulations;

(c) the Director has reasonable grounds to believe that

the continued presence of the colony would materially prejudice the conservation objective of these regulations; or

(d) this is otherwise necessary in the interests of bee health, biosecurity or the effective conservation and management of the Zone.

Transitional measures.

7. (1) Any person who, with effect from 13th November 2026, keeps any non-native honey bee colony within the Zone shall, by not later than 30th September 2027, declare such colony to the Director in such form and manner as the Director may require.

(2) Any person referred to in sub-regulation (1) shall not increase, breed, divide, replace or transfer such colony within the Zone except in accordance with a written direction or authorisation issued by the Director.

(3) All non-native honey bee colonies declared under sub-regulation (1) shall, by not later than 31st December 2027, be removed from the Zone or otherwise dealt with in accordance with written directions issued by the Director, and may be replaced within the Zone only by Maltese honey bee colonies authorised under regulation 6.

(4) The Director may impose conditions, timeframes and biosecurity measures in relation to any declaration, removal, replacement, isolation, quarantine, destruction or disposal under this regulation.

(5) Subject to regulation 8, after the date referred to in sub-regulation (3), no person shall keep, maintain or permit the presence within the Zone of any non-native honey bee colony.

Temporary seasonal introduction of non-native honey bee colonies.

8. (1) Notwithstanding regulation 4, an application under this regulation for an authorisation for the temporary introduction into, and keeping within, the Zone of one or more non-native honey bee colonies during the period commencing on the fifteenth (15th) day of May and ending on the thirty-first (31st) day of July of the same calendar year, shall be made in such form and manner as the Director may determine.

(2) The Director may, upon an application made in writing, authorise the temporary introduction referred to in sub-regulation (1), where the Director is satisfied that such introduction would not materially prejudice the conservation objective of these regulations.

(3) An authorisation under this regulation shall be issued in writing and shall be subject to such conditions as the Director considers reasonably necessary for the protection of the conservation

VERŻJONI ELETTRONIKA

objective of these regulations, including conditions relating to:

(a) the number of colonies;

(b) their location within the Zone;

(c) identification and traceability;

(d) biosecurity measures;

(e) movement;

(f) breeding, queen replacement, division and any other activity or occurrence capable of affecting the genetic integrity of the resident honey bee population;

(g) inspection, monitoring and sampling;

(h) the removal of colonies from the Zone; and

(i) any other matter necessary for the proper administration of these regulations.

(4) Every colony authorised under this regulation shall be removed from the Zone by not later than the thirty-first (31st) day of July of the relevant calendar year, or by such earlier date as the Director may specify in the authorisation.

(5) An authorisation issued under this regulation shall not confer any right or entitlement to keep the colony within the Zone beyond the period specified therein.

(6) A person to whom an authorisation is issued under this regulation shall comply with every condition specified therein.

(7) When a colony authorised under this regulation swarms, absconds, or is lost, the person to whom the authorisation was issued shall, as soon as reasonably practicable after becoming aware of any such occurrence, notify the Director in writing and shall comply with any order issued by the Director in relation to the recovery, removal, isolation or other appropriate management of the swarm.

PART IV
MONITORING, INFORMATION AND ENFORCEMENT

Information, inspection and verification.

9. (1) The Director or an authorised person may require any person keeping, controlling, transporting or otherwise dealing with bee colonies or beekeeping equipment within the Zone to provide such information, records, documents, photographs, location information or

other evidence as may reasonably be required for the purpose of verifying compliance with these regulations.

(2) The Director or an authorised person may inspect any apiary, hive, colony, equipment, vehicle, land or premises in accordance with article 8 of the Act and may take or require the taking of samples for the purpose of verifying compliance with these regulations.

(3) Where the Director has reasonable grounds to suspect that a colony is a non-native honey bee colony, he may require the person responsible for such colony to submit the colony, or samples thereof, to such examination or testing as the Director considers appropriate.

(4) Where non-compliance with these regulations is established, the Director may require the person responsible for the breach to bear the reasonable costs incurred in connection with any inspection, sampling, examination, testing, removal, transport, storage, isolation, quarantine, destruction or disposal undertaken for the purposes of these regulations.

Technical guidelines.

10. (1) The Director shall issue and publish technical guidelines establishing the scientific methodology, evidential criteria and administrative procedures for the purposes of determining whether a honey bee colony qualifies as a Maltese honey bee colony in accordance with these regulations.

(2) Without prejudice to the generality of sub-regulation (1), such guidelines may provide for:

(a) genetic testing methodologies;

(b) the methodology and criteria for determining whether the genetic purity threshold established in these regulations has been satisfied;

(c) characteristic morphological or behavioural traits;

(d) sampling procedures;

(e) recognised laboratories;

(f) documentary requirements;

(g) any other scientific or technical criterion considered necessary;

(h) criteria governing the authorisation of Maltese honey

VERŻJONI ELETTRONIKA

bee colonies as permanent residents within the Zone;

(i) criteria governing the assessment of carrying capacity within the Zone;

(j) such other conservation measures as the Director considers necessary for the effective management of the Zone.

(3) The guidelines issued under this regulation shall not derogate from or otherwise modify these regulations.

(4) In determining whether a honey bee colony satisfies the genetic purity threshold established in these regulations, the Director shall have regard to recognised scientific evidence obtained in accordance with the technical guidelines, including genetic testing, and may also have regard to such characteristic morphological or behavioural traits as may be specified therein.

Enforcement notices and orders.

11. (1) Without prejudice to the powers conferred by the Act, where the Director has reason to believe that these regulations have been breached, the Director may issue an enforcement notice in accordance with article 12 of the Act and, where the Director has reasonable grounds to believe that a breach is occurring or is likely to occur, the Director may issue such written orders as may lawfully be necessary to ensure compliance with these regulations.

(2) An enforcement notice or order may, in particular, require any person to declare, isolate, quarantine, remove, replace, transfer, surrender, destroy or otherwise dispose of any non-native honey bee colony, hive, genetic material or related equipment within such period and subject to such conditions as the Director may specify in the said enforcement notice or order.

(3) The Director may order the immediate removal, isolation, quarantine, destruction or disposal of any colony where he has reasonable grounds to believe that delay would present a significant risk to the conservation objective of these regulations, to bee health, or to the effective enforcement of these regulations:

Provided that the Director shall not order the destruction or disposal of any colony unless satisfied that no other reasonably practicable and less restrictive measure is capable of adequately addressing the risk concerned.

Seizure and disposal.

12. (1) The Director or an authorised person may seize, seal, detain, remove or otherwise secure any colony, hive, equipment, document or other thing in accordance with article 8 of the Act where such action is reasonably required for the purposes of these

VERŻJONI ELETTRONIKA

regulations.

(2) Any seized colony, hive, equipment or other thing shall be dealt with in accordance with article 8 of the Act, including the provisions relating to living creatures, perishable goods, notice of seizure, claims, forfeiture and disposal.

Cooperation with other authorities.

13. The Director may request the assistance of, and may cooperate with, the Executive Police, the Comptroller of Customs, the Environment and Resources Authority, any local council, any Government department or agency, and any other competent authority, in accordance with article 8 of the Act and any other applicable law.

PART V
OFFENCES, PUNISHMENTS AND SAVINGS PROVISIONS

Offences.

14. (1) Any person who:

(a) breaches or fails to comply with any provision of these regulations;

(b) introduces, imports, places, keeps, maintains, breeds, rears, propagates, transfers, sells, exchanges, donates, transports, abandons or otherwise releases within the Zone any non-native honey bee colony or any genetic material derived therefrom:

Provided that any such act may only be carried out as permitted in accordance with regulation 7 or in accordance with an authorisation issued under regulation 8;

(c) fails to register a colony or to keep registration details complete, accurate and up to date;

(d) fails to make a declaration required under regulation 7;

(e) fails to comply with any condition, authorisation, direction, enforcement notice, order or requirement issued or imposed under these regulations, including any removal deadline specified in accordance with regulation 8;

(f) obstructs, hinders or interferes with the Director or an authorised person in the exercise of any function in accordance with these regulations;

(g) furnishes information which is false or misleading in any material respect;

VERŻJONI ELETTRONIKA

(h) aids, abets, counsels or instigates the commission of an offence under these regulations; or

(i) keeps or maintains a Maltese honey bee colony as a permanent resident within the Zone without an authorisation granted under regulation 6,

shall be guilty of an offence against these regulations.

(2) For the purposes of these regulations, each colony, hive or act of introduction, keeping, transfer, transport or release may constitute a separate offence.

Punishments.

15. (1) Any person guilty of an offence under these regulations shall on conviction be liable to the punishments established under the Act, including article 11 thereof, and to the confiscation, disposal of any colony, hive, equipment, genetic material or any other thing connected with the offence.

(2) The imposition of a punishment under these regulations shall be without prejudice to any administrative penalty, enforcement measure, seizure, forfeiture, prosecution or other sanction available under articles 8 and 13 of the Act respectively or any other applicable law.

Administrative penalties.

16. Notwithstanding the provisions of regulation 15, the Director may proceed by way of an administrative penalty in accordance with article 13 of the Act where the conditions established therein are satisfied.

Appeals.

17. Any person aggrieved by a decision of the Director taken under these regulations, including a decision granting, refusing, suspending, varying or revoking an authorisation, a determination as to whether a colony qualifies as a Maltese honey bee colony or an enforcement notice or order, may appeal in accordance with article 15 of the Act.

Notification of documents.

18. Any notice, order, direction, instrument or other document required or authorised to be served or given under these regulations shall be served in accordance with article 18 of the Act.

Saving.
S.L. 36.36.
S.L. 549.120.
S.L. 549.44.
Cap. 549.

19. (1) These regulations shall not be construed as limiting or derogating from the Bee Keeping Regulations, the Species Protection (Designation of National Species) Regulations, the Flora, Fauna and Natural Habitats Protection Regulations, the Environment Protection Act or any other applicable law.

(2) Compliance with these regulations shall not relieve any person from the obligation to obtain, hold or comply with any permit, licence, registration, authorisation or approval required under any other law.

VERŻJONI ELETTRONIKA

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